

SFG1974 V2

# FEDERATION OF BOSNIA AND HERZEGOVINA ROAD SECTOR MODERNIZATION PROJECT

## Integrated Resettlement Action Plan for Sub-projects



Public Company Roads of Federation of Bosnia and Herzegovina

January 2016

Federation of Bosnia and Herzegovina  
Road Sector Modernization Project

# Integrated Resettlement Action Plan for Sub-projects

**Project:** Federation of Bosnia and Herzegovina Road Sector Modernization Project  
**Report:** Integrated Resettlement Action Plan for Sub-projects  
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## 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 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 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 date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated.
ECONOMIC DISPLACEMENT	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.
EXPROPRIATION	Means deprivation or limitation of ownership rights of property with a compensation pursuant to market value of that property.
INFORMAL USERS	PAPs who have no recognizable legal right or claim to the land they are occupying.
INVOLUNTARY RESETTLEMENT	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.
LIVELIHOOD RESTORATION	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.
MARKET VALUE	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.
MOVING ALLOWANCE	The moving allowance is a cash compensation for costs directly associated to moving/relocation of the household.

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OWNERS	PAPs who have formal legal rights to land (including customary and traditional rights recognized under the laws of Bosnia and Herzegovina).
PAP	“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.
PHYSICAL DISPLACEMENT	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.
REPLACEMENT COST	For <i>agricultural land</i> , replacement cost 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 <i>land in urban areas</i> , 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 <i>houses and other structures</i> , it is the 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 labor 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 leveling 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.
RESETTLEMENT ACTION PLAN (RAP)	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.
RESETTLEMENT POLICY FRAMEWORK (RPF)	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.

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STAKEHOLDERS	Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.
TRANSITIONAL ALLOWANCE	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.
USERS	PAPs who do not have formal legal rights to land/property at the time of the cut-off date but have a claim to such land or assets—provided that such claims are recognized under the laws of Bosnia and Herzegovina.
VULNERABLE GROUPS	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.

## 1. Introduction

### 1.1. Description and Context of the Project

The Government of the Federation of Bosnia and Herzegovina (FBiH) has launched the overarching FBiH Modernization of Main Roads Program to ensure adequate road infrastructure by 2020.

In the framework of the mentioned umbrella Program, the Public Company "Roads of FBiH" (PC Roads FBiH), a limited liability company wholly owned by the Government of FBiH, has initiated the **FBiH Road Sector Modernization Project** (the Project). For this purpose, it has requested the Government of FBiH to ensure credit funds from International Financial Institutions (IFIs). The Government of FBiH has supported the initiative to ensure credit resources from IFIs in the amount of up to €150 million for the Project, including EUR 103.38 million from the World Bank (WB) and the European Investment Bank (EIB).

The Borrower will be the Ministry of Finance and Treasury of Bosnia and Herzegovina (BiH), whereas the agency responsible for implementing the Project on behalf of FBiH will be PC Roads FBiH.

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

- Construction of new sections of roads
- Improvement of road elements within the existing corridor
- Construction of third lanes to be used by slow vehicles.
- Reconstruction of carriage-way structure, axis corrections
- Elimination of road safety black spots and dangerous locations
- Improvement of bridges and tunnels.

The Project is expected to reduce the number of road accidents, reduce local pollution generated by transport sector and vehicle operating costs, and improve road connectivity and safety, thus facilitating trade, enabling tourism development, providing local communities with better access to social infrastructure such as hospitals, supporting private sector development, promoting regional and national economic growth and contributing to economic and social cohesion in the region.

#### **Administrative Structure of BiH**

BiH consists of two entities: Federation of BiH and Republika Srpska, and a separate administrative unit under the exclusive sovereignty of the State (Brcko District). FBiH consists of ten Cantons which are further divided into Municipalities. There are 79 Municipalities in FBiH.



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The administrative structure of FBiH is shown in Figure 1 below.



**Figure 1: Administrative Organization of BiH**  
(source: ENOVA)

**Description of Sub-projects**

Part of the Project is the **construction or reconstruction of road sections** located in 6 different Cantons in FBiH, consisting of the following 9 sections:

**Table 1: Sub-projects Proposed for Financing by WB and EIB**

No.	Road	Section	Type of works	Length (km)	Canton
1.	M 5	Donji Vakuf 1 - Turbe	Construction of slow lane	1.72	Central Bosnia Canton
2.	M5	Bihać 4 - Ripač	Road axis correction	1.00	Una-Sana Canton
3.	M20	Ustikolina - Goražde 8	Reconstruction of road	22.12	Bosnia-Podrinje Canton
4.	M4.2	Skokovi - Srbljani	Reconstruction of black spot	0.30	Una-Sana Canton
5.	M5	Border BiH/RH (Izačić) - Bihać	Reconstruction of black spot	0.30	Una-Sana Canton
6.	M17	Mostar centar - Gnojnice	Reconstruction of black spot	0.30	Herzegovina-Neretva Canton
7.	M17	Tasovčići - Čapljina	Reconstruction of black spot	0.30	Herzegovina-Neretva Canton
8.	M18	Šićki Brod 3 - Živinice 1	Reconstruction of black spot	0.30	Tuzla Canton
9.	M18	Vitalj - Olovo	Reconstruction of black spot	0.30	Zenica-Doboj Canton

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The map of the Project area is provided below.

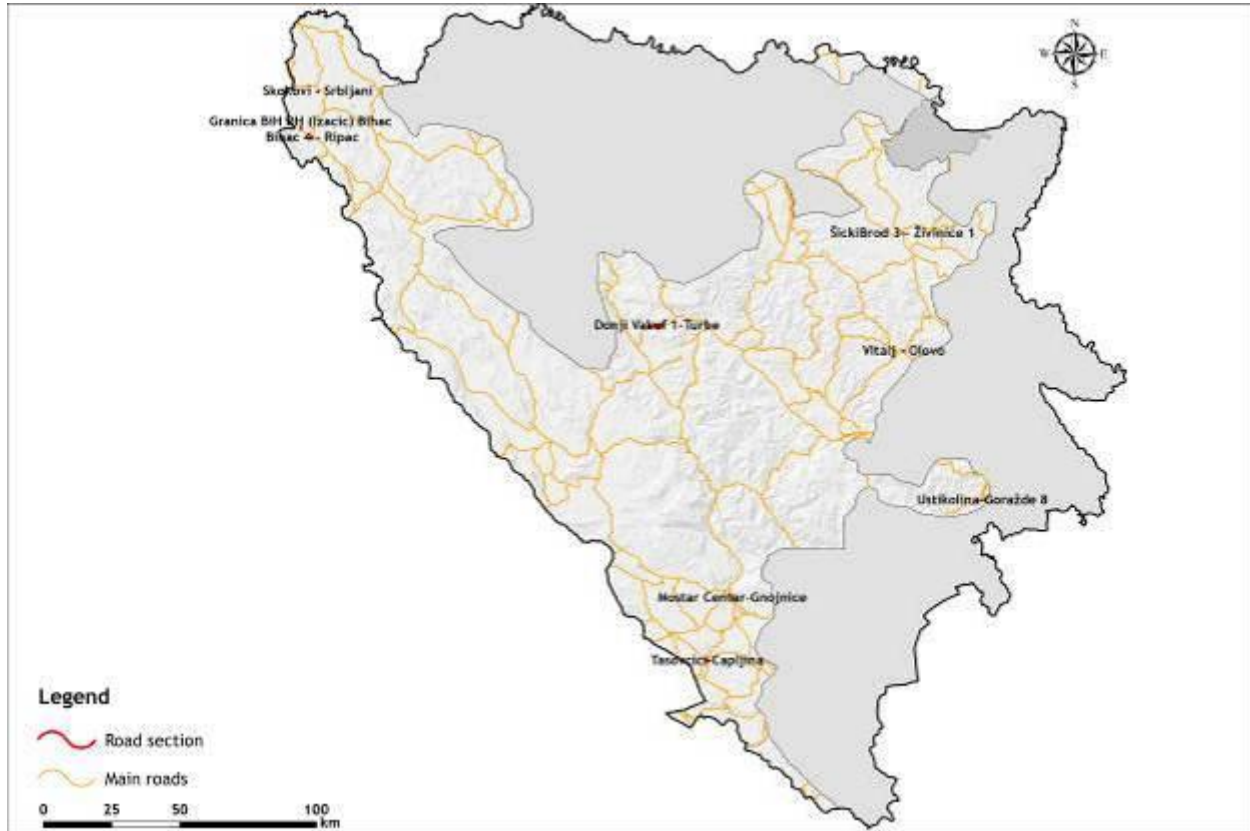


Figure 2: Map of the Project Area

## 1.2. Scope and Purpose of the Resettlement Action Plan (RAP)

PC Roads FBiH has prepared this Resettlement Action Plan (RAP) for the above described sections consistent with:

- The laws and regulations in force in the Federation of Bosnia and Herzegovina (FBiH),
- the World Bank Operational Policy (OP) on Involuntary Resettlement (OP 4.12)<sup>1</sup>.

This RAP has been prepared based on the Resettlement Policy Framework (RPF) for the Project, which outlines the key land acquisition and resettlement principles and objectives to be followed, the organizational arrangements and design criteria to be applied to subprojects to be prepared during Project implementation to ensure the adequate management of land acquisition required for the Project, and ensure that eligible, affected persons are assisted in their efforts to restore or improve their livelihoods. The RPF is in line with the local legislation and OP 4.12, and the more stringent requirement will prevail.

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<sup>1</sup>Available at:

<http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/0,,contentMDK:20064610~menuPK:64701637~pagePK:64709096~piPK:64709108~theSitePK:502184~isCURL:Y,00.html>

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This RAP specifies the detailed procedures to be followed by PC Roads FBiH and the actions it will take to properly resettle and compensate affected people and communities. The document also provides baseline census and socio-economic survey information; specific compensation rates and standards; policy entitlements related to any additional impacts identified through the census or survey;; the implementation schedule for resettlement activities; and cost estimates.

In addition to OP 4.12, the *WB Involuntary Resettlement Sourcebook: Planning and Implementation in Development Projects (2004)*<sup>2</sup> has been also used as a guiding document during the preparation of this RAP.

### **1.3. Planned Land Acquisition Process**

The land acquisition process has not been officially initiated yet. PC Roads of FBiH will be the Expropriation Beneficiary, whereas the competent authority for conducting the land acquisition process will be the Municipalities, in accordance with the requirements of the local legislation elaborated in more detail in Chapter 2 of this RAP (*Legal Framework for Land Acquisition*).

Expropriation Studies<sup>3</sup> as required by local legislation have been prepared for 3 of the 9 road sections, as follows:

- Ustikolina-Goražde (Location Vitkovići),
- Skokovi-Srbljani (Location Mala Lisa), and
- Šićki Brod-Živinice (Location Husino).

Expropriation Studies are in the process of preparation for 2 of 9 road sections, as follows:

- Bihać-Ripač, and
- Izačić-Bihać (Location Kamenica).

Expropriation Studies for the remaining 4 sections have not been developed to date.

No other activities related to land acquisition have been undertaken.

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<sup>2</sup>Available at: <http://documents.worldbank.org/curated/en/2004/01/5159399/involuntary-resettlement-sourcebook-planning-implementation-development-projects-vol-1-2>

<sup>3</sup> The Expropriation Study represents the basic document for preparing and implementing the expropriation process. According to the Law on Expropriation, the Expropriation Study contains the geodetic and cadastral plan of the expropriation area, data on affected property, the objective of expropriation and other relevant data.

## 2. Legal Framework for Land Acquisition

### 2.1. Law on Expropriation of FBiH

The *Law on Expropriation of FBiH*<sup>4</sup> regulates the conditions and procedure for expropriation of property for construction of facilities in public interest, compensation eligibility and amounts, handling of grievances and disputes handling and other issues pertaining to the expropriation process.<sup>5</sup>

A summary of the key provisions of the Law is presented in this section, whereas a more detailed description of the provisions are provided in Annex 1 of this RAP.

- **Public interest and purpose of expropriation:**

Property can only be expropriated upon the establishment of public interest for projects that bring greater benefit for the public (Art. 3 and 5).

Expropriation may be carried out for the needs of FBiH, cantons, cities, municipalities, public enterprises and public institutions, unless otherwise provided by the Law.

- **Expropriation process:**

A condition to start expropriation is the existence of evidence that the required funds have been secured and deposited with the bank in the assessed total sum for payment or proof of existence of replacement properties (Art. 24).

The procedure for expropriation starts with a proposal for expropriation, submitted by the Expropriation Beneficiary to the relevant Municipality (“the expropriation authority”). 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.

Negotiated settlements are explicitly encouraged by the Law (Art. 23). The expropriation beneficiary is required to publish a public announcement to invite the property owners and try to reach a prior amicable sale-purchase agreement with the affected owner. The signed agreement on compensation has to include the timing and rate at which cash compensation will be paid or in kind compensation provided (Art. 26). If no agreement on compensation is reached within 2 months of the validity of the Decision on Expropriation (or less if the Municipal Administration decides as such), the Municipal Administration submits the valid Decision together with other relevant documents to the competent Court, at the territory of which the expropriated real property is located, for the purpose of determining the compensation. The competent court ex officio decides in non-contentious proceedings on the amount of compensation for the expropriated real property.

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<sup>4</sup> Official Gazette of FBiH, No. 70/07, 36/10 and 25/12

<sup>5</sup> Amendments to the Law are currently in parliamentary procedure, and the extent and time of adoption of such amendments is unknown. Following the adoption of the amendments to the Law, an annex explaining the relevance of such amendments (if any) for the Project will be added to this RAP. Depending on the extent of the impact of the amendments, the RAP could be subject to a new round of consultations. The amendments to the Law shall not have retroactive applicability. Once the amendments to the Law are put into effect, the more stringent principle (amended Law on Expropriation of FBiH or OP 4.12) shall prevail.

▪ **Process of identifying factual owners/users:**

After the submission of the expropriation proposal by the expropriation beneficiary to the municipality, the municipality appoints persons for conducting the expropriation procedure. These persons are responsible for resolving the so-called "preliminary issue", i.e. the issue of ownership, prior to issuing the decision on expropriation, which is the result of out-dated information in land registry books (the person registered in the land registry is different from the actual owner/user who may be the heir, the person who purchased the property but failed to report such transfer, etc.). These appointed persons organize a site investigation in the presence of the expropriation beneficiary, official court valuers of property and the identified property owner and user, and informs the participants that public interest has been declared for the project and that an expropriation proposal has been submitted. A written record of the site investigation is prepared. Appointed persons also invite the identified owners and users, organizes a meeting in the municipality and issues a decision on the resolution of the preliminary issue (i.e. identifies the actual and current owner or user to whom the compensation will be provided). As the last step, the appointed persons issue a decision on expropriation on the basis of the mentioned record and the documentation submitted together with the expropriation proposal. Affected people are entitled to lodge a complaint against this decision with the municipality, which is forwarded to the Federal Administration for Geodetic and Property Affairs as a second instance.

▪ **Information and consultation requirements:**

Prior to the submission of the expropriation proposal, the expropriation beneficiary is required to publish a public announcement and invite all property owners for purposes of attempting a negotiated settlement (Art. 23). Affected owners are informed throughout the expropriation process, i.e. that a request for expropriation has been submitted (Art. 25). Before the decision on expropriation is passed, the Municipal authority has to invite the affected persons with formal legal rights to a meeting to present any facts which may be relevant for expropriation (Art. 27).

▪ **Types of expropriation:**

Expropriation can be temporary (incomplete) or permanent (complete).

*Complete expropriation* allows the expropriation beneficiary to obtain legal title over the expropriated property, while the rights of the previous owner over the real property as well as other rights over that real property cease to exist.

*Incomplete expropriation* provides the beneficiary 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.

Owners 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 (Art. 11), and must be informed of such right by the Municipal authority. 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.

- **Compensation**

Compensation is provided at market value of the affected property (Art. 12), determined on the basis of prices of property in the given area, calculated as the market price which could be achieved for a specific real property, depending on the supply and demand at that particular moment in time (Art. 46).

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

Compensation to those who have formal legal rights is provided in the form of replacement property (Art. 45). However, compensation may be provided in cash, upon the request of the owner and if suitable replacement property cannot be identified (Art. 46). 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 the owners whose property is pending expropriation, as well as circumstances which may have adverse economic effects, can be taken into account when determining the amount of compensation, which may be increased above the market value (Art. 47). This provision addresses livelihood restoration beyond the sheer compensation of the lost asset by providing flexibility based on a case-by-case assessment of personal circumstances.

Compensation costs are borne by the Expropriation Beneficiary. Compensation arrangements must be settled prior to the formal transfer of ownership of the expropriated property (Art. 31).

- **Grievance procedure**

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

## 2.2. Other Related Legislation of FBiH

- The *Law on Proprietary Rights*<sup>6</sup> regulates the general issues of acquiring, using, disposing of, protecting and terminating ownership rights and other proprietary rights and possession rights, including the 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 erected on someone else's land. The Law states that ownership rights and other proprietary rights may only be limited or taken away in public interest and under the conditions defined by the Law in accordance with the 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.

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<sup>6</sup> Official Gazette of FBiH, No. 66/13, 100/13

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- The *Law on Agricultural Land of FBiH*<sup>7</sup> contains the basic definitions and principles regarding the management, protection, use, planning, and records related to agricultural land. The Law provides that a right of way may be established on agricultural land, as decided by the city or municipal council. The owners of such land are entitled to compensation in accordance with the Law on Expropriation.
- The *Law on Construction Land of FBiH*<sup>8</sup> 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 permit for construction, by the Municipal Council, in accordance with the Law on Spatial Planning. Legalization of informally constructed buildings is further regulated by decrees taken at cantonal level, and implemented at municipality level.
- The *Law on Extra-Judicial Proceedings of FBiH*<sup>9</sup> prescribes the rules by which courts decide upon personal, family, property-related and other rights and legal interests resolved in extra-judicial proceedings. The courts determine the amount of compensation for expropriated property in extra-judicial proceedings. The petitioners may conclude an agreement about the compensation form and range, i.e. the amount of compensation, and the court will then base its decision on such agreement, if the court finds that the agreement is not contrary to the regulations which prescribe the proprietary rights over real estate.
- The *Law on Administrative Procedures of FBiH*<sup>10</sup> regulates the procedures applied by administration bodies in deciding upon citizens' rights and obligations within the framework of administrative procedures. Parties are entitled to appeal against decisions adopted in the first instance. Only the Law may prescribe that appeals are not permitted in certain administrative issues, if the protection of rights and legality is ensured in some other way. In its Article 54, the Law gives the possibility to appoint a temporary representative if a party does not have a legal representative or if an 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 so required by the urgency of the case. 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, it will disclose its conclusion on a notice board or in other usual manner (by means of newspapers or other media). A temporary representative can be appointed to a commercial corporation, institution or other legal entity. The appointed person is obliged to accept the representation and may refuse it solely for the reasons as prescribed in special regulations.
- The *Law on Land Registration of FBiH*<sup>11</sup> regulates keeping, maintenance and setting up of land registries, as well as the registration of real estate and proprietary rights in land registries in FBiH. Proprietary rights and other rights come into effect only upon registration in land registry. In the expropriation process, the issued Decision on Expropriation represents the legal basis of registration in the land registry. In addition, expropriation may be registered in the form of conditional registration.

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<sup>7</sup>Official Gazette of FBiH, No. 52/09

<sup>8</sup> Official Gazette of FBiH, No. 67/05

<sup>9</sup>Official Gazette of FBiH, No. 2/98, 39/04

<sup>10</sup>Official Gazette of FBiH, No. 2/98, 48/99

<sup>11</sup>Official Gazette of FBiH, No. 19/03, 54/04

- The *Law on Land Survey and Cadastral of Property in FBiH*<sup>12</sup> regulates survey of land, buildings and other structures, establishment 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.
- The *Law on Gender Equality* in BiH<sup>13</sup> promotes and guarantees the equal treatment of sexes and equality of opportunities for all in both the public and private domain, and prohibits direct and indirect discrimination on grounds of gender.

### 2.3. Applicable WB Policy

All WB financed projects involving resettlement are subject to OP 4.12, which describe the instruments and procedures for eliminating negative economic, social and environmental issues that may arise. OP 4.12 is triggered not only with physical relocation, but any loss of land resulting in relocation or loss of shelter, loss of assets or access to assets and loss of income sources and means of livelihood. The overall objectives of OP 4.12 are the following:

- Involuntary resettlement should be avoided or minimized where feasible, exploring all viable alternative project designs.
- Where resettlement cannot be avoided, 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 be encouraged to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in improving their former standards of living and livelihoods (income earning capacity, and production levels), or at least in restoring them.

OP 4.12 distinguishes the following three categories of persons for eligibility for compensation and assistance:

- a. Persons with formal rights to land (including customary and traditional rights recognized under the laws of the country).
- b. Persons who do not have formal rights to land at the time the census begins but have a claim to such land and assets - provided that such claims<sup>14</sup> are recognized under the country laws or become recognized through a process identified in the specific resettlement plans.
- c. Persons without recognizable legal right or claim to the land they are occupying.

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<sup>12</sup> 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

<sup>13</sup> Official Gazette of BH 16/03, 102/09

<sup>14</sup>Such claims could be derived from adverse possession, from continued possession of public lands without government action for eviction (that is, with the implicit leave of the government), or from customary and traditional law and usage, and so on.



## 2.4. Gaps and Proposed Solutions

In general, the above described legislation of FBiH provides an adequate framework to carry out resettlement and compensation activities in line with WB requirements. The main gaps between local legislation and WB requirements and the solutions addressed through this RAP are:

- *Compensation for informal users of land:* in FBiH, the only category provided compensation according to the Law on Expropriation is the formal owner of the property. Cases involving informal users as defined by category (b) of OP 4.12 (i.e. cases in which there is a discrepancy between the land registry records and the actual ownership situation – for e.g. the land registry has not been updated following the decease of a registered owner or due to other reasons) are identified and resolved adequately by the Municipality in compliance with the Law on Expropriation, which stipulates that municipalities are required to sort out title issues prior to proceeding with further steps. Informal users thus gain the status of formal owners. No informal users as defined by category (c) of OP 4.12 (i.e. persons without any recognizable legal right or claim to the land they use) have been identified.  
Corrective action: Compensation for all categories of affected persons (formal and informal owners and occupants/users of land) will be provided in line with the Entitlements Matrix (Table 6 of this RAP).
- *Livelihood restoration assistance to persons who may suffer loss of income due to Project impacts:* The Law on Expropriation does not include specific provisions with regard to livelihood restoration. However, it allows some flexibility in devising specific compensation measures “where such conditions are of great importance for the subsistence of the previous owner, and in particular if his/her subsistence has been endangered due to the expropriation of a larger part or the entire land or business premises in which the previous owner legally performed a business activity, as well as in the case where due to the expropriation members of an agricultural household have to move from the territory where they had lived”. This provides a suitable legal framework for addressing livelihood restoration to the benefit of economically displaced people, businesses and agricultural laborers.  
Corrective action: All types of assistance for livelihood restoration will be provided in line with the Entitlements Matrix (Table 6 of this RAP).
- *Provision of compensation:* in FBiH, compensation for lost assets is offered in kind (replacement by an equivalent property) or in cash at market value of the property if the expropriation beneficiary is unable to identify such a replacement property or if such is the choice of the affected owner.  
Corrective action: Compensation for affected land plots and any other losses will be provided at replacement cost<sup>35</sup>, in line with the Entitlements Matrix (Table 6 of this RAP).

A more detailed comparison of the provisions of the FBiH Law on Expropriation with the provisions of OP 4.12 is presented in Annex 2 of this RAP.

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<sup>35</sup> See definition section for a detailed description of the replacement cost as per WB OP 4.12

### 3. Project Impacts and Affected Populations

#### 3.1. Census and Socio-economic Survey

##### Census/Inventory

The **Census/Inventory** of all PAPs was developed in order to gather and analyze data and information required to identify all categories of impacts, the Project Affected People (PAPs) directly affected by land acquisition (owner/users of affected land plots) and the expected loss of assets within the Project areas (road sections). The Census was prepared on the basis of data available to date - the affected population and land plots were identified based on the available ortho-photo maps of the road sections routes overlapped with affected cadastral plots. Specific techniques used for data collection for the Census preparation included observations and transect walks.

The Census Database contains data on the following:

- (i) location (road section) and Cadastral Municipality,
- (ii) land plot number,
- (iii) type of impact,
- (iv) name of PAP (owner or user),
- (v) total area of land plot (m<sup>2</sup>) and % of plots affected by land acquisition, and
- (vi) structures (residential/commercial),
- (vii) other assets on land (natural objects or auxiliary structures).

The summarized version of the census database is provided in Annex 3 of this RAP (the full database is in the form of a separate Excel document). Confidential information about individual persons and properties will not be publicly disclosed by PC Roads, the involved Municipalities and/or the World Bank.

**Note:** Cadaster data (data on exact ownership and use situation) were used from different sources, as follows:

- For road sections with expropriation studies prepared, data from expropriation studies were used (in total 3 road sections),
- For road sections with expropriation studies in draft, data from expropriation studies were used (in total 2 road sections),
- For road sections without expropriation studies prepared (other 4 road sections), data from the database of the Federal Administration for Geodetic and Real Property Affairs of FBiH were used<sup>16</sup>. Data used in this document are up to date and the most recent data available to date (database is updated on a weekly basis in close cooperation with municipalities).

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<sup>16</sup> Available at web links: <http://www.fgu.com.ba/>, <http://www.katastar.ba/geoportal/preglednik/>.

### **Socio-economic Survey**

The Socio-economic Survey was conducted to solicit the opinions of the PAPs about the Project impacts and compensation payments as well as to obtain specific data on current livelihoods and living conditions of PAPs, including the identification of vulnerable categories of PAPs. The Survey was conducted in the period from 1 to 4 December, 2015 in all locations of planned road sections by a team of trained surveyors, on the basis of Survey questionnaires prepared by land acquisition experts.

For the purposes of the Socio-economic Survey, three types of questionnaires were used, as follows:

- (i) Questionnaire for businesses affected by the Project,
- (ii) Questionnaire for landowners (i.e. owners/users of land plots without structures), and
- (iii) Questionnaire for households (i.e. people living in or using residential structures affected by the Project).

The questionnaire templates used during the Socio-economic Survey are provided in Annex 4 to this RAP.

The team of surveyors visited the identified properties, carried out the interviews with affected owners/users, completed the questionnaires and created photographic records of each property. Respondents were provided with a written notice (letter of notification) about the Survey, with the details of the Project and purpose of the Survey, and confirmation that collected data would not be publicly disclosed. The letter of notification is provided in Annex 5 to this RAP.

Majority of the local population does not live in the Project area since a large proportion of the population has emigrated due to war driven migrations<sup>17</sup>. The municipal departments in charge of expropriation, property and legal affairs do not possess updated contact information on identified PAPs<sup>18</sup>. Taking into account this situation, PC Roads FBiH was not able to contact PAPs directly, and attempted to reach the PAPs by posting posters on bulletin boards in the Project area and by publishing public announcements in the daily media, web portals and the website of PC Roads FBiH, as described below in more detail.

Additional efforts were made by PC Roads FBiH to gather socio-economic data and survey PAPs during the public consultative meetings held in February 2016 for disclosure of draft RAP (described in more detail in *Chapter 7: Consultation and Participation*). The published public invitation to the meetings indicated that one of the purposes of the meetings was also to conduct a Socio-economic Survey among PAPs who were not covered by the Survey conducted in December 2015 (due to unavailability of PAP's location or contact information). Two additional PAPs were surveyed during the meetings, and the draft RAP was amended accordingly to include the results of these surveys.

The dataset gathered during the Socio-economic Survey provides a baseline of detailed household demographic data for the Project Affected Population, as well as detailed information on affected businesses within the Project areas. This dataset is crucial in designing proper mitigation measures to be included as part of the project documentation and to set the cut-off date for eligibility for compensation.

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<sup>17</sup> The most significant migration flows in BiH have occurred in the last two decades, as a result of the 1992–1995 war (European Commission. Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. BiH: Final Country Report BiH: Executive Summary 3. April 2012)

<sup>18</sup> Even though data on the residence of owners should be a part of title deeds of affected cadastral plots, the title deeds do not contain such data as most of these title deeds are not updated.

The summary of the key data collected through the Socio-economic Survey are provided in Annex 6 to this RAP (the full database is in the form of a separate Excel document). Confidential information about individual persons and properties, and will not be publicly disclosed by PC Roads, the involved Municipalities and/or the World Bank.

**Note:** PAPs not covered by the Socio-economic Survey in December 2015 and during the public consultative meetings in February 2016 will be surveyed during individual meetings to be organized by the relevant municipal authorities once the land acquisition process is officially initiated by PC Roads FBiH.

### 3.2. Affected People and Properties

#### Overview of Project Impacts

The following impacts are expected as a result of the Project:

- **Complete (permanent) land acquisition:** for the purposes of the Project, it will be necessary to carry out complete expropriation<sup>19</sup> (permanent acquisition) of residential structures, business facilities and land plots positioned in the location of planned road sections;
- **Access restrictions:** a number of business facilities will experience temporary limitation in access to resources during the construction works;

**Temporary land occupation during construction works:** a number of private and state owned land plots may be temporarily occupied for purpose of construction of access roads and placement of staff, machines and material during construction works. The exact locations of such plots will be identified by the Contractors to be engaged in civil works<sup>20</sup>, in the Construction Site Organization Plan to be developed by the Contractors. The land plots identified for purposes of temporary occupation will be included in the Expropriation Study. Contractors will cover the costs of temporary land occupation. PC Roads FBiH will monitor the process and report with respect to temporary land occupation carried out after construction commencement.

Data on the number of owners/users<sup>21</sup> to be affected by the Project and data on the number of households interviewed during the Socio-economic Survey are shown in the table below.

**Table 2:** Total number of PAPs to be Affected and Number of PAPs Interviewed<sup>22</sup>

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<sup>19</sup>According to the Law on Expropriation of FBiH, *complete expropriation* allows the expropriation beneficiary to obtain legal title over the expropriated property, while the rights of the previous owner over the real property as well as other rights over that real property cease to exist. *Incomplete expropriation*, on the other hand, provides the beneficiary 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

<sup>20</sup>In the event of state owned land, the right to use such plots by PC Roads FBiH will be regulated through an agreement with the municipalities or the Government of FBiH. In the event of privately owned land, the Contractor will conclude separate contracts with owners of such land (lease contracts, sales contracts or other form of transfer of ownership or use rights in accordance with the Law on Property Rights of FBiH), and pay adequate compensation. This process will be monitored by PC Roads FBiH through the continuous presence of PC Roads FBiH representatives at the Project site during construction activities and through the submission of monthly statements by the Contractor.

<sup>21</sup>For definition of "users" , please see the List of Definitions in this RAP. Such cases involve those where property is de facto used by family members of the owner or cases in which there is a discrepancy between the land registry records and the actual ownership situation – for e.g. the land registry has not been updated following the decease of a registered owner, and whose rights will be determined during the expropriation procedure as a so-called "preliminary issue". No informal users (see the List of Definitions), users, i.e. those who have no recognizable legal rights or claims to the land they occupy, have been identified along the sections covered by this RAP.

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PAPs	Affected by permanent land acquisition/access restrictions	Affected by physical displacement
Total number of owners/users	189	6 households
Number of properties whose owners/users were interviewed	11 (8 houses <sup>23</sup> + 3 land plot owners/users)	6 households

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<sup>22</sup>These data are the result of the Census and Socio-Economic Survey, which elaborated key aspects related to the Project's effects on residents.

<sup>23</sup> of which 6 to be demolished, 1 summer house used occasionally, and 1 to be impacted by access restrictions

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An overview of the described Project impacts is provided for each section in the table below.

**Table 3: Overview of Project Impacts by Section<sup>24</sup>**

Location (Road section)	Expropriation						Other impacts (access restrictions)	
	Houses	Business facilities	Land plots			Summer houses	Auxiliary facilities	Businesses
			Private	Public				
Bihac 4 - Ripac	6	0	42	16		0	2	5
Tasovcici - Capljina	0	0	12	5		0	1	0
Gorazde (Ustikolina-Gorazde 8)	0	1	4	11		1	0	1
Border BiH/RH (Izacic) - Bihac	0	1	60	1		0	5	8
Donji Vakuf 1- Turbe	0	0	30	16		0	0	0
Skokovi-Srbljani	0	0	11	11		0	0	0
Mostar	0	0	0	4		0	0	0
Vitalj-Olovo	0	0	7	2		0	0	1
Šicki Brod 3 - Živinice 1	0	0	10	12		0	1	2
<b>Total</b>	<b>6</b>	<b>2</b>	<b>176</b>	<b>78</b>		<b>1</b>	<b>9</b>	<b>17</b>

In half of cases (50% of identified land plots), only a part of the land plot will be acquired, and in a small number of cases, the access road on such part of land plot will be acquired (6% of cases).

Out of a total of 19 businesses identified in the Project area (see Affected Businesses below), 2 businesses will be moved, and 17 businesses will likely experience temporary access restrictions (during the construction phase).

In terms of significant Project impacts, the following may be summarized:

- 6 households will need to be physically relocated, consisting of 18 people (adults and children) in total. The heads of all these households (100%) have been interviewed;
- 2 businesses will need to be physically relocated, and both businesses (100%) have been interviewed;
- 41 private land plots (out of a total of 176 private land plots) – owned by a total of 53 owners (i.e., 28.04% of 189 identified PAPs) – will be more significantly affected by land acquisition with respect to the remaining plots, i.e. 20% or more than 20% of the total plots will need to be acquired. Out of these 41 plots, only 1 plot (2%) is used for agricultural purposes (as an orchard), 7 plots (17%) are used as forest, 12 plots (29%) are grassland and 13 plots (32%) are urbanized areas without any natural objects. Only 5 plots (37%) have underbrush vegetation and 3 plots (7%) have individual trees. 25% of these 41 plots were covered by the Socio-economic Survey.

<sup>24</sup>These data are the result of the Census and Socio-Economic Survey, which elaborated key aspects related to the Project's effects on residents.

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The map of the Project area based on land plots by type of ownership is provided below.

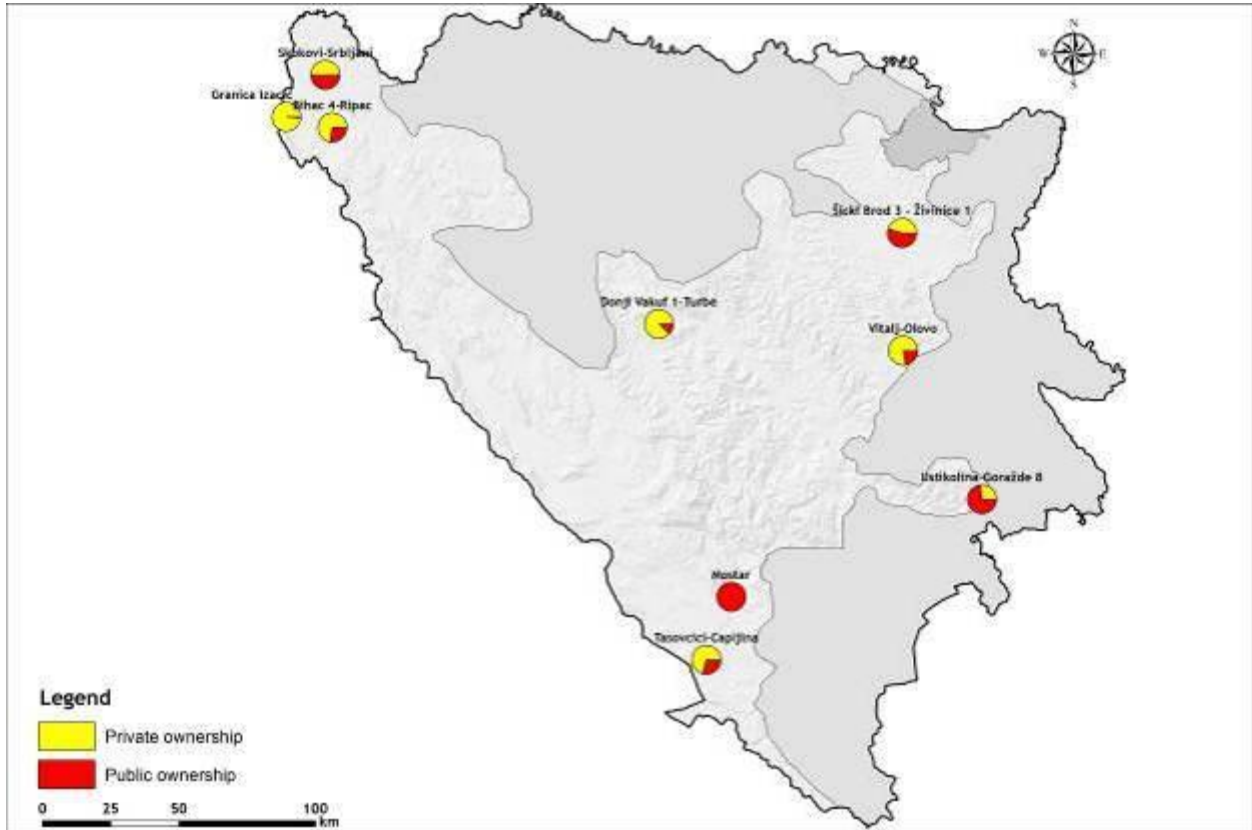


Figure 3: Map of Project Area based on the Land Plots by Type of Ownership

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The map of the Project key impacts per location is provided below.

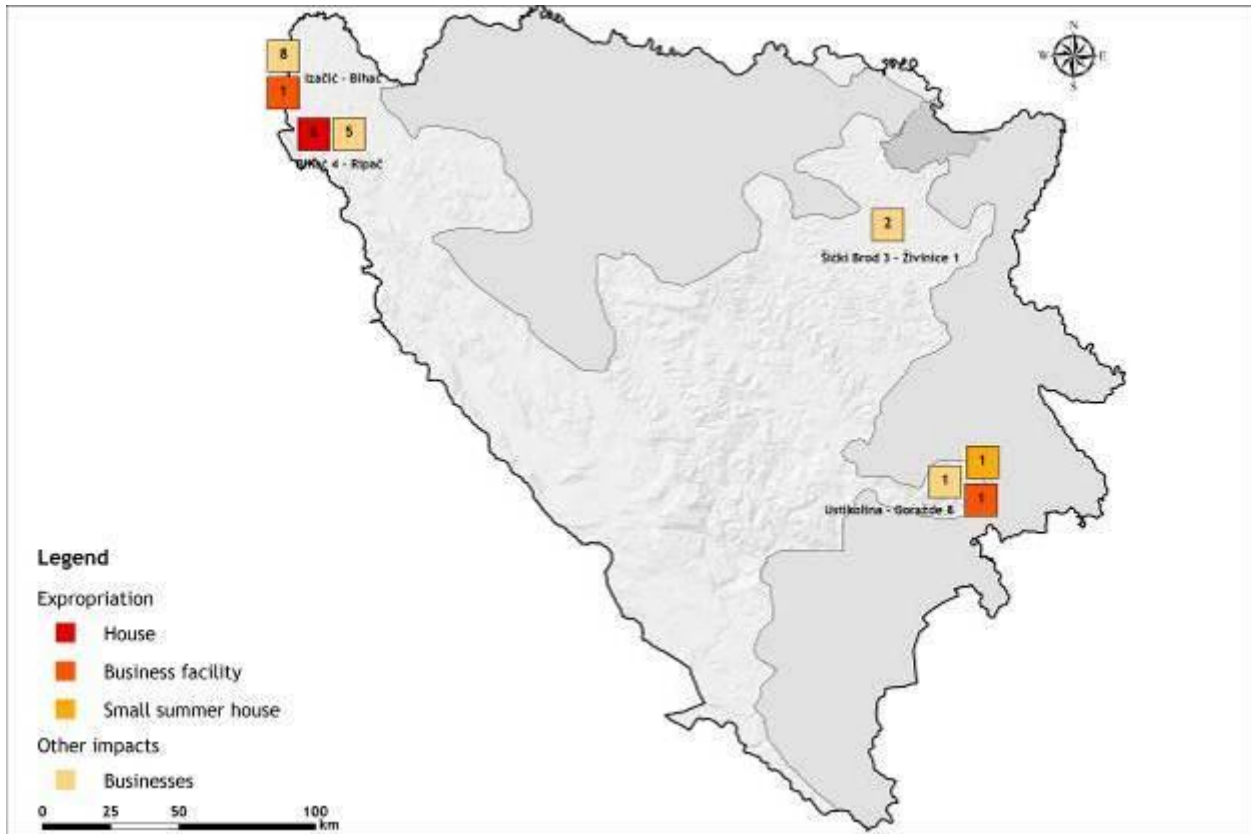


Figure 4: Footprint of the Project Key Impacts per Location

The distribution of the expected impacts of the Project in percentages is shown in the Figure below.

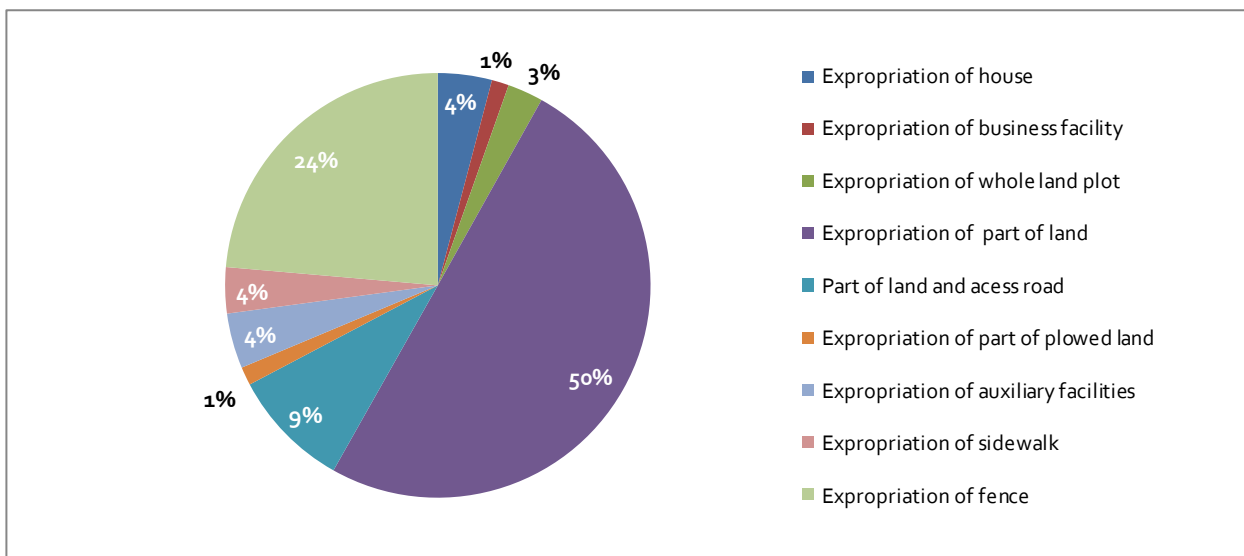


Figure 5: Distribution of Expected Project Impacts in %



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### Affected Businesses

19 businesses were identified in the Project area, employing a total of 85 employees (the number of employees for 2 businesses is not known as the respondents did not answer this question). All businesses actively use their land plots for business purposes. 17 businesses (89%) are legally registered.

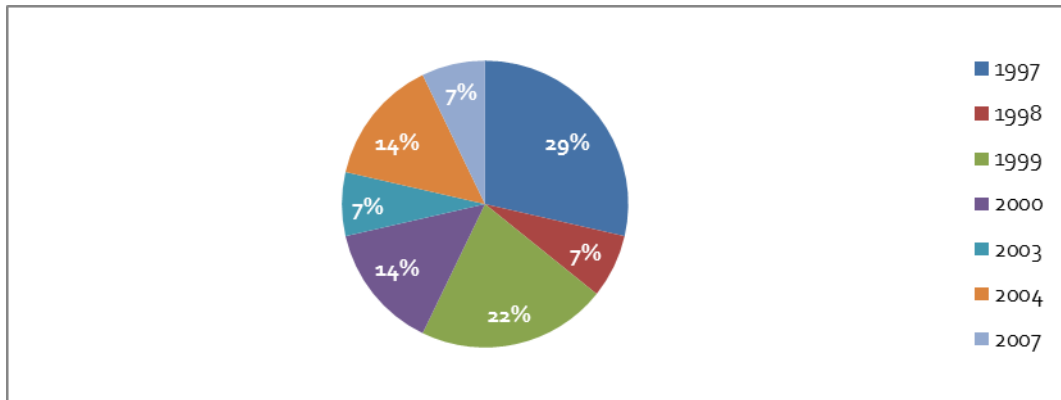
The list of affected businesses, with an indication of the location they are located, the cadastral plot, the number of employees and reported annual income, is given below:

**Table 4:** List of Affected Businesses

LOCATION	MAIN BUSINESS ACTIVITY	CADASTRAL PLOT	NO. OF EMPLOYEES	ANNUAL INCOME
<b>Goražde - Vitkovici</b>	Transport and gas station	3900/47	26	2,500,000.00 KM (app. 1,276,895.00 EUR)
	Recycling center for metal and non-metal	3900/27	13	N/A
<b>Olovo - Olovske Luke</b>	Manufacturing, sales and services	4251/1, 569, 425/2, 567/1, 570, 571/1, 576	n/a	7,800,000.00 KM (app. 3,893,910.00 EUR)
<b>Tuzla - Husino</b>	Catering	2992	1	N/A
	Catering	2535	2	1,500.00 KM (app. 766 EUR)
<b>Bihać - City of Bihać</b>	Hair salon (currently closed)	5655/2	N/A	N/A
	Sale	5577	2	N/A
	Sale	9666/3	13	N/A
	Sale	5563	2	N/A
	Graphic store	5564/2	2	60,000.00 KM (app. 30,645.00 EUR)
<b>Bihać - Kamenica</b>	Car mechanic	2573	1	10,000.00 KM (app. 5,107.00 EUR)
	Production of blocks	2551/2	2	N/A
	Trade of the cars	2518/4	2	N/A
	Agronomic sector	2518/1	2	N/A
	Catering	2529	2	N/A
	Trade	2518/2	3	N/A
	Trade	2489/3	3	500,000.00 KM (app. 255,378.00 EUR)
	Car service	Between 2564 and 2561/1	6	150,000.00 KM (app. 76,613.00 EUR)
Carpentry	N/A	3	N/A	

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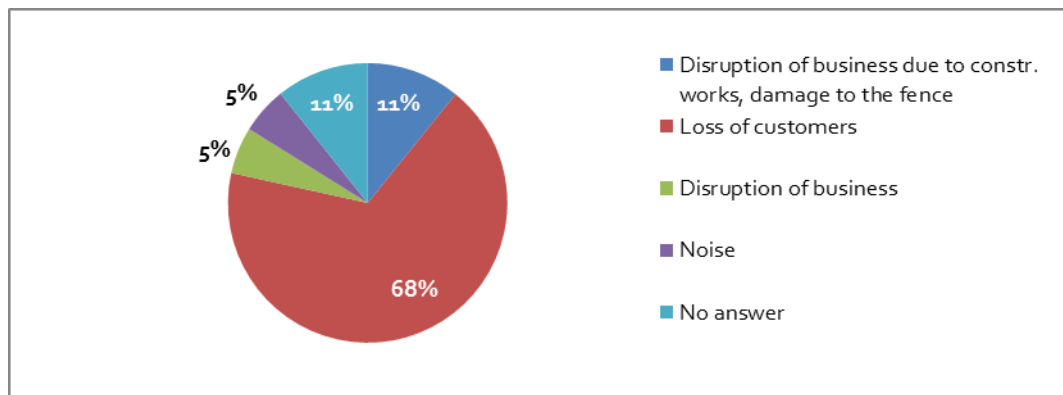
The year of establishment of the affected businesses ranges from 1995 to 2014, as shown in Figure 6 below.



**Figure 6: Year of Establishment of Affected Businesses**

*Perceived losses*

The main issues reported by the businesses regarding their perceived losses due to the Project are: loss of customers, disturbances to business activities, damage of the fence and noise disturbances.



**Figure 7: Perceived Losses due to the Project**

*Preferred compensation*

5 businesses (26.3 %) stated they would require cash compensation, 1 business would require assistance in legalization of the facility and 1 business would require replacement property as compensation. 12 respondents (63.1 %) did not wish to answer this question.

**Affected Households**

A total of 8 households were surveyed, of which 6 households that will be physically displaced. 3 houses have business premises. 5 houses have auxiliary structures, of which 4 have shed(s) and 1 has a shed and drew-well.

*Legality of land and houses*

6 of the houses are located on registered (formal) land plots (2 respondents did not answer the question). 5 of the houses have been built legally, 1 house is an illegal structure and 2 respondents did not answer the question.

*Owners/users*

7 of the respondents were the owners of the residential structure and one respondent the user of the residential structure.

#### *Demographics of households*

The total number of persons (household members) living in the households surveyed (8 households) is 18 (8 females and 10 males). The average household consists of 2.5 members. In 5 families, the head of the household is male, while in 3 households the head of the household is female.

#### *Condition of the houses*

The year of construction of the houses ranges from 1915-1998. According to the respondents, 2 houses are in poor condition, 3 are in good condition, 2 are in very good condition, and 1 respondent did not answer the question.

#### *Household income*

6 of households reported having less than 500 KM (255.71 Euros) of monthly income, 1 household has income in the range of 500 to 1000 KM (255.71 – 511.42 Euros), and 1 household reported income higher than 1000 KM (511.42 Euros). Taking into consideration that the relative poverty line in FBiH was 416.40 KM a month per equivalent adult in 2011<sup>25</sup>, more than half of the households in the sample are considered as poor households.

#### *Sources of income*

Pension is the primary source of income for 3 households (37.5 %), salaries are the source of income for 2 households (25%), disability benefits are the source of income for 1 household and a private business for 1 household. No other sources of income were reported. Three of surveyed households (37.5%) reported they are unsatisfied with their socio-economic situation.

#### *Agricultural production*

Only 2 households have perennial crops (fruits) and use it for their own needs (but do not depend on agriculture as the primary source of income). 4 households do not have any crops. Others did not answer the question.

#### *Ethnic background*

Given that the question on nationality and/or ethnic background is a sensitive socio-political issue, the respondents were given the opportunity to respond to the question in an open-ended format. 100% of respondents declared themselves as Bosniaks.

#### *Vulnerability*

The respondents were given the option to indicate more than one category of vulnerability present in the household. The frequencies of vulnerability are presented in the following table.

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<sup>25</sup> Institute for Statistics of FBiH (2012). First Release, No. 21.3. Sarajevo. *The Agency for Statistics of BiH publishes a core set of indicators of poverty, in compliance with EU standards, in the Household Budget Report. The last report was published in 2011.*

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*Table 5: Types and Frequencies of Vulnerability*

Type of vulnerability	Frequency
Physical disability	0
Mental disability	1
Chronic disease	2
Unemployed	3
Elderly and single headed households	2

*Compensation preferences*

3 respondents (37.5%) stated they would require cash compensation, 3 respondents (37.5%) stated they would wish a house or apartment (2 of them wish to be near the hospital) and 2 respondents did not wish to answer the question.

**Land Plots with No Structures**

Only 1 respondent was present on his land plot (land without any structures) during the field visits and he was surveyed. This respondent has ownership registered in land books (for both of two affected land plots). His family is dependent on agricultural production for their own needs (have not reported any commercial agricultural activities)<sup>26</sup>. This family would prefer land for land compensation.

During the public consultative meetings held in February 2016 in the involved municipalities, two additional owners of land plots without any structures on land were interviewed. Both respondents own two land plots each in the Municipality of Olovo, and reported to be the legal owners of the plots registered in land books. One respondent reported to have indigenous varieties of fruit trees (apples and pears) used for the family’s own needs. The other respondent stated that he collects and sells hay from the affected land plot, with an annual income of 500 to 800 KM (255.71 – 411.02 Euros). Both respondents stated that they would prefer monetary compensation.

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<sup>26</sup> This family also did not report any other source of income and will require livelihood restoration assistance.

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The map of the Project area based on the CORINE Land Cover is provided below.

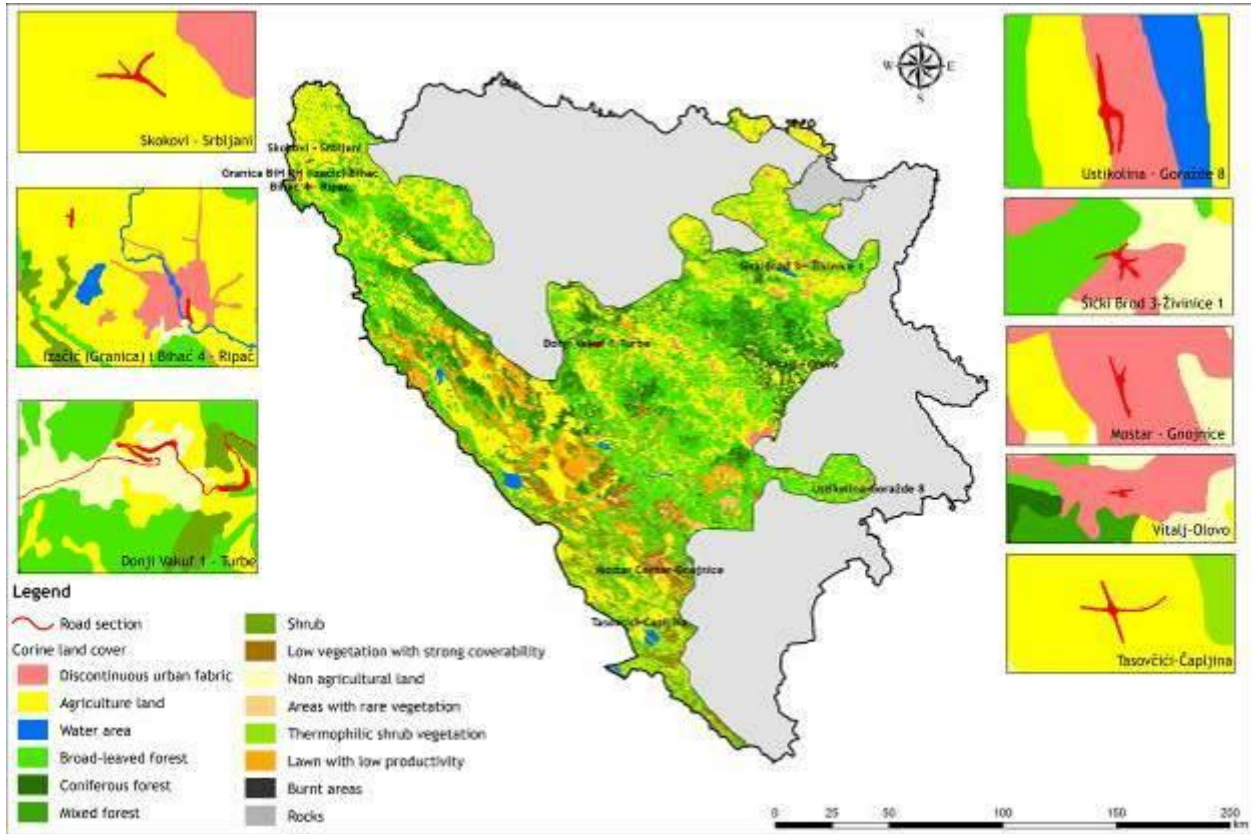


Figure 8: Map of Project Area based on the CORINE Land Cover (2011)<sup>27</sup>

<sup>27</sup> Latest available data on the CORINE Land Cover from the Federal Ministry of Spatial Planning. Federal Ministry of Spatial Planning (2012). Draft of the Spatial Plan of FBiH. Sarajevo.

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The map of the Project area based on the map of land capability classification is provided below.

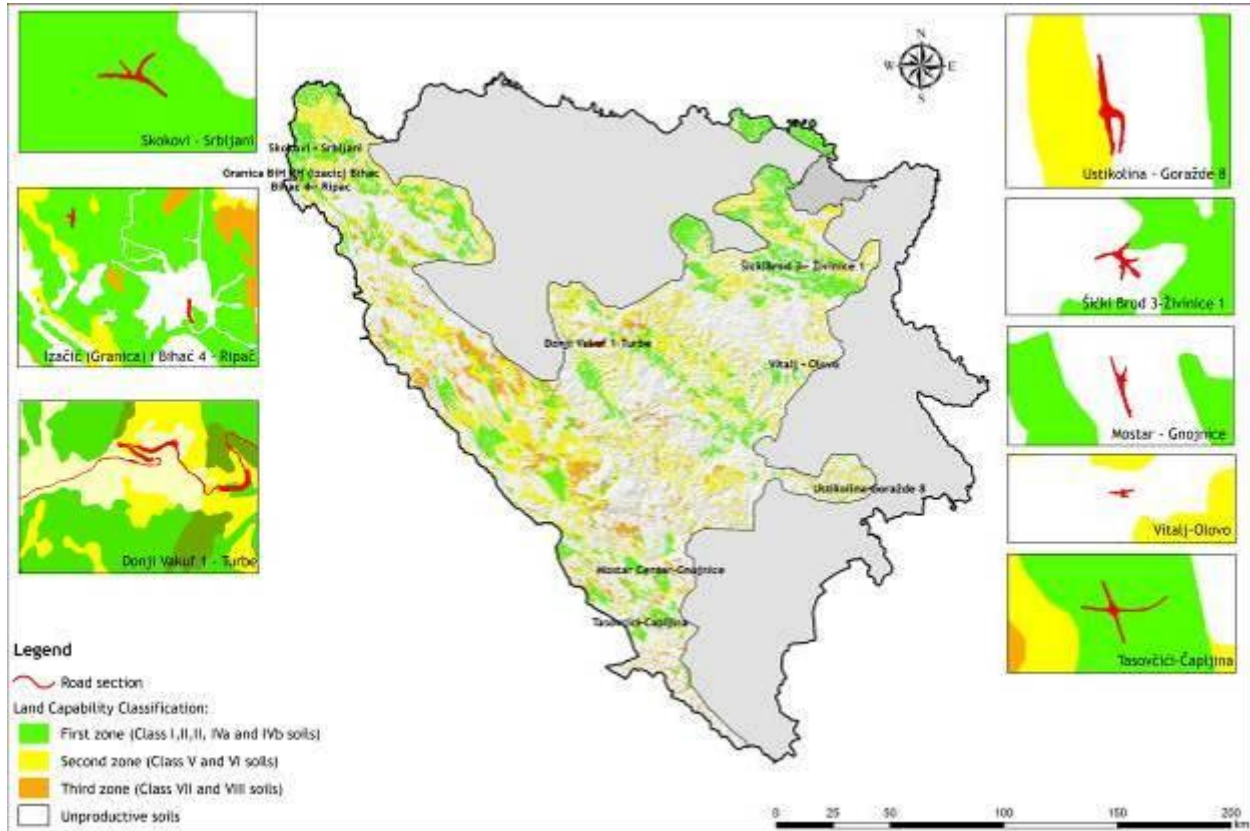


Figure 9: Map of Project Area based on the Map of Land Capability Classification<sup>28</sup>

<sup>28</sup> According to the Land Capability Classification (Class I to Class VIII) determined by the Law on Agricultural Land of FBiH (Official Gazette of FBiH, No. 52/09), there are three main zones (A, B, C) as follows:

A – High quality soils of I, II and III class which are adequate for intensive agricultural production and moderate quality soils of IVa and IVb class which can be used for other purposes;

B – Low quality soils of V and VI class that can be used for extensive agricultural farming or used for purposes other than agriculture or forestry;

C – Very poor quality soils of VII and VIII class which can be used for several purposes, but with very strong restrictions.

## 4. Objectives and Principles

The following principles of resettlement and land acquisition will be adhered to in relation with Project implementation:

### 1. Compliance with local legislation and WB requirements

Any involuntary acquisition of property, restriction of access to assets or resettlement will be conducted in compliance with the applicable legislation in FBiH (in particular, the Law on Expropriation of FBiH), the requirements set by WB OP 4.12 on Involuntary Resettlement, the RPF and good international practice.

### 2. Avoiding or minimizing resettlement

Involuntary resettlement will be avoided where feasible, or minimized, exploring all viable alternative project designs.

To the extent possible, amicable negotiations and agreements with Project Affected Persons will be sought to avoid or minimize the extent of involuntary resettlement.

### 3. 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 to be published by PC Roads FBiH (as 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. 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.

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. Improving livelihoods and standards of living

Livelihoods and standards of living of affected persons shall be improved or at least restored to pre-displacement levels or to levels prior to the beginning of Project implementation, whichever is higher, in as short a period as possible.

### 5. Information Disclosure and Consultations

All affected persons will be informed, meaningfully consulted and encouraged to participate throughout the land acquisition process, in accordance with the information disclosure and consultation requirements set out in Chapter 7 of this RAP (*Consultation and Participation*).

### 6. Compensation

All owners, occupants and users of affected properties at the time of the cut-off date, whether with or without fully recognized ownership rights, are eligible for certain type of compensation or assistance as outlined in the Entitlements Matrix (Table 6 of this document). Both loss of shelter (physical

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displacement) and loss of livelihoods (economic loss, i.e. "economic displacement") shall be taken into account and mitigated.

Compensation will always be effected prior to land entry or taking of possession over property by the expropriation beneficiary. The land cannot be taken physically (i.e. any civil works or construction cannot start) before compensation has been paid to the affected persons. In the case of absentee owners (e.g. people with legal rights to the land but who are living elsewhere), they will still be eligible for compensation and the efforts will be made (and documented) to find them and inform them about the process. These efforts may include efforts to reach them through their neighbors, publication of an ad in newspapers informing about the process, etc. If such absentee owners cannot be found, and in accordance with local requirements, the compensation amount will be allocated in an escrow account for 3 years and be readily available should the absentee owner reappear.

Similarly, in case of any legal issues/disputes related to the ownership of a property, the compensation amount will be allocated in an escrow account and be readily available once the legal issues related to the ownership had been resolved.

In accordance with the WB requirements and principles of the FBiH Law on Expropriation, for any displaced persons whose livelihoods are land-based, preference will be given to land-based resettlement strategies to the extent possible. Whenever replacement land is offered, affected persons will be provided with land for which the combination of productive potential, location-specific advantages and other features is at least equivalent to those of the land to be taken for Project needs. However, payment of cash compensation for lost assets may be appropriate: where livelihoods are land-based but the land to be acquired for the Project represents a small fraction of the affected plot and the residual part is still economically viable; where active markets for land or housing exist and there is sufficient offer of land and housing; or in case of livelihoods that are not land-based. Cash compensation will be provided at replacement cost. The replacement cost includes the amount sufficient to replace lost assets and cover transaction costs (e.g. administrative, registration, transaction fees, transfer taxes, legalization fees, etc.). In determining the replacement cost, depreciation of the asset will not be taken into account.

In cases where businesses are affected, livelihood restoration assistance will be based on the income lost during the period required to re-establish the business elsewhere, to be assessed on a case-by-case basis.

**7. Temporary occupation of land**

Short-term impacts related to temporary occupation of land for construction purposes will be compensated in accordance with the Law on Expropriation of FBiH, as well as in accordance with the requirements of OP 4.12 for any informal owner/users affected by such temporary land occupation, as stipulated in the Entitlements Matrix (Table 6 of this document).

**8. Assistance to vulnerable persons**

Particular attention and consideration will be paid to the needs of vulnerable groups, in accordance with the requirements set out in section 5.1 of this RAP (*Assistance to Vulnerable Groups*).

**9. Relocation assistance**

Relocation assistance will cover the cost of moving furniture and other personal belongings in case of physical resettlement of households, and the costs of transfer and reinstallation of equipment,



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machinery or other assets for affected businesses. Where applicable, the moving assistance will also include support to cover the cost of identifying and securing a new dwelling, as well as other relocation costs such as the cost of transferring utilities to the new address.

**10. Grievance mechanism**

An effective grievance mechanism will be in place for receiving and addressing in a timely fashion specific concerns about compensation and relocation raised by displaced persons, in the manner described in more detail in Chapter 8 of this RAP (*Grievance Mechanism*).

**11. Monitoring and evaluation**

The PIU will monitor and evaluate the implementation of the RAP through internal, official institutional arrangements in the manner described in more detail in Chapter 11 of this RAP (*Monitoring, Evaluation and Reporting*), through the preparation of a Resettlement Completion/Impact Evaluation Report after the finalization of the resettlement process (as part of the End of Term Impact Assessment to be developed by PC Roads FBiH).

## 5. Eligibility and Entitlements

All Project Affected Persons (PAPs) shall be entitled to compensation, according to the compensation principles of the Law on Expropriation of FBiH and OP 4.12 requirements.

According to OP 4.12, there are 3 categories of persons in terms of compensation eligibility:

- Those who have formal rights to land (including customary and traditional rights recognized under the laws of the country);
- Those who do not have formal rights to land but have a claim to such land and assets, provided that such claims are recognized under the laws in force in FBiH or become recognized through a process identified in the resettlement plan;
- Those who have no recognizable legal right or claim to the land they are occupying.

No acquisition of property or start of construction shall take place prior to the provision of all types of required compensation to affected people. Compensation will be provided before any land acquisition or imposition of access restrictions. Issues related to the manner of payment of cash compensation (e.g. specification of bank accounts) will be discussed and agreed with owners and all affected members of households. Cash compensation will be paid in full or in installments as agreed with the owners and affected members of the households and as defined by contracts, to the bank accounts specified by the owners, with agreement of all affected members of the household. In such cases owners/users have the right to decide if the cash compensation will be paid to only one owner/user or equally divided amongst owners/users. A co-owner/co-user has the right to waive his /her 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. 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.

Compensation entitlements for different categories of eligible persons and assets covered either by the current applicable legislation of FBiH or by this RAP to bridge the gaps and meet the specific WB requirements are described below in Table 6.

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**Table 6: Entitlements Matrix**

Type of loss	Application	Person with rights	Compensation policy
<b>ECONOMIC RESETTLEMENT</b>			
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 resettlement assistance.
Unviable land	Unviable land	Land owner	In case the remaining area of land is not viable, <sup>29</sup> it can be expropriated upon PAPs' request. Compensation shall be provided in line with this matrix.
Easement/Servitude	Easement/Servitude	a) 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

<sup>29</sup> Economic viability shall be assessed by an accredited expert on a case-to-case basis.

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Type of loss	Application	Person with rights	Compensation policy
Loss of annual crops	Grown crops which could not have been harvested <sup>30</sup>	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.
		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	The right to collect fruits and technical wood + 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.
		b) Lessee with a formal title cultivating land	The right to collect fruits and technical wood + 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.
		c) PAPs without formal title cultivating the land	The right to collect fruits and technical wood + 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.

<sup>30</sup>If 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.

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Type of loss	Application	Person with rights	Compensation policy
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 align="center">+</p> <p>Cash compensation on a one-time basis (transitional allowance) in the amount of three average month earnings.</p> <p align="center">+</p> <p align="center">Relocation costs.</p> <p align="center">+</p> <p align="center">Any registration taxes.</p> <p align="center">+</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 monthly 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 align="center">+</p> <p align="center">Training for alternative jobs if possible.</p> <p align="center">+</p> <p align="center">Priority in employment on the project if possible and on a case by case basis</p>
Loss of access to usual resources	Loss of access to usual village	Communities or households	Replacement of public ownership or conveniences (roads and the like). Access to

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Type of loss	Application	Person with rights	Compensation policy
and buildings	resources and conveniences in the household		equal conveniences or services.
Temporary impacts caused by temporary occupancy of land and any damages to the property	Affected land	Affected PAPs	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. + Replacement cost in accordance with this matrix for affected crops, orchards, nurseries etc. + Compensation for any damages to the property
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.	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. These PAPs are given priority of employment on the project if that is possible.
<b>PHYSICAL RESETTLEMENT</b>			
Buildings <sup>31</sup> (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	Replacement of property of similar size and characteristics or Cash compensation for building at full replacement cost <sup>32</sup> + 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).
		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 <sup>33</sup> + 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).

<sup>31</sup> Transitional allowance isn't applicable for auxiliary objects, and is only applicable for physical displacement of residential structures.

<sup>32</sup> 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).

<sup>33</sup> Cost of construction material at market value and labor to build elsewhere as assessed by an accredited court expert.

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Type of loss	Application	Person with rights	Compensation policy
		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 <sup>34</sup> + 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 buildings	In case that the remaining building is not viable or under a physical impediment for physical use can be expropriated upon PAP's request <sup>35</sup> . Compensation is provided in the way as prescribed for that type of building in accordance with this matrix.
<b>UNDETERMINED IMPACT</b>			
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

<sup>34</sup> Cost of construction material at market value and labor to build elsewhere as assessed by an accredited court expert.

<sup>35</sup> The physical use the and /or physical impediment shall be assessed by an accredited expert on a case-to-case basis.

### 5.1. Assistance to Vulnerable Persons

Particular attention and support will be given to the needs of vulnerable groups<sup>36</sup> based on the personal situation of such vulnerable people. Appropriate measures for providing support to such people will be undertaken. This assistance will be provided by PC Roads FBiH, as necessary in cooperation with the municipal services for social affairs.

The categories of vulnerable people in the Project area may be, but are not limited to:

- poor and/or unemployed people
- people with disabilities or chronic illnesses
- refugees and internally displaced people
- the elderly or pensioners
- households whose heads are female
- ethnic minorities
- people without land or use rights under local legislation

Individual meetings with each vulnerable person will be held in order to explain eligibility criteria and entitlements, and determine their needs concerning land acquisition as well as the manner of meeting the identified needs. Vulnerable people will be consulted on the type of assistance they need, and will be provided with assistance suitable for their needs.

Such assistance will include, as determined on a case-by-case basis suited to the needs of each vulnerable household/person, the following:

- **direct visits to the homes of vulnerable persons/households**(in particular for people with disabilities or chronic illnesses or elderly people)
- **assistance during the payment process, i.e. ensuring that compensation documents and payment process are well understood** (in particular for elderly people)
- **assistance in identifying and buying new property**
- **assistance in legalization of property, as applicable**, for people without land or use rights under local legislation
- **assistance in moving** (special transport measures for persons with physical disabilities, with medical assistance if required; packing up belongings; salvaging of materials and transport or sale thereof)
- **assistance during the post-payment period** (e.g. assistance in finding training courses to enhance employability and prioritization for employment where possible – in particular for poor and/or unemployed people; assistance in securing the compensation money and reduce risks of misuse or robbery; checking that the solidarity networks that the vulnerable person was relying on have been re-established)

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<sup>36</sup>Vulnerable people are people 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 (see also definition section in this RAP).



## 6. Methodology for Valuation of Property

Valuation of land and assets on land will be conducted by independent court experts for valuation of property (agricultural expert and construction expert) selected from the official list of court experts by PC Roads FBiH or the Municipality. The valuation of land and assets will be conducted in the period January-March 2016.

### Agricultural and forest land

As provided under the Law on Expropriation of FBiH, compensation for land will, wherever feasible, be in the form of a replacement property allowing the owner approximately the same conditions of use<sup>37</sup>. *Same conditions of use* are to be understood as meeting the following criteria:

- being acceptable to the affected owner/farmer,
- being approximately the same size,
- having a similar or better agricultural potential, i.e. fertility, slope, parcel shape, exposition to sunshine, and
- being located at reasonable distance.

Where replacement property cannot be offered to the affected landowner because suitable agricultural land is not available at reasonable distance or is not acceptable to the landowner, the expropriating authority will establish written evidence of its unsuccessful efforts to identify such similar land, and compensate for such land at full replacement cost.

For agricultural land, replacement cost represents 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.

The Law on Expropriation does not explicitly regulate the situations where only a plot smaller in size or agricultural potential can be offered as a replacement property, and whether it would be acceptable to pay a balance in cash on top of the compensation in kind to offset such a difference in size or potential. In situations where a plot of equivalent size or potential cannot be identified and offered, and plots smaller in size or potential can be offered, the owner will be allowed the option to receive compensation partly in kind (replacement property - plot), and partly in cash. This requires both the affected and the replacement plot to be valued so that the difference can be calculated. As a general rule, if the difference in established values is less than 10%, the plots will be considered approximately equivalent and no cash compensation will be provided to offset this difference. In any case, the requirements set out in the Entitlements Matrix (Table 6 of this RAP) will be applied.

In situations of partial expropriation of agricultural land where the land owner would assess the plot remainder as unsuitable for further agricultural use or in every case where the land plot would lose its access road, the owner

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<sup>37</sup> According to Article 45 of the Law on Expropriation, compensation for expropriated real property is determined by providing other corresponding real property equal in market value to the expropriated real property in the same municipality or city, thus allowing the owner of expropriated real property approximately the same conditions of use.

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can apply for expropriation of the whole plot according to provisions of Article 11 of the Law on Expropriation. Such situations are to be assessed on an individual basis by the expropriating authority, and the following criteria will be used to assess the suitability for further agricultural use:

- size of the remaining part of the parcel,
- agricultural potential of the remaining part of the parcel compared to that of the expropriated part, and
- possibility to operate mechanized agricultural equipment on the remaining part (accessibility).

#### Residential land

The preferred option for residential land to be expropriated will be replacement with alternative land according to the provisions of the Law on Expropriation. The compensation package will usually include a compensation for residential houses on the given plot.

If residential land is affected but the house itself is not, compensation will usually be in the form of cash. Cash compensation will be provided at replacement cost, i.e. 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. .

#### Houses or other structures

When assessing the replacement properties, the following criteria should be applied to the extent possible:

- parcel on which the houses or other structures are located should have approximately the same size,
- houses should have similar size and standards, including access to utilities, and
- houses should be located at a reasonable distance and be with a similar potential from the livelihood point of view (access to employment or agriculture).

If replacement structures smaller in size or of favorable characteristics are proposed to affected persons, the difference in value should be paid to the affected owner pursuing the approach similar to that described in section on agricultural land compensation.

Where the affected owner opts for cash compensation rather than replacement property or if no suitable substitute property can be identified in the area, residential structures will be compensated in cash at full replacement cost. For houses and other structures, replacement cost is the 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 labor 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 leveling 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.

#### Crops and forest

To the extent possible, land acquisition and land entry will be scheduled so that any standing annual crop, regardless of its development stage, can be harvested before the land is taken from the land owner or land user. Annual crops that are harvested before land entry shall not be compensated for.

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Annual crops that cannot be harvested prior to land entry or that are damaged by construction works shall be compensated for at full replacement cost, in line with the provisions of the Entitlements Matrix (Table 6 of this RAP). Recent agricultural produce prices at municipal level should be applied.

The determination of the full replacement cost requires consideration not only of the yield of the crop over one year, but also of the cost of re-establishing the plantation (seedlings, soil preparation, fertilizers, etc.), as well as of the lost income during the period needed to re-establish the crop.

Compensation rates should be calculated in compliance with the full replacement cost principle, whereby the compensation rate C for one tree is determined by application of the following formula:

$$C = V \times D + C_P + C_L$$

V - average market value of the produce of one tree for one year

D - average period of time required to re-establish the tree to an adult production level, in years

C<sub>P</sub> - cost of planting (seedling, soil preparation, initial fertilization)

C<sub>L</sub> - cost of the labor required to maintain the crop during the period of time needed to re-establish it to its previous production level

The calculated unit rate C is then applied to the whole plot assuming either an average density or based on the precise count of all standing trees.

Compensation rates will be generated for the following stages of plant (tree) development:

- seedling,
- young plant, not productive,
- young plant, productive, and
- mature plant.

Unlike perennial fruit plantations, which can be harvested over a long period of time, most commercial timber tree species are yielded only once, as is the case with annual crops. The replacement cost should therefore be in line with the provisions of the Entitlements Matrix. If an affected commercial forest cannot be logged before land entry, the compensation principle will be similar to that described for annual crops, taking consideration of the market value of the lost timber.

## 7. Consultation and Participation

The Project Implementation Unit (PIU), together with the representatives of Municipal departments in charge of expropriation, is responsible for communicating with affected communities, Project Affected People (PAPs) and representatives of Local Community Offices. The PIU will assist the Municipalities in understanding the requirements set out in the RPF and RAP.

The PIU, together with the involved Municipalities, will carry out public consultations and information dissemination that will reflect main issues of relevance to the Project. Immediately after the official start of the Project, all stakeholders will be timely informed about the Project's scope and contacts for further information inquiries, the available grievance mechanism and the disclosure of the publicly available Project documents through:

- announcements in the local daily media,
- the website of PC Roads FBiH (<http://www.jpcfbih.ba>),
- the websites of involved Municipalities.

The RAP will be disclosed in local languages and English on the above mentioned websites, as well as made available in printed copies at the premises of the involved Municipalities, and the premises of the PC Roads FBiH at the following address:

HEADQUARTERS OF PUBLIC COMPANY "ROADS OF FBiH"

Address: Terezija 54, 71000 Sarajevo

MOSTAR OFFICE OF PUBLIC COMPANY "ROADS OF FBiH"

Address: Street Ante Starčevića bb, Mostar

In addition, once the official land acquisition procedure is initiated, and in accordance with the RAP Implementation Schedule provided in Chapter 10 of this RAP, affected property owners/users will be individually visited by the representatives of the municipality, PC FBiH Roads and official court experts for valuation of property, informed and consulted about the impacts of the Project on their property, particularly the precise road route with regards to each land plot. Access to information for vulnerable groups will be facilitated by the PIU, as appropriate for each person/household according to their specific needs and/or situation, in cooperation with municipal departments for social affairs.

### **Disclosure and consultations requirements during preparation of draft and final RAP:**

The draft RAP was disclosed on 4 February 2016 on the website of PC Roads FBiH<sup>38</sup>, and public consultative meetings were organized by the PIU in February 2016 in the Project area. The public calls to the consultative meetings were published in the local newspapers "Večernji List" and "Dnevni Avaz" as well as on the website of PC Roads FBiH.

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<sup>38</sup> Available at the link: [http://www.jpcfbih.ba/ba/aktivnosti/program\\_modernizacije.shtml](http://www.jpcfbih.ba/ba/aktivnosti/program_modernizacije.shtml)

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Information on the venue, date, number of participants, as well as key issues and conclusions of the consultative meetings is provided in Annex 10 of this RAP.

All stakeholders were provided with the opportunity to submit their concerns and opinions in both oral and written form to the draft RAP. All issues raised were given due consideration. Minutes from the public consultative meetings are an integral part of this RAP

Any additional Project documentation and new information will be publicly disclosed on the PC Roads FBiH website on a regular basis.

### **Public consultative meetings**

The PIU, together with the relevant Municipalities, will schedule and hold regular meetings with the representatives of different stakeholder groups, as follows:

- Public consultative meetings are aimed at providing regular gatherings of all stakeholders and are open for all interested parties. During these meetings, the PIU will present the Project footprint, the expected impacts and the planned mitigation measures.  
The participants will be able to present their opinions and remarks with regards to the Project, as well as to suggest possible solutions of the issues raised, which will be documented and addressed appropriately in monitoring reports for grievances received and follow up action taken to be prepared by the PIU.  
If necessary, separate meetings will be held to ensure that stakeholder engagement is gender responsive. The first public meeting will be organized in February 2016, and will take place at least every 3months during Project implementation.
- Local community consultative meetings are aimed at engaging individuals, households and businesses affected by the construction activities into the consultation process, and will be organized on a needs basis in local communities.
- Individual consultative meetings are aimed at engaging individual stakeholder groups regarding specific issues, and will be organized on a needs basis. This type of meetings can be initiated by the PIU, or by any identified stakeholder groups.

All stakeholders will be informed about the exact date, time and venue where a consultative meeting will be held, at least 7 days in advance, through disclosure through the websites of the PC Roads FBiH and the involved Municipalities, as well as daily newspapers/ radio/ television stations.

Summaries of conclusions from such consultative meetings and public discussions held will be disclosed by the PIU on its website.

### **Formal Request for Information**

As a public enterprise, PC Roads FBiH is also required, according to the *Law on Free Access to Information in FBiH*<sup>39</sup> ("LFAI"), to provide access to information to all stakeholders, including every natural person or legal entity. In the framework of its capabilities, it must undertake all necessary measures to provide assistance to natural persons or legal entities seeking to exercise their rights. Exceptionally, access to information may be limited under certain circumstances, by establishing an exception in each separate case, solely in the manner, situation and under the conditions defined by the LFAI (such as the protection of the decision making process of public authorities or the protection of privacy of a third person, etc.).

In case PC Roads FBiH receives a formal request for access to information, it will apply the provisions and procedures set out by the LFAI. The formal request is submitted in written form in one of the official languages in the FBiH. The request for access to information may be submitted personally, by regular mail, fax, electronic mail, or through the online question form.

If PC Roads FBiH does not have the information requested, and in case it does not have access to the information requested, it is required, within 8 calendar days of receipt, to forward the request to the competent institution or legal entity, as well as notify the requester about the undertaken measure. Within 15 calendar days of receiving

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<sup>39</sup>Official Gazette of FBiH, No. 32/01

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the request, the PIU is obliged to notify the requester whether he/she has been granted access to the requested information<sup>40</sup>.

In case the PIU grants access to requested information completely or partially, it will notify the requester.

The official form for requesting access to information is provided in Annex7 to this RAP.

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<sup>40</sup>In case of exceptions and the need to examine the confidential commercial information or information of public interest, the deadline may be prolonged, according to the LFAI. The requester must be notified of all actions and reasons for prolonging the deadline.

## 8. Grievance Mechanism

PC Roads FBiH has established a Central Feedback Desk (CFD) tasked with receiving and managing grievances through a Central Grievance Log, and will ensure that Project Affected Persons are fully informed of the grievance mechanism by communicating the availability of this log, its function, the contact persons and the procedures to submit a complaint in the affected areas. The CFD serves as both Project level information centre and grievance mechanism, available to those affected by implementation of all Project sub-components. The CFD is responsible for receiving and responding to grievances/comments of the following two groups:

- Persons directly affected by the Project including land acquisition impacts,
- Residents living in the Project area who are interested in and/or affected by the Project.

Information on the CFD and the grievance form (provided in Annex 9 of this RAP) will be available on:

- the website of PC Roads FBiH ([www.jpafbih.ba](http://www.jpafbih.ba)) and the premises of PC Roads FBiH in printed copies,
- the notice boards and premises of the involved municipalities in printed copies.

PC Roads FBiH will also distribute in the relevant municipalities a brochure which will contain information on the role of the CFD and the contact information for filing grievances/comments.

Any comments or concerns can be brought to the attention of the CFD verbally (personally or by telephone) or in writing by filling in a grievance form (by post, personal delivery or fax to the address/number given below or by e-mail to [zalbena@jpafbih.ba](mailto:zalbena@jpafbih.ba)), without any costs incurred to the complainant. Grievances can also be submitted anonymously. The grievance form may also be submitted directly to the municipal authorities in charge of the expropriation process or the Contractor, who will forward any such received grievances/comments to the CFD without delay to allow the CFD to further process the grievance/comment (i.e., record, acknowledge and respond to the grievance in the timeframes defined below).

All grievances will be recorded in the register and assigned a number, and acknowledged within 3 working days. The Central Grievance Log shall be kept separately for grievances filed in respect to the resettlement process and for those registered by members of community impacted by any activity linked to construction works in all its sequences. The Log will have all necessary elements to disaggregate the grievance by gender of the person logging it as well as by type of grievance. Each grievance will be recorded in the register with the following information:

- description of grievance,
- date of receipt acknowledgement returned to the complainant,
- description of actions taken (investigation, corrective measures), and
- date of resolution and closure / provision of feedback to the complainant.

If the grievance/complaint is vague and not clear enough, the CFD is obliged to help and provide counsel and even help in redrafting the submission, in order for the grievance/complaint to become clear, for purposes of an informed decision by the CFD, in the best interests of persons affected by the Project. The CFD will make all reasonable efforts to address the complaint upon the acknowledgement of grievance. If the CFD is not able to address the issues raised by immediate corrective action, a long-term corrective action will be identified. The



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complainant will be informed about the proposed corrective action and follow-up of corrective action within 14 working days upon the acknowledgement of grievance.

If the particular issue, raised through the grievance mechanism, cannot be addressed or if action is not required, a detailed explanation/ justification will be provided to the complainant on why the issue was not addressed. The response will also contain an explanation on how the person/ organization that raised the complaint can proceed with the grievance in case the outcome is not satisfactory.

Any reoccurrence of the circumstances that have already given rise to a certain grievance, although once already ruled upon shall not prevent the affected and impacted person from registering a new grievance.

The CFD shall publish quarterly reports on the number and type of grievances/comments addressed and closed-out, disaggregated by gender and type of grievances/comments on the website of PC Roads FBiH.

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

The flowchart for processing grievances is provided in Annex 8, and the grievance form in Annex 9 of RAP.

**Contact details for enquiries and grievances:**

Attention: Head of PIU

Public Company "Roads of FBiH"

Address: Terezija 54, 71000 Sarajevo

T: +387 33 250 370, F: +387 33 250 400

## 9. Institutional Arrangements and Implementation Team

### 9.1. Responsibility for Implementation

The Resettlement Action Plan will be implemented by PC Roads FBiH, namely its Project Implementation Unit (PIU). The PIU will monitor the overall implementation of the Project, cooperate with the Municipalities, the Contractor to be hired for construction works, and the independent court experts for valuation of property (agricultural expert and construction expert as necessary) to be selected from the official list of court experts by PC Roads FBiH or the Municipality.

The table below provides an overview of the responsibilities and arrangements for implementing the requirements of this RAP.

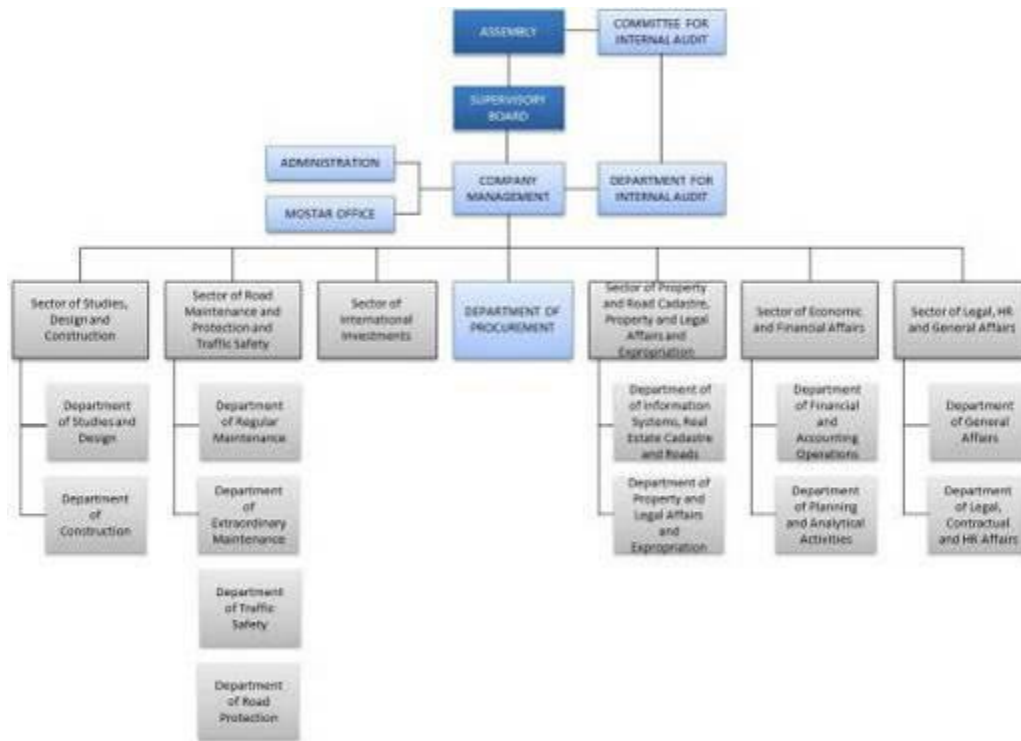
**Table 7: Organizational Responsibilities and Arrangements**

Task	Responsible Entity
Disclosure of information and documents to all Project Affected People and communities, and organization of public meetings	PC Roads FBiH
Keeping records of consultation activities	PC Roads FBiH
Direct communication with and visits to owners and occupants	PC Roads FBiH and the involved municipalities as the expropriation authorities
Valuation of property to be acquired	Independent court experts for valuation of property
Concluding negotiated settlements prior to expropriation	PC Roads FBiH
Expropriation of property in case negotiated settlements are not concluded	Municipality
Provision of assistance to vulnerable persons / households	PC Roads FBiH in cooperation with the municipal departments responsible for social care, displaced persons and refugees
Payment / provision of compensation packages	PC Roads FBiH
Provision of resettlement assistance	PC Roads FBiH
Monitoring and reporting with respect to land acquisition	PC Roads FBiH
Monitoring and reporting with respect to temporary land occupation carried out after construction commencement	Contractor
Grievance management	CFD (receiving, acknowledging and processing grievances) Municipalities/Contractor (receiving grievances and forwarding to CFD for further processing)

### 9.2. Institutional Capacities

The institutional capacities of PC Roads FBiH are sufficient to carry out all tasks related to RAP implementation. The organizational structure of PC Roads FBiH is presented in the Figure below.

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**Figure 10: Organization of PC Roads FBiH**

The PIU which will be in charge of RAP implementation currently has 7 members, and consists of:

- employees of the Sector of International Investments,
- employees of the Sector of Studies, Design and Construction
- employees of the Sector of Property and Road Cadaster, Property and Legal Affairs and Expropriation (Department of Property and Legal Affairs and Expropriation)
- International consultant engaged to provide support to the PIU.

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## 10. RAP Implementation Schedule

**Table 8: Tentative Schedule for RAP Implementation<sup>42</sup>**

N°	Activity	Responsibility	2015	2016												2017
			Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
<b>RAP finalization and public consultations</b>																
1.	Disclosure of draft RAP	PC Roads FBiH														
2.	Public consultative meeting	PC Roads FBiH														
3.	Disclosure of final RAP	PC Roads FBiH														
<b>Preparatory activities for land acquisition</b>																
4.	Preparation and submission of proposal for expropriation (including Expropriation Study)	PC Roads FBiH														
5.	Site investigation (direct visits to all affected land plots and assets)	PC Roads FBiH / Municipality / Official court experts for valuation of property														
6.	Valuation of properties	Official court experts for valuation of property														
7.	Public consultative meeting	PC Roads FBiH														
8.	Individual hearings with affected owners/users	Municipality														
9.	Issuing of the Decision on Expropriation	Municipality														
10.	Negotiations about amount of compensation and payment of compensation	PC Roads FBiH / Municipality														
11.	Public consultative meeting	PC Roads FBiH														
<b>Completion of land acquisition</b>																
12.	Transfer of ownership (registration of ownership rights and other proprietary rights with regard to the acquired property)	PC Roads FBiH / Land Registry														

<sup>42</sup>This tentative schedule has been prepared for 7 sections whose construction/reconstruction is expected in late 2016 or in 2017, according to current estimates. The construction/reconstruction of the remaining 2 sections is expected according to the following dynamics: section Bihac 4-Ripač and section Vitalj-Olovo in 2018. . The RAP implementation schedule for these 2 sections will follow the same stages as for the first 7 sections, but with an identical timetable in 2017, i.e. in the year prior to the year of start of construction activities.

## 11. Monitoring, Evaluation and Reporting

Monitoring of the land acquisition and resettlement process will be conducted by the PIU to:

- ascertain whether activities are in progress as per schedule and the timelines are being met;
- ensure that the standards of living of PAPs are restored or improved;
- assess whether the compensation / rehabilitation measures are sufficient;
- identify any potential issues (including monitoring of grievance management in terms of recording and responding to grievances within the specified timeframe); and
- identify methods to mitigate any identified issues.

The PIU will maintain a land acquisition database on the owners/users of properties that have been affected. The data/information will be updated periodically in order to keep track of the progress of such owners/user.

The indicators to be used for monitoring will include, in particular, the following:

- Overall spending on expropriation and compensation
- Number of Project Affected People by categories and number of project affected households by categories
- Number of structures (residential and non-residential) identified for demolition
- Number of public meetings and consultations with affected people
- Number and percentage of individual compensation agreements signed before the beginning of construction activities
- Number of persons requesting special assistance and types of assistance provided to vulnerable individuals/households in a timely manner
- Number of people having received cash compensation during the monitoring period with distribution by compensation type and by classes of amounts
- Number and amount of payments to restore loss of income
- Number and type of grievances received by the Central Feedback Desk related to land acquisition (number of grievances submitted, number and percentage of grievances resolved within the specified timeframe, number and percentage of people satisfied with the outcome, i.e. the response provided to their grievances/comments, all disaggregated by gender of complainant), and number of legal actions initiated in relation to land acquisition)

The PIU will prepare and submit to WB annual Project Progress Reports including the progress achieved in the implementation of RAPs.

## 12. Cost and Budget

The costs of the land acquisition process will be financed exclusively by the PC Roads FBiH as the expropriation beneficiary. The resources required for land acquisition have been reserved and allocated in the Business Plan of PC Roads FBiH for the year 2016, to be adopted by the Government of FBiH.

The total costs of land acquisition for all 9 sections has been estimated at 555,000.00 EUR. The costs per section are presented in the table below.

The costs have been calculated in accordance with the preliminary expropriation studies where available, and valuations of properties have not been conducted to date by the official court experts; hence, a detailed breakdown of compensation per categories of land or assets is not available at this stage of Project preparation.

**Table 9:** Cost Estimate for Land Acquisition and Resettlement

No.	Section	Estimated land acquisition costs
1.	Donji Vakuf 1 - Turbe	120,000 EUR
2.	Bihać 4 – Ripač	250,000 EUR
3.	Ustikolina – Goražde 8	50,000 EUR
4.	Skokovi - Srbljani	25,000 EUR
5.	Border BiH/RH (Izačić) - Bihać	25,000 EUR
6.	Mostar centar - Gnojnice	10,000 EUR
7.	Tasovčići - Čapljina	25,000 EUR
8.	Šićki Brod 3 - Živinice <sup>1</sup>	25,000 EUR
9.	Vitalj - Olovo	25,000 EUR

## Annex 1 – Detailed Description of the Key Provisions of the Law on Expropriation of FBiH

### *Public Interest and Purpose of Expropriation*

Property can only be expropriated upon the establishment of public interest for construction of facilities or carrying out other works on the property. Real property may be expropriated if this is required for construction of traffic infrastructure, economic, utility, health, educational and cultural facilities, defense facilities, administrative and other facilities in the public interest, when it is assessed that using the real property for which expropriation is proposed will produce a greater benefit than would be produced if the real property is continued to be used in the previous manner.

Expropriation may be carried out for the needs of FBiH, cantons, cities, municipalities, public enterprises and public institutions, unless otherwise provided by the Law.

Exceptionally, expropriation may establish usufruct for the benefit of citizens for the purpose of installing water and sewage pipelines, electric and telephone cables, gas pipelines, and other cases provided for under the Law.

Public interest may be established by issuing a Decree or by a dedicated law. Public interest will be deemed as established by a physical plan or urban design adopted for a certain area.

The Decree on Establishing Public Interest, upon the proposal of the expropriation beneficiary submitted along with the Expropriation Study, is issued by: the Government of FBiH when construction or works are being carried out on the territory of two or more cantons (based upon the prior opinion of cantonal governments), the government of cantons when construction or works are to be carried out on the territory of two or more municipalities (upon the prior opinion of municipal councils), or the municipality when construction or works are being carried out on the territory of the municipality.

### *Expropriation Procedure*

The expropriation procedure comprises the following steps:

1. Preparation for expropriation: The expropriation beneficiary may request, for the purpose of preparing an investment study, or submitting a proposal for the establishment of public interest or submitting a proposal for expropriation, to be allowed to perform the necessary preparations on designated property, in accordance with the procedure set out in the Law. The proposal is submitted to the Municipal Administration for Ownership Affairs ("Municipal Administration").
2. The relevant authority issues the Decree on Establishing Public Interest.
3. The expropriation beneficiary is required to publish a public announcement to invite the property owners and try to reach a prior amicable sale-purchase agreement with the affected owner.
4. The expropriation beneficiary submits a proposal for expropriation to the Municipal Administration, along with the required documentation set out in Article 24 of the Law. If deemed necessary, the proposal may contain a request for temporary occupation of other land needed for the construction of the facility or carrying out works in public interest. This request may also be submitted as a separate proposal.
5. The Municipal Administration is obliged to notify the owner of the property, without delay, of the submitted proposal for expropriation. The expropriation beneficiary and the owner of property may also conclude an amicable sale-purchase agreement after the submission of the proposal for expropriation, i.e. up to the validity of the Decision on Expropriation issued by the Municipal Administration.

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6. The expropriation notice is entered into the land register and other registers upon the request of the expropriation beneficiary.
7. The Municipal Administration is obliged to hear the owner of the property in regard to the expropriation facts.
8. The Municipal Administration issues a Decision on Expropriation, after completing the proceedings on an urgent basis. Appeal against this Decision may be submitted to the Federal Administration for Geodesy and Legal Property Affairs (mentioned as the "Federal Administration" in the Law). In the event that the land registry entry does not correspond to the actual ownership situation (often the case), the municipal department should sort out the title issues prior to proceeding with further steps.
9. When the Decision on Expropriation becomes enforceable, the Municipal Administration is obliged to convene and hold a hearing to determine the compensation for the expropriated real property through an agreement and without delay.
10. If no agreement on compensation is reached within 2 months of the validity of the Decision on Expropriation (or less if the Municipal Administration decides as such), the Municipal Administration submits the valid Decision together with other relevant documents to the competent Court, at the territory of which the expropriated real property is located, for the purpose of determining the compensation. The competent court ex officio decides in non-contentious proceedings on the amount of compensation for the expropriated real property.
11. Taking possession over the affected property is possible only upon a valid Decision on Expropriation and once the compensation is paid or possession of other real property is granted. The exceptions are urgent cases or avoiding considerable damage, in which case the Government of FBiH may issue a Decree to allow the expropriation beneficiary to take possession of the property prior to validity of the Decision on Expropriation or the payment of compensation, under the condition that the owner refused to conclude an amicable sale-purchase agreement. If the expropriation proposal is later rejected in the further procedure, the expropriation beneficiary is obliged to compensate for damage caused to the owner by gaining the possession of the real property.
12. Formal transfer of legal title in the land register is carried out on the basis of a valid Decision and proof of payment of compensation or proof that the previous owner has acquired ownership over other corresponding real property.

*Full ("Complete") and Partial ("Incomplete") Expropriation*

Full expropriation allows the expropriation beneficiary to obtain legal title over the expropriated property, while the rights of the previous owner over the real property as well as other rights cease to exist.

Partial expropriation provides the beneficiary with usufruct rights on the land and structures, as well as the lease of land for a definite period of time - at the end of the lease, usufruct rights over land are returned to the previous owner. Partial expropriation is subject to the possibility that the land can be fully restored and the lease not being more than five years.

However, owners that are affected by a partial loss of their properties are entitled to request complete expropriation and the corresponding compensation, in case partial expropriation would deteriorate the economic situation of the real property owner or make the remaining part of the real property useless or difficult to use. Such landowners must be informed about this entitlement by the official managing the expropriation process.

*Cancellation of Decision on Expropriation and Withdrawal of Proposal for Expropriation*

The expropriation beneficiary may, before the Decision on Expropriation becomes valid, withdraw the proposal for expropriation fully or partly, but a partial withdrawal will not be allowed if the owner of the property files a



complaint that his/her rights have been violated. A request for cancellation of the Decision on Expropriation may be filed by the previous owner after the expiry of 3 years from the date of validity of the Decision if the expropriation beneficiary has not executed substantial works. The request for cancellation of the Decision on Expropriation and withdrawal of proposal for expropriation is decided upon by the Municipal Administration.

#### *Compensation*

Article 31 of the Law provides that compensation arrangements must be settled prior to formal transfer of ownership of the expropriated property. Compensation costs are borne by the expropriation beneficiary. A general principle of the Law is that compensation should be provided at market value (Article 12). The market value is calculated based on the price in the territory in which the real property is to be expropriated, which may be achieved for a specific real property on the market, and which depends on the ratio of offer and demand at the time of its determination.

Compensation for land is based on the type of land (agricultural land, forests, orchards, etc.) and the related benefits that the owner would obtain if there were no expropriation.

Article 45 provides that expropriation of illegally constructed structures entails no compensation, and that the persons who raised such structures may have to remove them within a timeframe agreed upon with the municipal department in charge, or otherwise this may be organized by the municipality, with the original constructor to be charged for the costs incurred.

The personal and family circumstances of the owners whose real property is pending expropriation, as well as circumstances which may have adverse economic effects, should be taken into account when determining the compensation extent<sup>42</sup> (Article 47). This Article addresses livelihood restoration beyond the sheer compensation of the lost asset by providing flexibility based on a case-by-case assessment of personal circumstances. Businesses and their specific livelihood restoration requirements are explicitly addressed by Article 47.

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<sup>42</sup> Article 47: "Personal and other family conditions of the previous owner of the expropriated real property shall be taken into consideration as a corrective for an increase in the amount of determined compensation if those conditions are of great importance for the subsistence of the previous owner, and in particular if his/her subsistence has been endangered due to the expropriation of a larger part or the entire land or business premises in which the previous owner legally performed a business activity, as well as in the case where due to the expropriation members of an agricultural household have to move from the territory where they had lived."

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## Annex 2 – Comparison of Relevant FBiH Legislation with OP 4.12 Requirements

Issue	Requirements of FBiH Law on Expropriation	World Bank OP 4.12 Requirements	Gaps and measures for bridging the gaps
Avoidance or Minimization of Resettlement/Land Acquisition	No specific provisions in the Law on Expropriation; however, In practice, resettlement and expropriation are avoided or minimized during project design, in the context of minimizing costs.	Involuntary resettlement should be avoided or minimized where feasible, exploring all viable alternative project designs.	All project alternatives must be considered to avoid or minimize resettlement/land acquisition.
Census and Socioeconomic Survey and Resettlement Action Plan (RAP)	No explicit requirement related with socio-economic studies or development of resettlement plans. However, to facilitate the expropriation process at an early stage, the FBiH Law requires an Expropriation Study focusing on land registry, lists of affected owners and real property, estimation of the value of real property, and other related information (Article 16).	Census and socioeconomic survey to be made for RAP development needs at early stages of project preparation and with involvement of potentially displaced persons. The study should include information on (i) current occupants in the affected area, (ii) characteristics of displaced households and their standards of living and livelihoods, (iii) magnitude of expected losses and extent of displacement, and (iv) information on vulnerable groups or persons.	Census and socioeconomic survey for this RAP have been conducted according to WB requirement (in addition to the expropriation studies required by local legislation).
Cut-off Date for Eligibility	The Law stipulates that the cut-off date for eligibility is the date of submission of the proposal for expropriation by the expropriation beneficiary to the relevant municipality.	Normally, the cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.	The cut-off will be date of closure of the public announcement to be published by PC Roads FBiH (as 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. 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.

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Issue	Requirements of FBiH Law on Expropriation	World Bank OP 4.12 Requirements	Gaps and measures for bridging the gaps
Public Participation/ Consultations With Affected Persons	<p>Several articles of the FBiH Law provide for informing/consulting the owner and stakeholders: 1) Art. 60 - once the Decision on Expropriation has become effective, the Municipal Administration is obliged to organize a public consultation meeting for the determination of the compensation extent; 2) Art. 25 - after a proposal for expropriation has been submitted, the Municipal Administration is obliged to inform the owner without delay; 3) Art. 27 - the Municipal Administration is obliged to hear the owner in regard to the expropriation facts, prior to issuing the Decision on Expropriation; 4) Art. 11 - in case of partial expropriation, the Municipal Administration must inform the owner about his/her right to request full expropriation.</p>	<p>Displaced persons should be meaningfully consulted and should be encouraged to participate in planning and implementing resettlement.</p>	<p>The local legislation requirements must be met, but PC Roads FBiH will additionally approach, inform and consult all property owners or users during all expropriation stages.</p> <p>The draft RAP will be disclosed by PC Roads FBiH in January 2016, and a public consultative meeting will be organized in February 2016 in the Project area. All stakeholders will be provided with the opportunity to submit their concerns and opinions in both oral and written form to the draft RAP. All issues raised will be given due consideration. Minutes from the public consultative meeting will be disclosed on the website of PC Roads. The minutes of the meeting, including the date and list of participants will be incorporated in the form of an annex to the final RAP. The final RAP will be disclosed publicly in February 2016.</p>
Eligibility for Compensation (Categorization)	<p>The only category the Law guarantees compensation to is the category of the legitimate owner of the real property, entitled to compensation for expropriation of their housing, commercial facility or land, whether it is agricultural, an orchard, land with crops or even forested.</p> <p>For those without formal rights to land, no compensation is foreseen, except the right to remove the facilities and take away the materials.</p>	<p>According to WB OP 4.12, there are 3 categories of persons in terms of compensation eligibility:</p> <p>a) Those who have formal rights to land</p> <p>b) Those who do not have formal rights to land at the time the census begins but have a claim to such land and assets, provided that such claims are recognized under the laws of Bosnia and Herzegovina or become recognized through a process identified in the RAP; and</p> <p>c) Those who have no recognizable legal right or claim to the land they are occupying</p>	<p>In addition to requirements of the local legislation, the WB requirements related to other categories must be met.</p>
Types and Levels of Compensation	<p>Compensation for lost assets is effected in kind (replacement by an equivalent property) or in cash if the expropriation beneficiary is unable to identify such a replacement property or if such is the choice of the affected owner. Cash compensation is at market value of the expropriated property in the same municipality or town.</p>	<p>Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land, or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of</p>	<p>OP 4.12 shall prevail.</p>

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Issue	Requirements of FBiH Law on Expropriation	World Bank OP 4.12 Requirements	Gaps and measures for bridging the gaps
	<p>The court procedure for determining compensation is urgent (Article 65).</p> <p>In cases of expropriation requiring 'large scale' displacement, the form and terms of compensation may be established by a separate law (Article 59), if more favorable for the owner.</p> <p>The owner of a property pending expropriation is also entitled to compensation for any loss of benefits which he/she would have using the property (Article 54).</p> <p>Households that have only partially lost their assets are covered by Article 11. The party to be resettled is to be informed about their entitlement to request full expropriation.</p>	<p>productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.</p> <p>Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.</p>	
Timing of Compensation	Compensation should be provided prior to the beginning of construction works and prior to taking possession of the assets.	Compensation should be provided prior to the beginning of construction works and prior to taking possession of the assets.	No gap.
Resettlement of formal owners	<p>Option 1: Resettlement</p> <p>Appropriate replacement property of similar size and characteristics in the same municipality or city.</p> <p>Option 2: Cash compensation</p> <p>Cash compensation at market value.</p>	<p>Option 1: Resettlement</p> <p>Replacement property of equal or higher value and similar productivity + Moving and transitional allowance + Administrative fees</p> <p>Option 2: Cash compensation</p> <p>Cash compensation at replacement cost.</p>	<p>Option 1: Resettlement</p> <p>The local legislation does not cover moving and transitional allowances neither administrative fees. OP 4.12 shall prevail.</p> <p>Option 2: Cash compensation</p> <p>Replacement cost is higher than market value.</p> <p>OP 4.12 shall prevail.</p>
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	PAP is entitled to cash compensation at replacement cost with additional moving and transitional allowances	OP 4.12 shall prevail.

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Issue	Requirements of FBiH Law on Expropriation	World Bank OP 4.12 Requirements	Gaps and measures for bridging the gaps
	at his expense.		
Resettlement of informal users of agricultural land	PAP is entitled to cash compensation for any improvements made on the land e.g. Irrigation, drainage, perennial crops, objects etc.	PAP is entitled to cash compensation for any improvements made on the land e.g. Irrigation, drainage, perennial crops, objects etc.	No gap
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 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 development of the tree to bear fruit.  + Cash compensation for the technical wood	PAP is entitled to collect the fruits and technical wood and to replacement cost, including the informal owner	OP 4.12 shall prevail.
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 + 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 gap
r Livelihood Restoration and Assistance	Article 47 calls for consideration of personal and family situation, as well as other specifics which may entail adverse economic effects of resettlement, when determining the compensation extent. This opens a possibility to provide specific assistance to specific households. Article 47 reads: "Personal and other family conditions of the previous owner of the expropriated real property shall be taken into consideration as a corrective	Displaced persons should be assisted in improving their former living standards, income earning capacity, and production levels, or at least in restoring them. 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	No gap - PC Roads FBiH will meet the specific WB requirement by applying the provisions of the local legislation which allow for increasing the amount of compensation based on consideration of the "personal and other family conditions" of the affected people, and provide a legal basis for providing specific assistance to such people in line with OP 4.12 requirements.

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Issue	Requirements of FBiH Law on Expropriation	World Bank OP 4.12 Requirements	Gaps and measures for bridging the gaps
	for an increase in the amount of determined compensation if those conditions are of great importance for the subsistence of the previous owner, and in particular if his/her subsistence has been endangered due to the expropriation of a larger part or the entire land or business premises in which the previous owner legally performed a business activity, as well as in the case where due to the expropriation members of an agricultural household have to move from the territory where they had lived."	livelihood and standard of living; and, (ii) provided with development assistance in addition to compensation measures, such as land preparation, credit facilities, training or job opportunities.	
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.
Vulnerable groups	The Law does not foresee any special measures relating to vulnerable groups with the exception of a possibility of increase in compensation based on "personal and family situation of previous owner" (Article 47) as described above under the issue "Livelihood Restoration and Assistance".	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.
Grievance Redress	An appeal against the Decision on Expropriation can be submitted to the Federal Administration for Geodesy and Legal Property Affairs (Article 30).  The fact that the expropriated property may only be used for the initially proposed purpose is very important for the proper application of the issue of cancellation of expropriation.  Host communities are not mentioned in the Law.	. Appropriate, affordable and accessible procedures for third-party settlement of disputes arising from resettlement must be established; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.	Property owners and/or persons subject to involuntary resettlement must be given the right of appeal during and after the resettlement procedure, in accordance with the local legislation.  In addition, a Project specific grievance mechanism has been established in the manner defined in the RPF and this RAP.
Monitoring	No specific monitoring procedures are prescribed.	The Borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instruments.	The PIU will be responsible for monitoring in line with the requirements set out in the RPF and this RAP.

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## Annex 3 – Summary of Census Database

Note: Full data is provided in separate Excel tables.

Location (section)	Cadastral Municipality	Land plot no.	Type of impact	Category	Interviewed (yes/no)	Total area of plot (m <sup>2</sup> )	% affected
Gorazde (Ustikolina-Gorazde 8)	Gorazde I	3900/47	Part of access road	Business	Yes	6470.00	1%
		3900/27	Part of access road	Business	Yes	4882.00	0.50%
		3909	Part of plowed land	Land plot	No	1740.00	5-10%
		3908	Part of plowed land	Land plot	No	1147.00	5%
		4068/2	Car wash	Business	No	37457.00	100%
		4090	Small summer house (10m <sup>2</sup> )		No	40647.00	100%
Olovo (Vitelj-Olovo)	Olovske Luke	4251/1, 569, 425/2, 567/1, 570, 571/1, 576	Part of access road	Business	Yes	5609.00	6%
		426	Part of land	Land plot	No	1178.00	1%
		566/2	Part of land	Land plot	No	1607.00	70%
		579	Part of land	Land plot	No	1537.00	2%
		578	Part of land	Land plot	No	917.00	2%
		567/2	Part of land	Land plot	No	165.00	1%
		566/1	Part of land	Land plot	Yes	1709.00	6%
		871/2	Part of land	Land plot	No	703.00	20%
2992	Part of access road and garden	Business	Yes	750.00	5%		
Tuzla (Šićki Brod <sub>3</sub> - Zivinice 1)	Husino	2534/1	Part of land and access road	Land plot	No	205.00	2%
		2535	Part of land and access road	Business	Yes	409.00	1%
		379	Part of land	Land plot	No	159.00	25%
		2993	Part of land	Land plot	No	550.00	1%
		2536/1	Part of land	Land plot	No	949.00	1%
		381	Part of land	Land plot	No	9623.00	10%
		2994/1	Part of Fence (30 m)	Land plot	No	2458.00	2%
		2994/2	Part of land, part of Fence and access road	Land plot	No	209.00	2%
		2995	Part of land	Land plot	No	547.00	2%
		2534/2	Part of land	Land plot	No	408.00	2%
		5655/2	Part of land, Fence	Land plot	Yes	243.00	2%
5566/1	Part of land and Fence	Land plot	No	228.00	25%		
Bihać (Bihać 4- Ripač)	Bihać grad	5657	Part of land	Land plot	No	412.00	1%
		3413/3	Part of land	Land plot	No	43.00	1%
		5582	Part of land	Land plot	No	361.00	1%
		5577	Part of land	Land plot	Yes	161.00	2%
		5575	Whole land plot	Land plot	No	271.00	100%
		3430	Part of land	Land plot	No	309.00	1%
		5565	Whole land plot	Land plot	No	130.00	100%
5576	Whole land plot and house	Land plot	No	1224.00	100%		

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		5572	Whole land plot and house	Houses	Yes	246.00	100%
		5573	Whole land plot and house	Houses	Yes	401.00	100%
		6655	Part of land	Land plot	No	1196.00	0.50%
		3433/2	Part of land	Land plot	No	267.00	0.50%
		6658	Part of land	Land plot	No	146.00	25%
		6659	N/a	Land plot	No	144.00	N/a
		9666/3	Part of land and access road	Business	Yes	163.00	3%
		9666/5	Part of land	Land plot	No	11939.00	2%
		3426	Part of land	Land plot	No	576.00	0.50%
		3337/1	Part of wall (30 cm)	Land plot	No	209.00	1%
		5655/3	Part of land	Land plot	No	104.00	0.50%
		6662	Whole land	Land plot	No	2.00	100%
		3338	Part of land	Land plot	No	364.00	1%
		6661	Whole land	Land plot	No	78.00	90%
		6656	Part of land	Land plot	No	1698.00	4%
		5564/1	N/a	Land plot	No	202.00	N/a
		6652	Part of land	Land plot	No	255.00	3%
		5574/1	Whole house	Houses	Yes	259.00	100%
		3433/1	Part of land	Land plot	No	369.00	5%
		6650	Part of land	Land plot	No	419.00	2%
		5656	Whole house	House	Yes	392.00	100%
		6660	Part of land	Land plot	No	51.00	90%
		6651	Part of land	Land plot	No	1213.00	3%
		6657	Part of land	Land plot	No	231.00	4%
		9666/4	Part of land	Land plot	No	326.00	4%
		5563	Part of land	Business	Yes	316.00	4%
		5564/2	Part of land	Land plot	Yes	5.00	1%
		3429/1	Sidewalk	Land plot	No	218.00	2%
		3427	Sidewalk	Land plot	No	613.00	1%
		5562	N/a	Land plot	No	303.00	N/a
		3413/2	Sidewalk	Land plot	No	145.00	1%
		3434	Whole house	House	Yes	43.00	100%
		3429/3	Sidewalk	Land plot	No	11.00	50%
		3429/2	Sidewalk	Land plot	No	258.00	0.50%
		5570	Part of land	Land plot	No	344.00	0.50%
		5567	Part of land	Land plot	No	617.00	20%
		5574/3	Whole house	Houses	Yes	126.00	100%
		837	Part of land	Land plot	No	1096.00	8.03
		839	Part of land	Land plot	No	831.00	0.84
		844/2	Part of land	Land plot	No	2911.00	11.34
<b>Komar - section 1 (Donji Vakuf 1- Turbe)</b>	<b>Komar</b>	844/1	Part of land	Land plot	No	3500.00	11.26
		847	Part of land	Land plot	No	3374.00	9.28
		857	Part of land	Land plot	No	456.00	25.22
		858/2	Part of land	Land plot	No	111.00	12.61
		861	Part of land	Land plot	No	724.00	4.83
		862	Part of land	Land plot	No	382	100.00
		867/1	Part of land	Land plot	No	703	6.12
		869	Part of land	Land plot	No	330	100.00
		2573, 868	Part of land	Land plot	No	N/a	N/a
		500	Part of land	Land plot	No	2823	7.30
		502	Part of land	Land plot	No	4963	6.55



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		503	Part of land	Land plot	No	6309	5.91
<b>Komar - section 2 (Donji Vakuf 1- Turbe)</b>	<b>Komar</b>	708	Part of land	Land plot	No	4167	10.75
		708	Part of land	Land plot		980	45.71
		709	Part of land	Land plot	No	695	90.36
		710	Part of land	Land plot	No	1045	70.53
		711	Part of land	Land plot	No	1870	37.43
		713	Part of land	Land plot	No	500	63.00
		715	Part of land	Land plot	No	805	8.20
		719	Part of land	Land plot	No	2228	36.04
		719	Part of land	Land plot	No	2867	28.01
		725	Part of land	Land plot	No	925	29.84
		725	Part of land	Land plot		4615	5.98
		726	Part of land	Land plot	No	1605	11.53
		898	Part of land	Land plot	No	970	33.40
		901	Part of land	Land plot	No	838	49.76
		901	Part of land	Land plot	No	202	206.44
		911	Part of land	Land plot	No	3995	2.80
		904	Part of land	Land plot	No	10412	0.92
		2241/1	Part of land	Land plot	No	129017	0.07
2243	Part of land	Land plot	No	605	5.87		
2343/50	Part of land	Land plot	No	600	12.17		
<b>Komar - section 3 (Donji Vakuf 1- Turbe)</b>	<b>Varošluk</b>	2369/9	Part of land	Land plot	No	640	8.75
		2369/2	Part of land	Land plot	No	181473	0.06
		2370/1	Part of land	Land plot	No	9200	21.64
		2371	Part of land	Land plot	No	5820	0.86
		2371	Part of land	Land plot	No	5820	0.86
		2373	Part of land	Land plot	No	3906	1.89
		2373	Part of land	Land plot	No	3906	1.89
		2333, 2388	Part of land	Land plot	No	N/a	N/a
		965/1	Part of land	Land plot	No	N/a	N/a
		1009/2	Part of land	Land plot	No	N/a	N/a
		987/2	Part of land	Land plot	No	N/a	N/a
<b>Kamenica (Granica BiH/RH (Izačić)-Bihać)</b>	<b>Kralje</b>	2557	Part of land	Land plot	No	1266.00	
		2507	Fence, gate, draw-well	Land plot	No	497.00	8%
		2524	Part of land	Land plot	No	1636.00	1%
		2523/2	Fence	Land plot	No	815.00	3%
		2571/1	Part of land	Land plot	No	270.00	5%
		2509	Fence, gate	Land plot	No	389.00	5%
		2576	Draw-well	Land plot	No	1323.00	3%
		2572/1	Part of land	Land plot	No	628.00	15%
		2575/4	Part of land	Land plot	No	236.00	3%
		2575/3	Fence	Land plot	No	393.00	1%
		2573	Part of land	Land plot	Yes	831.00	3%
		2505/3	Fence	Land plot	No	212.00	3%
		2511	Fence, gate	Land plot	No	338.00	7%
		2500/8	Fence	Land plot	No	227.00	3%
		2500/4	Fence	Land plot	No	170.00	5%
2551/4	Fence	Land plot	Yes	11.00	50%		

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		2551/2	Part of land	Land plot	Yes	1360.00	1%
		2500/2	Fence	Land plot	No	947.00	3%
		2500/1		Land plot	No	1455.00	2%
		2496/3	Fence	Land plot	No	788.00	1%
		2565		Land plot	No	834.00	10%
		2518/4	Access	Land plot	Yes	272.00	30%
		2518/1	Access	Land plot	Yes	703.00	3%
		2503	Fence	Land plot	No	539.00	3%
		2502/2	Part of land	Land plot	No	110.00	5%
		2501/2	Fence	Land plot	No	36.00	20%
		2519/1	Access	Business	No	9647.00	3%
		2521/1	Fence	Land plot	No	2157.00	5%
		2533/1	Fence	Land plot	No	3136.00	1%
		2499/2	Fence	Land plot	No	783.00	5%
		2498/2	Fence	Land plot	No	400.00	3%
		614/1	Part of land	Land plot	No	11408.00	1%
		614/3	Part of fence	Land plot	No	5097.00	1%
		2501/1	Fence, gate	Land plot	No	368.00	1%
		2532	Fence, gate	Land plot	No	409.00	2%
		2529	Gate	Land plot	Yes	176.00	1%
		2490/1	Fence	Land plot	No	389.00	1%
		2492	Fence	Land plot	No	184.00	5%
		2496/2		Land plot	No	828.00	10%
		2489/2		Land plot	No	56.00	3%
		2564	Fence	Land plot	No	552.00	3%
		2561/2	Fence	Land plot	No	650.00	1%
		2533/5	Fence	Land plot	No	38.00	50%
		2518/2		Land plot	Yes	369.00	2%
		2556/2	Fence	Land plot	No	79.00	50%
		2528	Part of land	Land plot	No	613.00	1%
		2506	Fence	Land plot	No	682.00	4%
		2533/3	Expropriation of stall	Land plot	No	895.00	1%
		2519/3	Part of land	Land plot	No	28.00	1%
		2502/1	Fence, gate	Land plot	No	242.00	3%
		2489/3	Expropriation of store	Land plot	Yes	1216.00	20%
		2489/1	Draw-well, fence	Land plot	No	30.00	1%
		2559		Land plot	No	503.00	1%
		2487	Gate	Land plot	No	498.00	1%
		2499/1	Expropriation of draw well	Land plot	No	264.00	8%
		2561/1	Gate	Land plot	No	248.00	1%
		2561/3		Land plot	No	26.00	1%
		2577	Part of land	Land plot	No	856.00	3%
		1698/3	Part of land	Land plot	No	220	5%
		1701	Part of land	Land plot	No	580	
		1704	Part of land	Land plot	No	432	45%
		1719	Part of land	Land plot	No	1004	2%
<b>Čapljina (Tasovčići- Čapljina)</b>	<b>Tasovčići</b>	1850/1	Part of land	Land plot	No	1186	2%
		1858/1	Part of land	Land plot	No	777	2%
		1857/1	Part of land	Land plot	No	197	7%

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		1873/1	Part of land	Land plot	No	480	1%		
		1868/2	Part of land	Land plot	No	1728	1%		
		1867/3	Part of land	Land plot	No	392	1%		
		N/a	Part of land	Land plot	No				
		N/a	Part of land	Land plot	No				
		2349	Part of land	Land plot	No	N/a	2%		
		2350	Part of land	Land plot	No	N/a	1%		
		2351	Part of land	Land plot	No	N/a	1%		
		2353	Part of land	Land plot	No	N/a	5%		
		2352	Part of land	Land plot	No	N/a	1%		
		2354	Part of land	Land plot	No	N/a	1%		
		<b>Mostar</b>	<b>Mostar 1</b>	2355	Part of land	Land plot	No	N/a	2%
		<b>Mala Lisa (Skokovi- Srbljani)</b>	<b>CAZIN - ĆORALIĆI</b>	658/2	Part of land	Land plot	No	1920	10%
658/3	Part of land			Land plot	No	755	8%		
	Part of land			Land plot	No	1660			
1978	Part of land			Land plot	No	365	5%		
1966/4	Part of land, fence			Land plot	No	3102	3%		
1996	Part of land, access			Land plot	No	819	1%		
1979/2	Part of land, access			Land plot	No	500	5%		
1997/11	Part of land, access			Land plot	No	837	1%		
1970/2	Part of land, fence			Land plot	No	2175	1%		
	Part of land			Land plot	No	1660			
<b>CAZIN - SLATINA</b>	354		Part of land	Land plot	No	7897	3%		
<b>CAZIN - ĆORALIĆI</b>	1979/21		Part of land	Land plot	No	361	5%		
	1979/6		Part of land	Land plot	No	347	8%		

## Annex 4 – Socio-economic Survey Questionnaires

### QUESTIONNAIRE FOR BUSINESSES

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

Survey date: \_\_\_\_\_

Surveyor name: \_\_\_\_\_

Municipality: \_\_\_\_\_

Location: \_\_\_\_\_

Address: \_\_\_\_\_

Cadastral plot reference: \_\_\_\_\_

Photograph of affected property (number): \_\_\_\_\_

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#### 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)
----------------------------

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*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?

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**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: \_\_\_\_\_ m<sup>2</sup>

**2. GENERAL INFORMATION ON AFFECTED PROPERTY (PLOT)**

2.1. Total size: \_\_\_\_\_ m<sup>2</sup>

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

Location	Total number of cadastral	Cadastral plot reference	Current use <i>Tick applicable use</i>

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	plots		
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*

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**5. OWNERSHIP ISSUES**

5.1. Owner: Yes No

5.2. User: Yes No

<b>5.3. Ownership details</b>		
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)
				M	F		
1	HH	HH		M	F		
2				M	F		
3				M	F		
4				M	F		
5				M	F		

**7. VULNERABILITY**

<b>7.1 Is any of the household members suffering from one of the following problems:</b>	<b>7.2. Social benefits (yes or no, if yes which kind of assistance)</b>
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?

---

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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)*



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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: m<sup>2</sup>

---

**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

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<b>3.3. Ownership details</b>		
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

## Annex 5 – Letter of Notice on Socio-economic Survey Provided to Respondents

Date: /deleted/

Reference No.: /deleted/

SUBJECT: Notice of survey

Dear Sir/Madam,

We hereby inform you that the census and socio-economic survey of population located in the close vicinity of sections foreseen for construction or reconstruction are currently being conducted in the framework of the Project "Road Modernization in the Federation of Bosnia and Herzegovina".

The census and survey shall be conducted on behalf of PC Roads of the Federation of Bosnia and Herzegovina for the purpose of achieving better project planning.

The aim of this survey is to gather socio-economic data on families and individuals living or working at the locations where construction works on relevant road sections will be executed, in order to enable a fair system of relocation and acquisition of property, and to enable PC Roads of the Federation of Bosnia and Herzegovina to plan its activities better.

Please note that the data from the survey will neither be used for the purpose of determining whether or not individual persons are not eligible for compensation or any other rights, nor will the data be used for the purpose of determining the value of individual land plots, houses or any other property.

For any additional questions, please refer to the contact details listed below.

Thank you for your cooperation.

Contact person: /deleted/

Telephone number: /deleted/

E – mail address: /deleted/

## Annex 6 – Summary of Socio-economic Survey Data

Note: Full data is provided in separate Excel tables.  
The presented data are the result of the Socio-economic Survey analysis.

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**Households**

Location	Land plot no.	Questionnaire reference number	Date of survey	Total land plot area	Affected area in m2 and %	No. of household members	Vulnerability (disabled, chronically ill, single parent, elderly, children..)	Average monthly income (category)
Bihać-Grad Bihać	5577	A2	04.12.2015	161	2%			
Bihać-Grad Bihać	5575	A4	11.12.2015	271	100%	4	One unemployed	1.000-1.500 KM
Bihać-Grad Bihać	5572	A5	04.12.2015	246	100%	1	High pressure	0-500 KM
Bihać-Grad Bihać	5573	A6	04.12.2015	401	100%	1	High pressure, rheumatism, stroke	0-500 KM
Bihać-Grad Bihać	5574/1. 5574/3	A8	04.12.2015	385	100%	3	x	0-500 KM
Bihać-Grad Bihać	next to 5656	A9	04.12.2015			3	Unemployed	0-500 KM
Bihać-Grad Bihać	5564/2, 5565	A11	04.12.2015	130	100%	4	x	500-1.000 KM
Bihać-Grad Bihać	3434	A13	04.12.2015	43	100%	2	Mental disability, Unemployed	0-500 KM

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**Land plots**

	Location	Questionnaire ref. number	Land plot no.	Nationality of owner / user	% of land planned for expropriation	Auxiliary structures	Land use (commercial or for own needs)	Observed crops during survey	Average yield	Use of land for commercial or for family's own needs?	If commercially, income from sale of crops?	Animals?	Compensation preferred
1	Goražde-Vitkovići	A1	3908, 3909	Bosniak	20%	No	Own needs	Yes (vegetable and fruit trees)	x	Family's own needs	x	x	Land for land
2	Olovo-Olovske luke	A2	578,579	Bosniak	20%	No	Own needs	Autochthonous fruit trees	200 kg	x	x	x	Monetary compensation
2	Olovo-Olovske luke	A3	566/1,566 /25	Bosniak	50%	No	Commercial	No (used for hay collecting)		Commercial (selling of hay)	500-800 KM	x	Monetary compensation

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**Businesses**

No.	Location	Land plot no.	Type of activity	Established in year	Facility legal?	Average annual income	Number of employees	Perceived impacts (loss of customers, etc.)	Access restrictions expected (yes/no)?	Compensation preferred
1	Goražde-Vitkovići	3900/47	Transport and Gas station	1997	Yes	2.500.000,00 KM	26	Loss of customers, disruption of business due to work	Yes	
2	Goražde-Vitkovići	3900/27	Recycling center for metal and non-metal	1997	Yes	n/a	13	Disruption of business due to work, damage to the fence	Yes	
3	Olovo-Olovske Luke	4251/1, 569, 425/2, 567/1, 570, 571/1, 576	Manufacturing, sales and services	1998	Yes	7.800.00,00 KM	n/a	Loss of customers, disruption of business due to work, damage to the fence	Yes	
4	Tuzla-Husino	2992	Catering	1997	No (legalization in progress)	n/a	1	Loss of customers, disruption of business due to work	Yes	Money
5	Tuzla-Husino	2535	Catering	1999	No (legalization in progress)	1.500,00 KM	2	Loss of customers, disruption of business due to work, part of building	Yes	Real estate
6	Bihać-Grad Bihać	5655/2	Hair salon (Out of service)	n/a	No	n/a				Legalization of facility
7	Bihać-Grad Bihać	5577	Sale	n/a	Yes	n/a	2	Loss of customers, disruption of business due to work	Yes	
8	Bihać-Grad Bihać	9666/3	Sale	1995	Yes	n/a	13	Loss of customers, disruption of business due to work	Yes	

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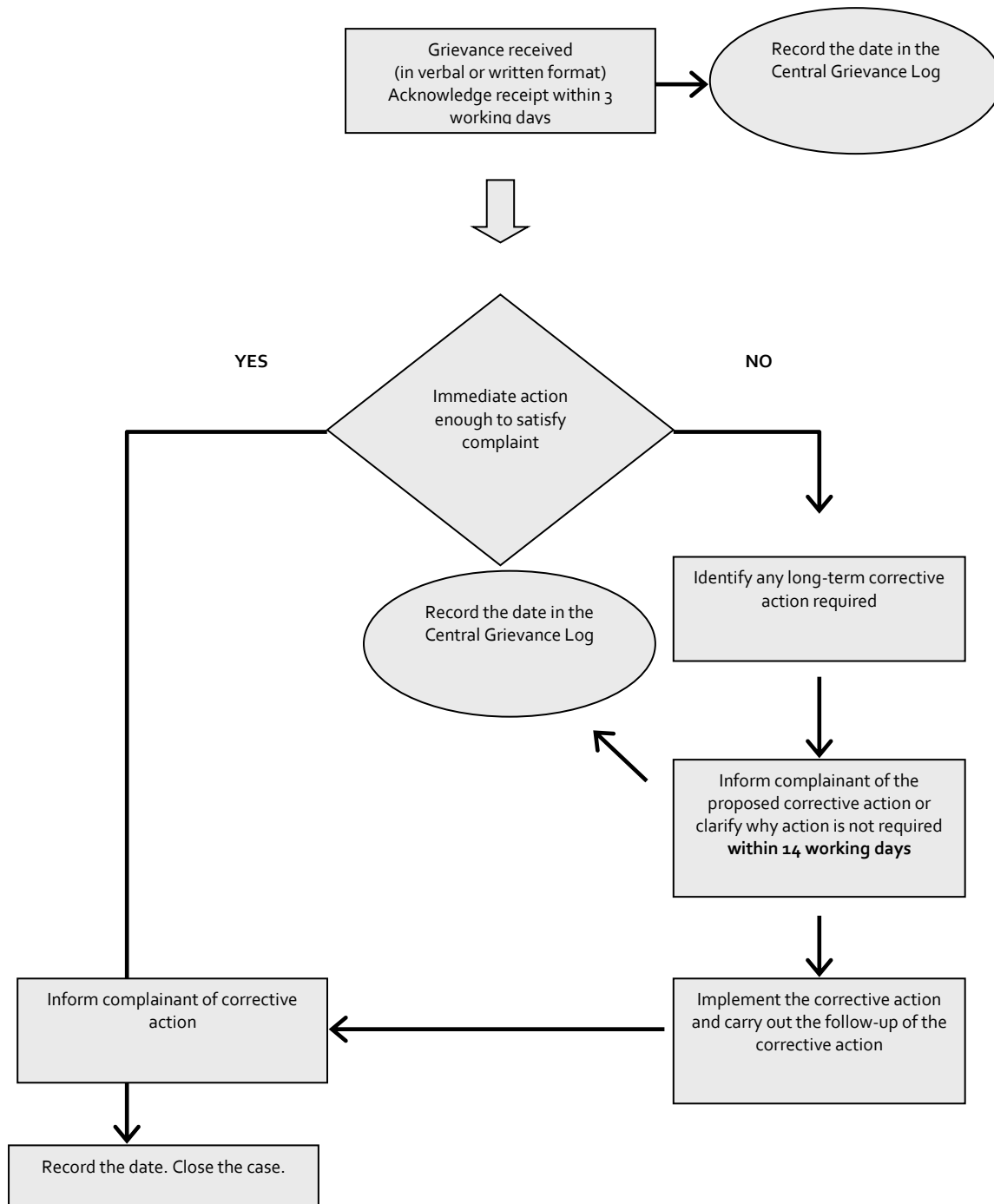
9	<b>Bihać- Grad Bihać</b>	5563	Sale	2000	Yes	n/a	2	Loss of customers, disruption of business due to work	Yes	
10	<b>Bihać- Grad Bihać</b>	5564/2	Graphic store	1999	Yes	60.000,00 KM	2	x	Yes	
11	<b>Bihać- Kamenica</b>	2573	Car mechanic	2004	Yes	10.000,00 KM	1	Loss of customers, disruption of business due to work	Yes	Money
12	<b>Bihać- Kamenica</b>	2551/2	Production of blocks	1999	Yes	n/a	2	Loss of customers, disruption of business due to work	Yes	Money
13	<b>Bihać- Kamenica</b>	2518/4	Trade of the cars	1997	Yes	n/a	2	Loss of customers, disruption of business due to work	Yes	Money
14	<b>Bihać- Kamenica</b>	2518/1	Agronomic sector	2013	Yes	n/a	2	Loss of customers, disruption of business due to work	Yes	n/a
15	<b>Bihać- Kamenica</b>	2529	Catering	2014	Yes	n/a	2	Loss of customers	Yes	n/a
16	<b>Bihać- Kamenica</b>	2518/2	Trade	2004	Yes	n/a	3	Noise	Yes	n/a
17	<b>Bihać- Kamenica</b>	2489/3	Trade	2000	Yes	500.000,00 KM	3	Loss of customers (business)	Yes	n/a
18	<b>Bihać- Kamenica</b>	Between 2564 and 2561/1	Car service	2003	Yes	150.000,00 KM	6	Loss of customers	Yes	Money
19	<b>Bihać- Kamenica</b>	n/a	Carpentry	2007	Yes	n/a	3	x	Yes	x



## Annex 7 – Formal Access to Information Request Form

ACCESS TO INFORMATION REQUEST
_____ Name and last name of requester
_____ Address
_____ Telephone/telefax/e-mail
Date _____
<b>PUBLIC ROADS COMPANY OF FBiH</b> Address: Terezija 54 71000 Sarajevo T: +387 33 250 370 F: +387 33 250 400
<b>SUBJECT: ACCESS TO INFORMATION REQUEST</b> On the basis of the Law on Free Access to Information in FBiH, I request access to the following information:  _____ _____ _____ _____
(Indicate precisely which information you are requesting and describe as precisely as possible).
Indicate in which manner would you like to access the information: a. direct inspection, b. duplication of the information, c. delivery of information to the home address, d. delivery of information electronically – by e-mail (if possible).
Requester _____
<b>Note: The first ten pages of duplication of material of standard format are free of charge, and all other requested information with a larger number of pages shall be paid by the requester in advance.</b>

## Annex 8 – Flowchart for Processing Grievances



## Annex 9 – Grievance Form

Reference number:	
Full name ( <i>optional</i> )	
Contact information  Please mark how you wish to be contacted (mail, telephone, e-mail).	<input type="checkbox"/> By post: Please provide mailing address: _____ _____ _____ <input type="checkbox"/> By telephone: _____ <input type="checkbox"/> By e-mail: _____
Preferred language of communication	<input type="checkbox"/> Bosnian / Serbian / Croatian <input type="checkbox"/> English (if possible)
Description of incident for grievance	What happened? Where did it happen? Who did it happen to? What is the result of the problem?
Date of incident / grievance	
	<input type="checkbox"/> One-time incident/grievance (date _____) <input type="checkbox"/> Happened more than once (how many times? _____) <input type="checkbox"/> On-going (currently experiencing problem)
What would you like to see happen?	

Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

Please return this form to:  
**PROJECT IMPLEMENTATION UNIT**  
**FBIH ROAD SECTOR MODERNIZATION PROJECT**  
 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

## Annex 10 – Consultation Meetings, Key Issues and Conclusions

### Consultative Meeting in the Municipality of Čapljina

The Consultative Meeting was announced through the following channels:

- On the official website of PC Roads FBiH on February 4, 2016 (web link: [http://www.jpcfbi.ba/ba/novosti/saopcenja\\_za\\_javnost.shtml](http://www.jpcfbi.ba/ba/novosti/saopcenja_za_javnost.shtml)) and local newspapers "Večernji List" and "Dnevni Avaz" (Annex 11),
- On the bulletin boards in the Municipality of Čapljina and Local Community premises on February 12, 2016,
- Official letters sent to the Municipality of Čapljina, relevant local and central NGOs on February 11, 2016.

Date of Meeting: 16 February 2016

Place of Meeting: Municipality of Čapljina

Number of participants: 11 (6 representatives of PC Roads FBiH, 2 representatives of the Consulting Company engaged for providing technical support to PC Roads FBiH, 3 representatives of the Municipality)

Agenda:

- A representative of PC Roads FBiH opened the meeting and welcomed the participants, giving an introduction on the FBiH Road Sector Modernization Project, and the set of documents prepared within the Project. The purpose of the meeting was explained, i.e. consultations with the stakeholders, especially PAPs, related to the document as well as additional socio-economic surveying of PAPs not surveyed to date. The presentation included the key principles of the land acquisition process, the entitlements matrix, the timeline for RAP implementation, with information about the cut-off date, and the grievance mechanism. All attendants of the meeting were invited to participate in the discussion on the draft RAP.
- A representative of the Consulting Company presented in more detail the road sections included in the RAP for Sub-projects, the Project area with graphics (maps and cadastral maps), the current status of the expropriation process with the next steps, the legal framework for land acquisition, the prepared documents within the Project and the purpose of these documents, the process, purpose and results of the Census and Socioeconomic survey.

Note: Project design overlapped with the cadastral plan and satellite images (in large map scale with information on affected land plots) and questionnaires in hardcopy were submitted to the representatives of the Municipality.

### Key Issues and Conclusions

Key issues raised and discussed during the consultative meeting:

- Has the possibility of construction a pedestrian bridge instead of an underpass been considered due to negative experiences with underground waters?
- What is the meaning and purpose of RAP?

Conclusions of the Meeting:

- The meaning and purpose of RAP was elaborated as defined in the document.
- The Survey results will be forwarded to the Local Community Offices.

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*Figure 11: Photograph of Attendants of the Meeting in the Municipality of Čapljina*

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**Consultative Meeting in the City of Mostar**

The Consultative Meeting was announced through the following channels:

- On the official website of PC Roads FBiH on February 4, 2016 (web link: [http://www.jpfcfbih.ba/ba/novosti/saopcenja\\_za\\_javnost.shtml](http://www.jpfcfbih.ba/ba/novosti/saopcenja_za_javnost.shtml)) and local newspapers "Večernji List" and "Dnevni Avaz" (Annex 11),
- On the bulletin boards in the City of Mostar and Local Community premises on February 12, 2016,
- Official letters sent to the City of Mostar, relevant local and central NGOs on February 11, 2016.

Date of Meeting: 16 February 2016

Place of Meeting: City of Mostar

Number of participants: 12 (7 representatives of PC Roads FBiH, 2 representatives of the Consulting Company engaged for providing technical support to PC Roads FBiH, 3 representatives of the City)

Agenda:

- A representative of PC Roads FBiH opened the meeting and welcomed the participants, giving an introduction on the FBiH Road Sector Modernization Project, and the set of documents prepared within the Project. The purpose of the meeting was explained, i.e. consultations with the stakeholders, especially PAPs, related to the document as well as additional socio-economic surveying of PAPs not surveyed to date. The presentation included the key principles of the land acquisition process, the entitlements matrix, the timeline for RAP implementation, with information about the cut-off date, and the grievance mechanism. All attendants of the meeting were invited to participate in the discussion on the draft RAP.
- A representative of the Consulting Company presented in more detail the road sections included in the RAP for Sub-projects, the Project area with graphics (maps and cadastral maps), the current status of the expropriation process with the next steps, the legal framework for land acquisition, the prepared documents within the Project and the purpose of these documents, the process, purpose and results of the Census and Socioeconomic survey.

Note: Project design overlapped with the cadastral plan and satellite images (in large map scale with information on affected land plots) and questionnaires in hardcopy were submitted to the representatives of the City.

**Key Issues and Conclusions**

Key issues raised and discussed during the consultative meeting:

- What is the exact location of the black spot and how will it be resolved?

Conclusions of the Meeting:

- The road/route Northern Entrance is a greater priority for the City of Mostar.
- There is no private ownership in the Southern Part, i.e. the Project area.
- It is possible that the location of the wastewater absorption shaft will be disputable, i.e. that the absorption shaft will be located on a private land plot, but other solutions will be considered.

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*Figure 12: Photographs of Attendants of the Meeting in the City of Mostar*

### **Consultative Meeting in the Municipality of Olovo**

The Consultative Meeting was announced through the following channels:

- On the official website of PC Roads FBiH on February 4, 2016 (web link: [http://www.jpcfbih.ba/ba/novosti/saopcenja\\_za\\_javnost.shtml](http://www.jpcfbih.ba/ba/novosti/saopcenja_za_javnost.shtml)) and local newspapers "Večernji List" and "Dnevni Avaz" (Annex 11),
- On the bulletin boards in the Municipality of Olovo and Local Community premises on February 12, 2016,

Official letters sent to the Municipality of Olovo, relevant local and central NGOs on February 11, 2016.

Date of Meeting: 17 February 2016

Place of Meeting: Municipality of Olovo

Number of participants: 13 (6 representatives of PC Roads FBiH, 2 representatives of the Consulting Company engaged for providing technical support to PC Roads FBiH, 3 representatives of the Municipality and 2 PAPs )

Agenda:

- A representative of PC Roads FBiH opened the meeting and welcomed the participants, giving an introduction on the FBiH Road Sector Modernization Project, and the set of documents prepared within the Project. The purpose of the meeting was explained, i.e. consultations with the stakeholders, especially PAPs, related to the document as well as additional socio-economic surveying of PAPs not surveyed to date. The presentation included the key principles of the land acquisition process, the entitlements matrix, the timeline for RAP implementation, with information about the cut-off date, and the grievance mechanism. All attendants of the meeting were invited to participate in the discussion on the draft RAP.
- A representative of the Consulting Company presented in more detail the road sections included in the RAP for Sub-projects, the Project area with graphics (maps and cadastral maps), the current status of the expropriation process with the next steps, the legal framework for land acquisition, the prepared documents within the Project and the purpose of these documents, the process, purpose and results of the Census and Socioeconomic survey.

Note: Project design overlapped with the cadastral plan and satellite images (in large map scale with information on affected land plots) and questionnaires in hardcopy were submitted to the representatives of the Municipality.

### **Key Issues and Conclusions**

Key issues raised and discussed during the consultative meeting:

- How was the Socio-economic Survey conducted in December 2015?
- What does the term "resettlement" mean?

Conclusions of the Meeting:

- The persons not found during the Socio-economic Survey conducted in December 2015 will be surveyed after the meeting (two persons in total).
- Copies of the Survey Questionnaire will be left in the premises of the Municipality to enable additional surveying of PAPs.



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*Figure 13: Photographs of Attendants of the Meeting in the Municipality of Olovo*

### **Consultative Meeting in the City of Tuzla**

The Consultative Meeting was announced through the following channels:

- On the official website of PC Roads FBiH on February 4, 2016 (web link: [http://www.jpcfbih.ba/ba/novosti/saopcenja\\_za\\_javnost.shtml](http://www.jpcfbih.ba/ba/novosti/saopcenja_za_javnost.shtml)) and local newspapers "Večernji List" and "Dnevni Avaz" (Annex 11),
- On the bulletin boards in the City of Tuzla and Local Community premises on February 12, 2016,
- Official letters sent to the City of Tuzla, relevant local and central NGOs on February 11, 2016.

Date of Meeting: 17 February 2016

Place of Meeting: City of Tuzla

Number of participants: 14 (6 representatives of PC Roads FBiH, 2 representatives of the Consulting Company engaged for providing technical support to PC Roads FBiH, 6 representatives of the City)

Agenda:

- A representative of PC Roads FBiH opened the meeting and welcomed the participants, giving an introduction on the FBiH Road Sector Modernization Project, and the set of documents prepared within the Project. The purpose of the meeting was explained, i.e. consultations with the stakeholders, especially PAPs, related to the document as well as additional socio-economic surveying of PAPs not surveyed to date. The presentation included the key principles of the land acquisition process, the entitlements matrix, the timeline for RAP implementation, with information about the cut-off date, and the grievance mechanism. All attendants of the meeting were invited to participate in the discussion on the draft RAP.
- A representative of the Consulting Company presented in more detail the road sections included in the RAP for Sub-projects, the Project area with graphics (maps and cadastral maps), the current status of the expropriation process with the next steps, the legal framework for land acquisition, the prepared documents within the Project and the purpose of these documents, the process, purpose and results of the Census and Socioeconomic survey.

Note: Project design overlapped with the cadastral plan and satellite images (in large map scale with information on affected land plots) and questionnaires in hardcopy were submitted to the representatives of the City.

#### **Key Issues and Conclusions**

Key issues raised and discussed during the consultative meeting:

- Were the owners/users of land plots to be affected by expropriation at the location of Husino visited?
- Was ownership determined on the basis of land books?
- Did the Survey Questionnaire include the question whether the owners of affected land plots request the expropriation of the entire plot, as entitled to according to Article 11 of the Law on Expropriation?

Conclusions of the Meeting:

- Owners/users of land plots to be affected by expropriation at the location of Husino were visited and surveyed in December 2015, including the representatives of businesses.
- An Expropriation Study has been developed for this location, and data from the Study were used. The Survey Questionnaire did not include the question whether the owners of affected land plots request the expropriation of the entire plot due to the fact that all owners are entitled to such requests according to Article 11 of the Law on Expropriation.

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*Figure 14: Photographs of Attendants of the Meeting in the City of Tuzla*

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**Consultative Meeting in the City of Bihać**

The Consultative Meeting was announced through the following channels:

- On the official website of PC Roads FBiH on February 4, 2016 (web link: [http://www.jpfbih.ba/ba/novosti/saopcenja\\_za\\_javnost.shtml](http://www.jpfbih.ba/ba/novosti/saopcenja_za_javnost.shtml)) and local newspapers "Večernji List" and "Dnevni Avaz" (Annex 11),
- On the bulletin boards in the City of Bihać and Local Community premises on February 12, 2016,
- Official letters sent to the City of Bihać, relevant local and central NGOs on February 11, 2016.

Date of Meeting: 18 February 2016

Place of Meeting: City of Bihać

Number of participants: 11 (5 representatives of PC Roads FBiH, 2 representatives of the Consulting Company engaged for providing technical support to PC Roads FBiH, 4 representatives of the City)

Agenda:

- A representative of PC Roads FBiH opened the meeting and welcomed the participants, giving an introduction on the FBiH Road Sector Modernization Project, and the set of documents prepared within the Project. The purpose of the meeting was explained, i.e. consultations with the stakeholders, especially PAPs, related to the document as well as additional socio-economic surveying of PAPs not surveyed to date. The presentation included the key principles of the land acquisition process, the entitlements matrix, the timeline for RAP implementation, with information about the cut-off date, and the grievance mechanism. All attendants of the meeting were invited to participate in the discussion on the draft RAP.
- A representative of the Consulting Company presented in more detail the road sections included in the RAP for Sub-projects, the Project area with graphics (maps and cadastral maps), the current status of the expropriation process with the next steps, the legal framework for land acquisition, the prepared documents within the Project and the purpose of these documents, the process, purpose and results of the Census and Socioeconomic survey.

Note: Project design overlapped with the cadastral plan and satellite images (in large map scale with information on affected land plots) and questionnaires in hardcopy were submitted to the representatives of the City.

**Key Issues and Conclusions**

Key issues raised and discussed during the consultative meeting:

- No questions or issues were raised by the attendants of the meeting as all reported that they were familiar with the Project requirements.

Conclusions of the Meeting:

- All stakeholders may contact the representatives of PC Roads FBiH for any questions, and contact information was disclosed.
- Copies of the Survey Questionnaire will be left in the premises of the City of Bihać to enable additional surveying of PAPs.

Federation of Bosnia and Herzegovina Road Sector Modernization Project  
Integrated Resettlement Action Plan for Sub-projects



*Figure 15: Photographs of Attendants of the Meeting in the city of Bihac*

**Federation of Bosnia and Herzegovina Road Sector Modernization Project**  
Integrated Resettlement Action Plan for Sub-projects

**Consultative Meeting in the Municipality of Cazin**

The Consultative Meeting was announced through the following channels:

- On the official website of PC Roads FBiH on February 4, 2016 (web link: [http://www.jpafbih.ba/ba/novosti/saopcenja\\_za\\_javnost.shtml](http://www.jpafbih.ba/ba/novosti/saopcenja_za_javnost.shtml)) and local newspapers "Večernji List" and "Dnevni Avaz" (Annex 11),
- On the bulletin boards in the Municipality of Cazin and Local Community premises on February 12, 2016,
- Official letters sent to the Municipality of Cazin, relevant local and central NGOs on February 11, 2016.

Date of Meeting: 18 February 2016

Place of Meeting: Municipality of Cazin

Number of participants: 13 (6 representatives of PC Roads FBiH, 2 representatives of the Consulting Company engaged for providing technical support to PC Roads FBiH, 5 representatives of the Municipality)

Agenda:

- A representative of PC Roads FBiH opened the meeting and welcomed the participants, giving an introduction on the FBiH Road Sector Modernization Project, and the set of documents prepared within the Project. The purpose of the meeting was explained, i.e. consultations with the stakeholders, especially PAPs, related to the document as well as additional socio-economic surveying of PAPs not surveyed to date. The presentation included the key principles of the land acquisition process, the entitlements matrix, the timeline for RAP implementation, with information about the cut-off date, and the grievance mechanism. All attendants of the meeting were invited to participate in the discussion on the draft RAP.
- A representative of the Consulting Company presented in more detail the road sections included in the RAP for Sub-projects, the Project area with graphics (maps and cadastral maps), the current status of the expropriation process with the next steps, the legal framework for land acquisition, the prepared documents within the Project and the purpose of these documents, the process, purpose and results of the Census and Socioeconomic survey.

Note: Project design overlapped with the cadastral plan and satellite images (in large map scale with information on affected land plots) and questionnaires in hardcopy were submitted to the representatives of the Municipality.

**Key Issues and Conclusions**

Key issues raised and discussed during the consultative meeting:

- Will there be traffic lights at the cross road?

Conclusions of the Meeting:

- The project of traffic light installation has not been prepared. The rehabilitation of the black spot at the cross road is planned, and the project will be prepared in case a greater congestion issue arises after some time.

Federation of Bosnia and Herzegovina Road Sector Modernization Project  
Integrated Resettlement Action Plan for Sub-projects



*Figure 16: Photographs of Attendants of the Meeting in the Municipality of Cazin*

**Federation of Bosnia and Herzegovina Road Sector Modernization Project**  
Integrated Resettlement Action Plan for Sub-projects

**Consultative Meeting in the Municipality of Donji Vakuf**

The Consultative Meeting was announced through the following channels:

- On the official website of PC Roads FBiH on February 4, 2016 (web link: [http://www.jpfbih.ba/ba/novosti/saopcenja\\_za\\_javnost.shtml](http://www.jpfbih.ba/ba/novosti/saopcenja_za_javnost.shtml)) and local newspapers "Večernji List" and "Dnevni Avaz" (Annex 11),
- On the bulletin boards in the Municipality of Donji Vakuf and Local Community premises on February 12, 2016,
- Official letters sent to the Municipality of Donji Vakuf, relevant local and central NGOs on February 11, 2016.

Date of Meeting: 19 February 2016

Place of Meeting: Municipality of Donji Vakuf

Number of participants: 10 (5 representatives of PC Roads FBiH, 2 representatives of the Consulting Company engaged for providing technical support to PC Roads FBiH, 3 representatives of the Municipality)

Agenda:

- A representative of PC Roads FBiH opened the meeting and welcomed the participants, giving an introduction on the FBiH Road Sector Modernization Project, and the set of documents prepared within the Project. The purpose of the meeting was explained, i.e. consultations with the stakeholders, especially PAPs, related to the document as well as additional socio-economic surveying of PAPs not surveyed to date. The presentation included the key principles of the land acquisition process, the entitlements matrix, the timeline for RAP implementation, with information about the cut-off date, and the grievance mechanism. All attendants of the meeting were invited to participate in the discussion on the draft RAP.
- A representative of the Consulting Company presented in more detail the road sections included in the RAP for Sub-projects, the Project area with graphics (maps and cadastral maps), the current status of the expropriation process with the next steps, the legal framework for land acquisition, the prepared documents within the Project and the purpose of these documents, the process, purpose and results of the Census and Socioeconomic survey.

Note: Project design overlapped with the cadastral plan and satellite images (in large map scale with information on affected land plots) and questionnaires in hardcopy were submitted to the representatives of the Municipality.

**Key Issues and Conclusions**

Key issues raised and discussed during the consultative meeting:

- Since the representatives of the Municipality of Donji Vakuf present at the meeting have not yet been able to review the Expropriation Study, they wish to receive the Study and assist in locating the owners/users of affected land plots.

Conclusions of the Meeting:

- PC Roads FBiH will send the electronic versions of all available documents and maps to the representatives of the Municipality of Donji Vakuf.



Federation of Bosnia and Herzegovina Road Sector Modernization Project  
Integrated Resettlement Action Plan for Sub-projects



*Figure 17: Photographs of Attendants of the Meeting in the Municipality of Donji Vakuf*

**Federation of Bosnia and Herzegovina Road Sector Modernization Project**  
Integrated Resettlement Action Plan for Sub-projects

**Consultative Meeting in the Municipality of Travnik**

The Consultative Meeting was announced through the following channels:

- On the official website of PC Roads FBiH on February 4, 2016 (web link: [http://www.jpccfbih.ba/ba/novosti/saopcenja\\_za\\_javnost.shtml](http://www.jpccfbih.ba/ba/novosti/saopcenja_za_javnost.shtml)) and local newspapers "Večernji List" and "Dnevni Avaz" (Annex 11),,
- On the bulletin boards in the Municipality of Donji Vakuf and Local Community premises on February 12, 2016,

Official letters sent to the Municipality of Donji Vakuf, relevant local and central NGOs on February 11, 2016.

Date of Meeting: 19 February 2016

Place of Meeting: Municipality of Travnik

Number of participants: 8 (5 representatives of PC Roads FBiH, 2 representatives of the Consulting Company engaged for providing technical support to PC Roads FBiH, 1 representative of the Municipality)

Agenda:

- A representative of PC Roads FBiH opened the meeting and welcomed the participants, giving an introduction on the FBiH Road Sector Modernization Project, and the set of documents prepared within the Project. The purpose of the meeting was explained, i.e. consultations with the stakeholders, especially PAPs, related to the document as well as additional socio-economic surveying of PAPs not surveyed to date. The presentation included the key principles of the land acquisition process, the entitlements matrix, the timeline for RAP implementation, with information about the cut-off date, and the grievance mechanism. All attendants of the meeting were invited to participate in the discussion on the draft RAP.
- A representative of the Consulting Company presented in more detail the road sections included in the RAP for Sub-projects, the Project area with graphics (maps and cadastral maps), the current status of the expropriation process with the next steps, the legal framework for land acquisition, the prepared documents within the Project and the purpose of these documents, the process, purpose and results of the Census and Socioeconomic survey.

Note: Project design overlapped with the cadastral plan and satellite images (in large map scale with information on affected land plots) and questionnaires in hardcopy were submitted to the representatives of the Municipality.

**Key Issues and Conclusions**

Key issues raised and discussed during the consultative meeting:

- In what stage is the Road Sector Modernization Project currently?

Conclusions of the Meeting:

- The Road Sector Modernization Project is currently in the phase of preparation of the necessary documents for the purpose of loan approval.
- PC Roads FBiH will send the electronic versions of all available documents and maps to the representatives of the Municipality of Travnik.

Federation of Bosnia and Herzegovina Road Sector Modernization Project  
Integrated Resettlement Action Plan for Sub-projects



*Figure 18: Photographs of Attendants of the Meeting in the Municipality of Travnik*

## Annex 11 – Newspapers Announcements on Consultative Meetings

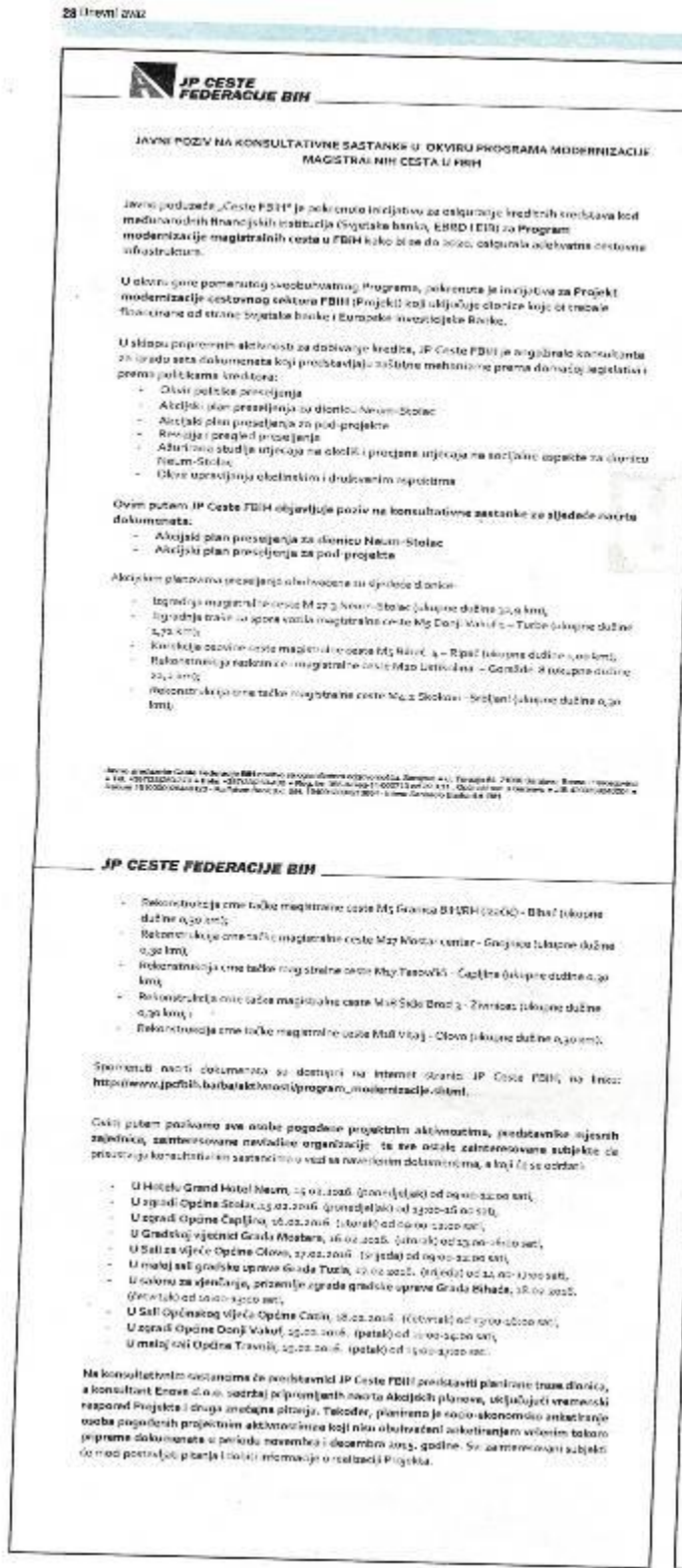


Figure 19: Announcement on Consultative Meeting in the Local Newspaper "Dnevni Avaz"

Večernji list **Aktuelno** 15

**JP CESTE  
FEDERACIJE BIH**

**JAVNI POZIV NA KONSULTATIVNE SASTANKE U OKVIRU PROGRAMA  
MODERNIZACIJE MAGISTRALNIH CESTA U FBiH**

Agencija za putne „Ceste FBiH“ je pokrenula inicijativu za osiguranje kvalitetnih sadržaja kod međunarodnih finansijskih institucija (Svjetska banka, EBRD i EBR) za Program modernizacije magistralnih cesta u FBiH kako bi se do 2020. osiguralo adekvatno cestovna infrastruktura.

U okviru gore pomenutog obnovitavnog Programa, pokrenula je inicijativu za Projekt modernizacije cestovnog sektora FBiH (Projekt) koji uključuje radove koje bi trebale financirati od strane Svjetske banke i Evropske investicione banke.

U skladu pripremljenih dokumenata za dobijanje kvaliteta, JP Ceste FBiH je sagradilo konsultanta za izradu i/ili dokumentacije koji predstavljaju različite mehanizme prometa pomoću logičnih i prava političkih mehanizama:

- Obiti političke procjene
- Akcijski plan preseljenja za dionice Neum-Stolac
- Akcijski plan preseljenja za pod-projekte
- Revizija i pregled procjene
- Aktuelna situacija vještaci na stadij i procjena utjecaja na socijalno aspekti za dionice Neum-Stolac
- Obiti upravljanja okolinom i društvenim aspektima

Ovim putem JP Ceste FBiH objavljuje poziv na konsultativne sastanke za sljedeće nacrtne dokumente:

- Akcijski plan preseljenja za dionice Neum-Stolac
- Akcijski plan preseljenja za pod-projekte

Akcijski planovna preseljenja obuhvaćene su sljedeće dionice:

- Izgradnja magistralne ceste M 17.3 Neum-Stolac (ukupne dužine 32,9 km);
- Izgradnja tokne za spora vodila magistralne ceste M5 Donji Vakuf 1 – Yugo (ukupne dužine 1,72 km);
- Rekonstrukcija osnovne ceste magistralne ceste M6 Bihać 4 – Ripoč (ukupne dužine 1,00 km);
- Rekonstrukcija rekonstrukcije i magistralne ceste M20 Uskoplina – Gornjiče 8 (ukupne dužine 22,2 km);
- Rekonstrukcija osnovne ceste magistralne ceste M4.2 Skoplina – Srbijani (ukupne dužine 0,30 km);
- Rekonstrukcija osnovne ceste magistralne ceste M5 Granica BiH/HR (južni) – Bihać (ukupne dužine 0,30 km);
- Rekonstrukcija osnovne ceste magistralne ceste M17 Mostar centar – Gornjiče (ukupne dužine 0,30 km);
- Rekonstrukcija osnovne ceste magistralne ceste M17 Tuzla/Čajniča – Čajniča (ukupne dužine 0,30 km);
- Rekonstrukcija osnovne ceste magistralne ceste M18 Srebrenica – Zlatište (ukupne dužine 0,30 km);
- Rekonstrukcija osnovne ceste magistralne ceste M10 Vrbj – Olovo (ukupne dužine 0,30 km);

Sposrebni nacrti dokumentata su dostupni na internet stranici JP Ceste FBiH, na linku: [http://www.jpcfbih.ba/hr/aktivnosti/program\\_modernizacije.shtml](http://www.jpcfbih.ba/hr/aktivnosti/program_modernizacije.shtml).

Ovim putem pozivamo sve osobe pogodne projektnim aktivnostima, predstavnike mjesnih zajednica, zainteresovane nevladine organizacije iz ove ostale zainteresovane subjekte da prisustvuju konsultativnim sastancima u vezi sa navedenim dokumentima, a koji će se održati:

- U Hotela Grand Hotel Neum, 15.02.2016. (ponedjeljak) od 09:00-12:00 sati,
- U zgradi Općine Stolac, 15.02.2016. (ponedjeljak) od 13:00-16:00 sati,
- U zgradi Općine Čapljina, 16.02.2016. (utorak) od 09:00-12:00 sati,
- U Gradskoj vijećnici Grada Mostara, 16.02.2016. (utorak) od 13:00-16:00 sati,
- U Sali za vijeća Općine Olovo, 17.02.2016. (srijeda) od 09:00-12:00 sati,
- U maloj sali gradske uprave Grada Tuzla, 17.02.2016. (srijeda) od 14:00-17:00 sati,
- U salama za vijećarenja, pripremljena zgrade gradske uprave Grada Bihaća, 18.02.2016. (četvrtak) od 10:00-13:00 sati,
- U Sali Općinskog vijeća Općine Čazma, 18.02.2016. (četvrtak) od 13:00-16:00 sati,
- U zgradi Općine Donji Vakuf, 19.02.2016. (petak) od 11:00-14:00 sati,
- U maloj sali Općine Travnik, 19.02.2016. (petak) od 15:00-17:00 sati.

Na konsultativnim sastancima će predstavnici JP Ceste FBiH predstaviti planirane trase dionica, a konsultant Envia d.o.o. će dati pripremljenih nacrti Akcijskih planova, uključujući vremenski raspored Projekta i druge važne informacije. Također, predstaviti će i nacrtne dokumente.

Figure 20: Announcement on Consultative Meeting in the Local Newspaper “Večernji list”