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RESETTLEMENT ACTION PLAN

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1. Executive Summary

The Resettlement Plan for the new project of the Middle Ring Road in Tirana has started in the last days of 2003, after the instruction of the Bank Mission of December 2003.

The Municipality of Tirana extended the scope of the work of the existing contract with SDC (The Consultant) for the designing of the new project.

The team of specialists involved in the preparation of resettlement plan and field surveys were divided in two working groups. An environmental engineer and an assistant composed each of these field-working groups. In most of the visits in the project area, representatives of the Municipality of Tirana assisted our groups. Their presence was considered helpful in explanation of the project and future investments to the people that operate in the structures along the road. At the time of this report and updating of EIA the final design of the road with possible alternatives including the common sections and cross sections is been prepared. As described above in this EIA, the taking of houses has been totally avoided but also other structures has been largely avoided by an appropriate revised final design of the road. It is estimated that the lines of the new project will affect a maximum of 146 structures, both kiosks and concrete buildings. After the preparation of the precise alignment and necessary reductions in the total width of the new road and based also in the detailed site survey is concluded that is possible to avoid the taking of structures altogether or maintaining the concrete structures by creating underpasses in some sections of the sidewalks. In all cases it will be possible to relocate the structure on either the same lot or nearby in order to minimizing the social disruption.

A door-to-door survey was undertaken of the structures affected on the common section and based on this a socioeconomic survey has been prepared on the bases of the data taken. A form has been prepared and completed for each activity/building and a sample form is attached to the study. Besides the public properties along the road, all private constructions are built with no permission by the legal authorities and no compensations can be made to these properties according to Albanian Law No. 8561 copy attached.

The survey indicates that the majority of structures were rented by the people that have commercial activities. In all the cases (rented or owned) the people were aware of the new project and expressed collaboration and understanding for the issue. Same voluntary reallocations are expected to take place before the civil works are undertaken.

2. Methodology

Objective and principles: - The basic objective of the survey is to provide the basis for the preparation of a resettlement plan. The site survey has covered all the length of the common section of the new project.

The resettlement plan is based on primary and secondary data and extensive consultation with stakeholders. A set of questionnaires were prepared to collect the primary data for the information in the resource base of the affected population and to

develop the socioeconomic database for monitoring and evaluation. The consultation was organized to address the needs of different social groups.

The purpose of this survey is to assess the possible impact of the project on the people having commercial activities and properties along the project in terms of loss/reduction of activities or properties. The survey also aimed at finding out the potential project affected persons' perception about the project and their initial reaction to the idea of relocation and resettlement. The study will also identify the different groups of activities/properties and to find and propose to all cases an acceptable solution.

A team of 5 investigators working independently in two groups collected the information. The two field groups were created in order to reduce the time of collecting data in site, a senior professional supervised both groups.

The activities/building census survey gathered quantitative information on the loss/reduction of structures/commercial activities due to the project in order to facilitate resettlement and rehabilitation.

Transparency of process: - The data for the 100% detailed census survey were collected through interview method, with the help of a structured questionnaire. The majority of the people in the structures likely to be affected by the proposed road project were included in the interviews to determine and assess their likely loss.

All the activities were contacted in their location. People were notified in writing with an approved notification in which was shown a short explanation of the project and the timing of execution. All the primaries of the activities were consulted with the part of the project in the nearby area and opinion was taken where available. An address and a phone number in the Municipality of Tirana were given to the PAP for further explanations if necessary.

The exact location of every structure was decided by measuring in site of each structure. A photograph was taken for every structure. The names and addresses of the owners or peoples operating in the building were registered and the type and starting year of activity is included in the census. Tenants, encroachers and squatters were identified.

Consultation and Participation – The scope of public consultations is to disseminate information about the project to the potentially affected people and to incorporate their views and suggestions in the preparation of the final engineering design where possible.

In general, the social impact survey team members facilitated the public participation, which included members of the local community, local governments NGOs and central government officials.

3. Identification of Project Affected People (PAP).

The results for the identification of the structures and activities affected by the construction of the new road were taken by a door-to-door survey. The peoples that perform activities in 146 structures that may be affected from the improvement of the road all along the project sections were interviewed.

From this it was determined that 10 structures that are shown in the resettlement plan drawing that is 7% of total number are fences or concrete platforms that do not affect to the main business situated in the adjacent structures. There are 5 structures (kiosks with light construction) that may be removed to a new position close to the existing position but out of the project lines.

Along the road sections of the project the working team has identified 40 structures that are extensions of the existing buildings. In these cases, the extension affected by the project will be demolished in full or partially. Regardless of whether the extensions are partially or fully demolished these people will continue the same activity in a slightly reduced space, which in all cases is not more than 25% of total space of main structure. Any reduction in the level of commercial activity following the partial demolition is expected to be marginal. Some structures of the extensions were identified as temporary constructions and the activity there is seasonally because of cold weather, rain etc;

The rest of the structures, 96 units of activities, must be displaced in total. In this group of activities only 28 of them are managed by the owner of the structure, while 54 activities has rented the structure where they operate and the rest of 14 structures are found without any activity for at least three months before the date of interview. The details of all the groups of structures are shown in the RAP Matrix below.

Characteristic of the structures that will be displaced – Almost all the structures that will be displaced are mainly commercial structures that are used by the owners for own business or rented, some owners living far from their buildings, while non of the structures serve as residence.

The majority of the structures situated along the road are defined as temporary building 78 units or 53% of total number. In this category are included the kiosks with no concrete construction or foundations and covered with light material roofs. This type of constructions can be easily moved or reduced where possible for liberating the project area. Even in the cases where these buildings are used as bar or fast food, is found no WC (toilets) inside the buildings and in most of cases no indoors plumbing or on site water source.

The rest of the structures 68 units or 47 % are identified as one or more floor buildings and build with concrete construction.

By the end of the road section 2 of the new project, the majority of the commercial activities have rented the building by using the facility of the existing public industrial market situated nearby. All the people interviewed that have their business in this area expresses no major concern for the displacement of the structures and changing their

place of the activity within the area. Not any of the activity established in these buildings receive income from artisan work or any productive activity that is connected with nearby source of raw materials for their activity.

4. The Expectations of the PAP

Almost all the people that have the activity by the side of the new project consider the improvement of the new road and its extension necessary. Their only concern regarding the alignment was to find possibilities for reduction of green strips and sidewalks where possible to reduce some displacement. These cases were noted in the cases when the activities were developed nearby their houses or apartments.

In general, the owners of the structures that will be displaced totally or partially prefer to do by their selves the demolition or reduction of the structures according to the plans approved. Some of the owners of the structures have request assistance by the authorities to move their activity nearby, but out of the project lines, or in the vicinity of the existing structures. A very small number (about 3%) has shown resistance to accept one of the solutions proposed. For this last group of people the interviewers had the feeling that their resistance was shown on purpose to secure the major benefit from the situation.

The groups of activities that have rented the structures were in majority indifferent to the changes and displacements. Their only concern was to be notified in due time (at least three months before the displacement) in order to be prepared to move their activities in another place and to close the existing rental contracts with the owners of the structures.

However, in all cases it is necessary to respect the preferences (where possible) of the people running the activities adjacent to the road in order to help their economical development and their living way.

5. The Need for a Facilitating Organization

An appropriate Unit, composed of experienced professionals, has been established within the Municipality of Tirana to provide assistance in social services to the PAP. This unit will be responsible to coordinate the construction of the road with the affected activities, facilitate the process of displacement and assist displaced persons during and after the construction. This unit is composed of two persons; a specialist in Public Relations and an Environmental Engineer. This Unit is part of the structure of Public Works Department and will monitor the process of rehabilitation of PAP, will provide social and psychological help with a special focus on marginalized people, especially women and children and any vulnerable persons with limited abilities.

Provision for grievance redness: - Since the entire Middle Ring Road program will be carried out in consultation and participation with affected people, it is expected that

the process will be implemented without any major grievances. However, in order to ensure that affected people have avenues for redressing grievances related to any aspect of land acquisition, procedures for redressal of grievances have been established. The procedures are as follows:

A grievance office with 12 persons is already established in the Municipality of Tirana. This office operates 10 hours daily from 8.30 am to 18.30 pm. This unit will continue consultations with the affected people to further explain details of the design in the area. The unit will be active in the process of providing support during a further period of social consolidation after the completion of the works contract. If any person is aggrieved by any aspect of the resettlement program, he/ she can lodge a written or oral complaint with this unit. Special Forms (a copy is provided in Annex A) for grievances are prepared and are available in the unit upon request - aggrieved people might fill in the sections of the form, describe their problem or attach supported documents. Oral complaints can also be made directly to the specialists of the unit.

For all grievances presented, the Unit must reply in writing within one month from the date of submission. In cases when the interested people are not satisfied with the reply/solution for their grievance presented by the Unit they may address their problem to the General Director of Public Works within one month from the date the response of the unit is received by him/her. If the aggrieved person is further dissatisfied with the response or he/she receives no response from the unit within a month of registering their grievance, he/she can appeal to the Deputy Mayor for redressing their grievance

6. Alternative Sites

In the project proposed there are no alternative solutions for the alignment of the new design. The new design is based in the existing axis of the road and respecting the right-of-way decided by the Master Plan of the City.

Regarding the alternative designs of the main cross roads, three in total, the Technical Council of the City has approved already the options with traffic lights that means the alternative that request the minor designated space and that affect in minimum in the structures adjacent.

7. Record of Public Consultations

Separate meetings were held with Heads of Municipal Units (Elected Persons) in the territory of which are situated the road sections of the project. (MU No. 11, MU No. 9, MU No. 8, MU No. 4 and MU No. 3). All these persons indicated the importance of upgrading of these road sections to provide an improved link of the urban transport system. These persons show no specific concerns or recommendations on the technical aspects of the project and were relying on the recommendations of the Consultants.

Informal discussions were held with all people that runs the commercial activities in the structures along the road and with local residents. For each structure/activity was filled a standard Form in which are recorded all the necessary data regarding the technical data for structures and related to the form of the properties of the commercial activity.

A public opinion survey was undertaken as part of EIA study. 87 percent of those interviewed were in favor of rehabilitating the Middle Ring Road as foreseen in the project and eager to know when construction would start. In majority all females were strongly supportive of the road construction when speaking in the presence of their husbands.

Of 87 percent of residents who considered rehabilitation useful the benefits perceived were as follows:

- Possibility to enhance one's culture and civilization 28 %
- Facilitation of traveling and road safety 56 %
- Economic development 16 %

The possibility of employment during the construction was also an important consideration.

Of those interviewed 13 percent does not believe that road rehabilitation would bring any benefits.

The problems foreseen by the respondent as a result of rehabilitation included:

- Loss of illegal activity or structures 78 %
- Air pollutant emissions and consequent hazards for people 14 %
- Increased noise 8 %

Almost all the interviewed persons were expressed in favor of the widest typical cross section with widest sidewalk and green strips in both sides.

An interview Form is included in the report.

8. Legal Framework

The legal framework that must be respected during the process is described in the relevant law. Law No. 8651/99 for Expropriations is translated and included in Appendix 3.

9. Resettlement and Rehabilitation

After the interview of all activities along the three segments of the new project of the Middle Ring Road the results were recorded in the format of interview for each activity.

The PAP and the structures of their activities were divided in groups as follow:

- Group a) Structures that are not classified as buildings (fences, walls, concrete platforms, canopies, shades etc.) and structures with no activities inside. In total for both three sections for this group of structure are identified $10+14=24$ items.
All these structures were identified as illegal construction built in public property. The fact that no people were interviewed and that no activities were running these structures might be subject of demolitions without creating any significant impact.
- Group b) In this group are classified the extensions of the ground floors of the buildings where activities are established. These kinds of structures are identified as both temporarily or definitive structures. In all cases these extensions are attached to other functional space inside the old building that is not affected by the project.
There are identified 40 structures with these characteristics.
Even these structures will be subject of demolition because in all cases the width of sidewalks adjacent to those cannot achieve any of requested parameters.
In all cases scheduled in this group, the activities may continue in the same structure. The reduction of the existing space of the activity does not exceed 25% of previous structure and besides of that, some of the displaced temporary structures might be replaced after the completion of the new road, were possible and according to legal procedures.

Even in this group no important impact is considered. The person interviewed that run these activities have shown no interest to move their activity from the existing structures.
- Group c) In this group are scheduled the 96 structures that has to be displaced totally, from which 82 of them are actually running activities.
14 of those are included in *group a*.
In these 82 activities interviewed we listed 28 activities that are managed by the owner of the structures and the rest of 54 structures are in rent by the persons that run the activity.
Among the 54 rented activities, 32 of them prefer to arrange by their own choice the displacement of the activity in another place. Almost all of persons interviewed in this subgroup, requested to know exactly the time of displacement in order to start the preparations for this procedure.

The remaining activities from this group, numbered 50 units, are identified as property of 37 owners, and scheduled according to the type of commercial activity and alternative place where resettlement is proposed, with almost the same space and conditions. Where possible, to some persons were offered more than one alternative.

The proposed alternatives for the commercial units are the following:

- 27 units of commercial of clothes and other industrial merchandise might be allocated in one of two public markets. One of them is situated adjacent to the road of project.
- 12 units of commercial of electrical equipments and accessories can be allocated to one of two public markets of the same type situated nearby Middle Ring Road in the sections already completed.
- 11 units of activities mainly with groceries can be allocated in one of three new markets along the Middle Ring Road according to their preferences.

From the owners perspective, of the 37 owners, 28 operate by themselves the commercial activities in the affected structures. The 9 others have rented the structures to other people, which run their activities in these spaces. The difference between the number of commercial units (50), and the number of owners (37), comes from the fact that, one owner could have in one structure more than one commercial activity, either run by himself or by other people to whom part of the structure is rented.

The Municipality of Tirana will take the defined actions (see the RAP matrix), in order to provide the necessary free spaces for these activities in the proper markets that are managed by this Institution. The Department of Market and Taxes which is directly responsible for such activities has been advised to start immediately the procedures for creating these spaces or saving such space in the new markets where the activities have not yet started.

A spare space, of at least 10 % of the space requested in general by these displacements, will be available in each respective market for any grievance redress caused during the process. It has been agreed with the Department of Markets and Taxes to provide preferential treatment in the form of rent and tax breaks that are roughly equivalent to cash compensation for those affected structures identified in the matrix. From all persons interviewed along the designed road sections, only 6 of them do not accept the resettlement solution proposed.

The result of the door-to-door interview process and records for each structure affected is shown in the following table.

The Environmental Impact Assessment is prepared by the Consultant S.D.C sh.p.k – Tirana, Albania under the direction of Maksim Arapi, head of the Technical Department of the consultant. The EIA and RPA are prepared with contribution of Environmental Engineers Eva Çali and Redion Biba.

The Resettlement Plan report is prepared with close consultations of specialists of Public Works Department and Taxes and Market Department in the Municipality of Tirana that have assisted the field groups during the door-to-door survey.

The reports are consulted in advance with the existing studies for relevant projects and with the existing Environmental Law in Albania.

10. MIDDLE RING ROAD: RESETTLEMENT IMPACTS AND PROPOSED SOLUTIONS

	<u>Description of Impact Category</u>	<u>Number and characteristics of affected enterprises and affected people</u>	<u>Solutions for Impact Mitigation</u>
1.	Unauthorized structures with sufficient authorized room within the old/existing structure to support continuation of commercial activities after partial demolition of protrusions – Ground floor extensions	40 Structures	Commercial activities will continue. Reduction in space less than 25% from prior to demolition. Some extensions can even be restored after completion of the new road. Road contractor will help undertake partial demolition and remodeling.
2.	Metallic moveable container structures (kiosks)	5 Structures	Provision of alternative space acceptable to the affected people Some assistance with the move
3.	Concrete Platforms/ fences/ canopies	14 Structures	Demolition – no compensation – no activities.
4.	Pavement Hawkers without any permanent or temporary structures		Information about alternative space to carry out their activities
5.	Structures that require total demolition	82 functioning commercial activities. 28 – own-managed; 54 – rented by runners of activities. The 82 commercial activities operate in 37 structures/buildings that are properties of 37 owners <u>Kinds of impacts of these 37 owners:</u> 1. 28 of owners operate by themselves the activities in the building. 2. 9 others are absentee owners. In these 37 structures • 18 are classified as temporary or	

		<p>semi-permanent structures</p> <ul style="list-style-type: none"> • 19 are classified as permanent structures (1 or more story concrete buildings) 	
		<p>Of these 6 are owners where the (MRR) affected structure is the primary source of income (roughly more than 50 % of annual income) and whose structures are temporary or semi-permanent.</p>	<p>Provision of alternative space in municipal markets in the same quantity as previous space.</p> <p>Preferential treatment in the form of tax or rent breaks roughly equivalent to cash compensation for affected structures.</p> <p>Assistance in resettlement process of activities with transport.</p>
		<p>Of these 2 owners where the MRR structure is the primary source of income and whose structures are permanent (1 or more story concrete buildings)</p>	<p>Technical modifications in the MRR design to avoid such large-scale demolition for which solutions compatible with Bank policy cannot be found.</p>
		<p>Of these 12 owners with other, substantial assets and sources of income and whose structures are temporary.</p>	<p>Offer of alternative space in municipal markets,</p> <p>Preferential treatment in the form of tax or rent breaks for a shorter period of time than what is provided for the 6 owners whose structures are temporary but constitute primary source of income</p>

		<p>17 of owners with other, substantial assets and sources of income whose structures are permanent (1 or more story concrete buildings).</p> <p>Of these 17 owners</p> <ul style="list-style-type: none"> a) 14 of them running by themselves the activities in the structure and b) 3 of the owners have rented the structures to other persons that actually are running the commercial activities. 	<p>The solution below is offered only to the sub-group (a):</p> <p>Offer of alternative space in municipal markets</p> <p>Preferential treatment, in the form of tax or rent breaks, in lieu of cash compensation for affected structures</p>
		<p>54 renters</p>	<p>Provision of preferential alternate space</p>