

# **RESETTELMENT POLICY FRAMEWORK**

**Early Childhood Development for Kosovo's Human Capital Project  
(P179656)**

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## LIST OF ACRONYMS

ARAP	Abbreviated Resettlement Action Plan
ECE	Early Childhood Education
ECD	Early Childhood Development for Kosovo's Human Capital Project (P179656)
ESF	Environmental and Social Framework
ESS5	Environmental and Social standard 5 "On land acquisition, restriction on land use and involuntary resettlement"
EU	European Union
GoK	Government of Kosovo
GRM	Grievance Redress Mechanism
GRC	Grievance Redress Committee
IA	Implementing Agency
KCA	Kosovo Cadastral Agency
SCADA	Supervisory Control and Data Acquisition
LGU	Local Government Unit
MESTI	The Ministry of Education, Science, Technology and Innovation
MFLT	Ministry of Finance, Labor and Transfers
M&E	Monitoring and Evaluation
PAP	Project Affected Persons
PIU	Project Implementing Unit
PHC	Primary Health Care
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SA	Social Assessment
WB	World Bank

## DEFINITIONS

<b><i>Project in Brief</i></b>	<b>Definitions</b>
<i>Implementing Agency (IA)</i>	Refers to the responsible state institution for Project implementation, namely Ministry of Education, Science, Technology, and Innovations (MESTI) of the Republic of Kosovo i.e. their Project Implementation Unit (PIU) respectively.
<i>Case file</i>	Set of documents that the Expropriation Commission, established within the KCA finalizes in support of proposal for expropriation to the Council of Ministers
<i>Census</i>	A field survey to identify people who are genuine owners/ occupants of the land to be acquired under the project and thus will be eligible for compensation and/ or rehabilitation support as provided in this RPF.
<i>Compensation</i>	Compensation is the payment in kind, cash or other assistances given in exchange for the acquisition of land including fixed assets, as well as other impacts resulting from project activities.
<i>Cut-off date</i>	Date of completion of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cutoff date are not eligible for compensation and/or 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.
<i>Disadvantaged or Vulnerable</i>	Those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so This will take into account considerations relating to age, including the elderly and minors, and including in circumstances where they may be separated from their family, the community or other individuals upon which they depend.
<i>Expropriation</i>	The right of the Government by means of Eminent Domain to take or limit ownership rights over a property subject to compensation at replacement cost.
<i>Expropriation Commission</i>	Special commission for application of the expropriation procedure in case of the sub activities.
<i>Expropriation Law</i>	Amending and supplementing the law no 03/L-139 for the expropriation of immovable property, namely the Law no. 03/L-205 approved by the Kosovo Assembly in 2001

<i>Full replacement cost</i>	Method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. Depreciation of structures and assets should not be taken into account. For agricultural land it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes
<i>Grievance Redress Mechanism (GRM)</i>	Project specific procedures and mechanism in place in parallel to official grievance panels, allowing affected people to lodge a complaint or a claim, related to direct or indirect impact from the Project, without cost and with the assurance of a timely and satisfactory resolution of that complaint or claim.
<i>Livelihood</i>	The full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.
<i>Land</i>	It refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the project.
<i>Land acquisition</i>	It means the repossession of or alienation of land, buildings or other assets thereon for purposes of the Project.
<i>Local Grievances Committee</i>	Local committee composed of three representatives: PAPs, Project; neutral expert to handle all grievances procedures in the affected areas and address PAPs concerns.
<i>Livelihood Restoration</i>	Measures aiming to assist physically and/or economically displaced persons to restore or improve their livelihoods and standards of living, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is to the benefit of the PAPs. 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.
<i>Project</i>	Early Childhood Development for Kosovo's Human Capital Project (ECD). The overall project objective is to improve access to and quality of early childhood development services in Kosovo.
<i>Project Area</i>	The proposed project has a national coverage, and covers the administrative borders of the Republic of Kosovo.
<i>Project Affected Person (s) (PAPs)</i>	PAPs are persons affected by land use or acquisition needs of the RAP in the framework of the project. These persons(s) are affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they must move to another location.
<i>Replacement cost</i>	It means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on Market rate (commercial rate) according to Kosovo law for sale of land or property. In terms of land, this may be categorized as follows: (a) "Replacement cost

	for agriculture land” means the pre-project market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes.
<i>Resettlement Policy framework (RPF)</i>	RPF is a Project level resettlement instrument aiming to set forth 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 appraisal.
<i>Resettlement Action Plan (RAP), Abbreviated Resettlement Action Plan (ARAP) or “Resettlement Plan”</i>	It is a resettlement instrument (document) prepared when projects locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and/or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAP is prepared by the party (Potential Developer) impacting on the people and their livelihoods. RAP contains specific and legal binding requirements to resettle and compensate the affected party before implementation of the project activities. RAP is a site-specific report for the current known impacts and is prepared in conformity with the provisions of this RPF with the views of the PAPs.
<i>Restriction on Land use</i>	Limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements or safety zones.
<i>The Resettlement Policy Framework (RPF)</i>	It is an instrument to be used throughout the implementation of project activities as guidance tool. The RPF sets out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project.

## Executive summary

### *Introduction*

The Government of Kosovo (GoK) through the Ministry of Finance, Labor, and Transfers (MFLT) intends to receive funding (US\$20 Million) from the World Bank (WB) for the implementation of the “Early Childhood Development (ECD) for Kosovo's Human Capital Project”. The overall project objective is to improve access to and quality of early childhood development services in Kosovo. Early Childhood Development (ECD) for Kosovo's Human Capital Project is structured to respond to the major issues of early childhood development services in Kosovo. The operation will help Kosovo to improve access, quality, and equity in ECD, as well as support healthcare interventions to address the health challenges of the youngest children in the country. The project will also look into promotional activities in ECD in order to raise the population’s awareness about the importance of ECD for child health and development, thus leading to better parenting, early identification, and eventually decreased child mortality rates.

The Ministry of Education, Science, Technology and Innovation (MESTI) is the lead implementing agency for the preparation of the project design and activities and will identify the environmental management requirements for the preparation phase.

### *Project Description*

The ECD project's development objective is to improve equitable access to and quality of early childhood development services in Kosovo. Key Results expected from project implementation consist of:

- ✓ *Indicator 1: Improved quality of ECE services as measured by TEACH ECE – disaggregated by type of institution and urban/rural*
- ✓ *Indicator 2: Improved regulations on targeting and quality assurance of ECE services in Kosovo*
- ✓ *Indicator 3: Percent of children 3-6 years old that have received the minimum number of check-ups defined in the service package in selected municipalities*
- ✓ *Indicator 4: Increased access to childcare services: enrollment rate for 0-6 year old – disaggregated by gender, age, minority group*



The proposed Project will be organized around four key components which relate to improving access, quality, equity and cross-sectoral coordination of ECD services.

***Component 1: Strengthening the quality and equity of ECD services in Kosovo Fostering multi-sectorial integration in ECD service delivery***

- ✓ *Subcomponent 1.1. ECD quality and equity reforms in Kosovo*
- ✓ *Subcomponent 1.2. Capacity building of ECD professionals*
- ✓ *Sub-component 1.3. Implementation of ECE module for the Education Management Information System (EMIS) in Kosovo and general overhaul of core EMIS system*

***Component 2: Fostering multi-sectorial integration in ECD service delivery***

- ✓ *Sub-component 2.1. Promoting healthy nutrition*
- ✓ *Sub-component 2.2. Child monitoring and cross-sectoral integration of services*

***Component 3: Increasing access to ECD services (IDA: US\$10.5 million; ELP US\$2.0 million)***

- ✓ *Sub-component 3.1. Repurposing, building, and renovating the preschool and ECD facilities in Kosovo*
- ✓ *Sub-component 3.2. Equipment of ECD centers with new furniture and learning materials*
- ✓ *Sub-component 3.3. Support for community participation and demand-side interventions*

***Component 4: Project management and monitoring & evaluation (IDA: US\$1.5 million)***

***Proposed project area***

The proposed project has a national coverage, and covers the administrative borders of the Republic of Kosovo. Republic of Kosovo is placed on Balkan Peninsula and has an area of 10.887 km<sup>2</sup>. The country borders with Serbia on the north and east, with North Macedonia on the southeast, with Albania on southwest and Montenegro on the west. Kosovo is divided into seven districts, according to the Law of Kosovo and the Brussels Agreement of 2013, which stipulated the formation of new municipalities with Serb majority populations. The districts are further subdivided into 38 municipalities. The largest and most populous district of Kosovo is the District of Pristina with the capital in Pristina, having a surface area of 2.470 km<sup>2</sup> and a population of 477.312.

***Purpose and Principles of the Resettlement Policy Framework***

The purpose of this RPF is to provide policy and procedures to mitigate loss of private lands and non-land assets, as well as the resultant loss of income, due to the implementation of the Project in line with the World Bank ESF standards, concretely ESS 5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, as well as the applicable Laws and Regulations of GoK.

The RPF is prepared because the footprint of investments to be financed under the Project, and thus the exact scale and scope of impact, can be known only during project implementation. A site-specific

Resettlement Action Plan (RAP)/ Abbreviated Resettlement Action Plan (ARAP) will be prepared in line with the provisions of this RPF and submitted to the Bank for clearance, as and if relevant.

Overall, subprojects should be designed and implemented in such a way to avoid and minimize loss of private assets. Unavoidable impacts should be addressed with mitigation measures that will be sufficient to restore pre-subproject level livelihoods. Affected people should be adequately consulted meaningfully and participate in the development and implementation of mitigation measures.

**Resolution of gaps between Kosovo laws and the Bank's ESS 5:** In case of any gap or misalignment between the Kosovo legal framework and World Bank's Standards on Involuntary Resettlement, provisions of this RPF, will be part of the international agreement signed between the Republic of Kosovo and the World Bank.

### ***Expected project impact***

The social risk of the project is proposed moderate. Considering the fact that the project will finance civil works related to the rehabilitation and repurposing of existing spaces as well as the construction of new kindergartens, and the locations of the new constructions are yet not known, thus, ESS5 is relevant, and the client is expected to follow the guidance of the Resettlement Framework (RPF) to guide the project in dealing with land acquisition, restrictions to access, or any economic and/or physical displacement.

Component 3, specifically sub-component 3.1 is the only one including interventions and civil works, in the form of new constructions, renovations, extensions, retrofitting or transformations of existing ECD space and buildings. Therefore, only under this Component resettlement/land acquisition related impacts can be anticipated.

Components 1,2 and 4 are unlikely to have resettlement/land acquisition impacts as no civil works are included. Nevertheless, principles regarding resettlement promoted by RPF apply in all phases of the Project, and if any case of resettlement and adverse social impact occurs, RPF rules pertain. So that that the latter does not need to be repeated every time.

It is anticipated that the majority of rehabilitation works under the ECD project, will occur within the boundaries of publicly-owned areas. The rehabilitation and repurposing of existing spaces will be carefully designed and projected in a manner to exclude as much as possible the intersection with private properties. New constructions are expected to occur mainly on publicly owned lands, which have been designated for this purpose and either owned by, or transferred to the respective beneficiary. Even the above-mentioned precautions, a small scale of temporary/permanent land acquisition impacts may take place under the construction works. Resettlement impacts will not take place as per the project preliminary evaluation, anyway in case will be faced, it will be avoided and minimized to the extent possible.

The methodology for selecting the design of proposed investments and specific site locations will be carefully analyzed from the technical design team and consulted with the respective local plans and beneficiary municipalities, in order to avoid as much as possible intersection with private

properties/assets. The selection of construction sites under the Project will be discussed and agreed with the World Bank prior to the start of civil works.

### ***Land Acquisition Planning Process***

Implementation of the project activities, (According to the component 3 and sub-component 3.1), may require land acquisition. In this case, Resettlement Action Plans (RAP) must be prepared in accordance with this Resettlement Policy Framework (RPF), through the following steps:

- ✓ SOCIAL SCREENING
- ✓ CENSUS, CUT-OFF DATE, AND SOCIOECONOMIC SURVEY
- ✓ RAP PREPARATION
- ✓ RAP APPROVAL
- ✓ RAP IMPLEMENTATION

### ***Valuation methodology***

**Land:** The evaluation method for estimating the compensation should consider all the available sources of information in order for the proposed value for compensation to reflect the market value / replacement value of the land. Main assumptions to be taken into consideration in the methodology frame could be related with the current regulatory framework for land expropriation and its recent amendments; financial analysis on net income stream on the sites and its neighborhoods; eventual transactions (sales and leasing) on the region.

**Buildings:** Value of residential dwellings, commercial structures, and other affected structures (such as barns, fences, and outdoor cooking facilities) will be valued at replacement value based on construction type, cost of materials, type of construction, labor, transport and other construction costs. No deduction for depreciation and transaction costs will be applied. This method will be applied for the areas with no real estate market. For the partial impact (if the loss is less than 15%), compensation is paid for the replacement value of impacted structures. Valuation also shall include the cost of access to water supply if the displaced structure had access or if the replacement location does not provide access. Estimated costs shall be sought from PAPs and other local residents and from contractors and suppliers in the affected areas. These estimates do not include the cost of land. Incomplete dwelling units or units that have collapsed shall be valued based on replacement cost of materials.

**Standing crops and trees:** Compensation for standing crops will be based on farm gate rate. Trees will be valued according to different methodologies depending on whether the tree lost is a wood tree or a productive tree.

### ***Consultation with Affected Populations***

To ensure the interests of the affected persons are fully included in the RAP process and income restoration, a thorough consultation with the affected persons, representatives of any affected group, any interested group and the various administrative and government departments will be conducted throughout subproject preparation and implementation processes.

### ***Grievance Redress mechanisms***

Under the guidance of the PIU M&E specialists, the Grievance Redress Centre will make every effort to achieve an amicable settlement of all grievances raised for respective subprojects. Complainants may send their grievances through emails, letters or phone calls. Anonymous submission of complaints is allowed. The GRC will respond to the complainants in writing within 10 days of the receipt of the grievance. If this attempt fails, the IA will organize the Grievance Handling Committee to discuss grievances and identify solutions that are consistent with national laws and this RPF. A response will be sent to complainants, in writing, within 10 days of the receipt of the grievance. If complainants are still not satisfied, they are free to lodge a court case to seek a remedy.

### **Institutional responsibility for project implementation**

The Ministry of Education, Science, Technology and Innovation (MESTI) has ultimate responsibility for the implementation of all project components along with the implementing agency PIU. A committee composed of PAP-Project Authorities will be constituted to be responsible for overseeing the implementation of the RAP. The implementing agency (IA) will prepare the RAP/ARAP based field visits, background checks and on data received from the LGUs and other institutions. The IA will also cooperate with all local institutions to provide a successful implementation of the RAP. The RAP will be submitted to the WBG for clearance prior to implementation. A property evaluation study, an integral part of the design, will serve as the basis for the preparation of the RAP/ARAP.

### **Monitoring Program**

The MESTI and PIU are overall responsible for the monitoring and evaluation of the implementation of this RPF and of respective RAPs/ARAPs at the subproject level, and will report to the Bank the RPF implementation performance through regular project progress. Specific monitoring benchmarks will be:

- Information campaign and consultation conducted;
- Status of land acquisition and payments on land compensation;
- Payments for loss of income;
- Selection and distribution of replacement land areas, if relevant;
- Grievances and their resolution.

# 1. Introduction

The Government of Kosovo (GoK) through the Ministry of Finance, Labor, and Transfers (MFLT) intends to receive funding (US\$20 Million) from the World Bank (WB) for the implementation of the “Early Childhood Development (ECD) for Kosovo's Human Capital Project”. The overall project objective is to improve access to and quality of early childhood development services in Kosovo. Early Childhood Development (ECD) for Kosovo's Human Capital Project is structured to respond to the major issues of early childhood development services in Kosovo. The operation will help Kosovo to improve access, quality, and equity in ECD, as well as support healthcare interventions to address the health challenges of the youngest children in the country. The project will also look into promotional activities in ECD in order to raise the population’s awareness about the importance of ECD for child health and development, thus leading to better parenting, early identification, and eventually decreased child mortality rates.

Childcare interventions will increase the productivity of women in Kosovo and will allow young children to benefit from professional early learning and stimulation services. Given the extremely low coverage with ECD services in Kosovo, the potential for women’s employment with ECD expansion is sizeable. The project will support diverse interventions to expand the coverage and ensure that the quality of provision is at the level ensuring holistic development of children. At the same time, the project will ensure that the expansion of the ECD system in Kosovo will be equitable and will feature demand-side interventions that target communities and families in need.

The Project is to be implemented by the Project Implementation Unit (PIU), hosted by the Ministry of Education, Science, Technology and Innovation (MESTI) which is the lead implementing agency and aims to improving access, quality, equity and cross-sectoral coordination of ECD services in the GoK.

## 1.1 Project objective and components

The ECD **Project Development Objective** is to improve equitable access to and quality of early childhood development services in Kosovo.

Project key indicators:

- ✓ *Indicator 1: Improved quality of ECE services as measured by TEACH ECE – disaggregated by type of institution and urban/rural*
- ✓ *Indicator 2: Improved regulations on targeting and quality assurance of ECE services in Kosovo*
- ✓ *Indicator 3: Percent of children 3-6 years old that have received the minimum number of check-ups defined in the service package in selected municipalities*
- ✓ *Indicator 4: Increased access to childcare services: enrollment rate for 0-6 year old – disaggregated by gender, age, minority group*

The proposed Project will be organized around four key components which relate to improving access, quality, equity and cross-sectoral coordination of ECD services.

**Component 1:** Strengthening the quality and equity of ECD services in Kosovo Fostering multi-sectorial integration in ECD service delivery (IDA: US\$4 million); seeks to improve the regulatory, operational, and implementation capacity of Kosovo to ensure the quality of ECD services across the education system and equity in access to ECD and childcare services in Kosovo. This component includes three sub-components, focusing on (i) regulatory updates related to ECD delivery and implementation of

quality assurance, (ii) building teachers', caregivers', and ECD professionals' capacity, and (iii) digitalization of the administrative data to support transparent and data-driven decision making.

- ✓ *Subcomponent 1.1. ECD quality and equity reforms in Kosovo (IDA: US\$0.5 million).*
- ✓ *Subcomponent 1.2. Capacity building of ECD professionals (IDA: US\$2.5 million).*
- ✓ *Sub-component 1.3. Implementation of ECE module for the Education Management Information System (EMIS) in Kosovo and general overhaul of core EMIS system (IDA: US\$1.0 million).*

**Component 2:** Fostering multi-sectorial integration in ECD service delivery (IDA: US\$4 million); aims to support the Government in addressing child outcomes, particularly lowering infant mortality, stimulating development, and reducing stunting rates through prenatal to childcare range of services, by promoting healthy nutrition, enhancing child monitoring and cross-sectoral integration of services. Activities under this component include (i) scaling up nutrition interventions by encouraging the adoption of a new nutrition menu in preschool institutions and ii) designing of an integrated service package between early childhood education centers (ECE) and primary healthcare centers (PHC) for children aged 3-6.

- ✓ *Sub-component 2.1. Promoting healthy nutrition (IDA: US\$2.0 million)*
- ✓ *Sub-component 2.2. Child monitoring and cross-sectoral integration of services (IDA: US\$2.0 million).*

**Component 3:** Increasing access to ECD services (IDA: US\$10.5 million; ELP US\$2.0 million); aims to support the Government's priorities to increase access to preschool services for families and increase enrollment rates. The interventions of this component will include (i) constructing, refurbishing, and repurposing facilities for the provision of ECD services, (ii) innovative equipment of the kindergartens and provision of teaching and learning materials, (iii) supporting the alternative forms of ECD provision, and (iv) providing the instruments for community engagement and stimulate families to join ECD services.

- ✓ *Sub-component 3.1. Repurposing, building, and renovating the preschool and ECD facilities in Kosovo (IDA: US\$7.7 million; ELP US\$2.0 million).*
- ✓ *Sub-component 3.2. Equipment of ECD centers with new furniture and learning materials (IDA: US\$1.5 million).*
- ✓ *Sub-component 3.3. Support for community participation and demand-side interventions (IDA: US\$1.7 million).*

**Component 4: Project management and monitoring & evaluation (IDA: US\$1.5 million);** will support the day-to-day management of Project implementation, the monitoring and evaluation of its implementation, and technical assistance and operational support for MESTI. In addition, this component will support the implementation of the package of the evaluation and assessment instruments (TEACH ECE, ECD assessments), the design of the impact evaluation (IE) study, and its implementation throughout the Project duration. The IE will combine the TEACH ECE and identified assessment instrument in the **Project** preschools and control group of preschools to show the Project's impact and will also measure the impact of ECD expansion that fulfills childcare function on child development and labor market outcomes.

## 1.2 PROPOSED PROJECT AREA

The proposed project has a national coverage, and covers the administrative borders of the Republic of Kosovo. Republic of Kosovo is placed on Balkan Peninsula and has an area of 10.887 km<sup>2</sup>. The country borders with Serbia on the north and east, with North Macedonia on the southeast, with Albania on southwest and Montenegro on the west. Kosovo is divided into seven districts, according to the Law of Kosovo and the Brussels Agreement of 2013, which stipulated the formation of new municipalities with Serb majority populations. The districts are further subdivided into 38 municipalities. The largest and most populous district of Kosovo is the District of Pristina with the capital in Pristina, having a surface area of 2.470 km<sup>2</sup> and a population of 477.312.

## 2. Purpose and Principles of the Resettlement Policy Framework

The purpose of this RPF is to provide policy and procedures to mitigate loss of private lands and non-land assets, as well as the resultant loss of income, due to the implementation of the Project in line with the World Bank ESF standards, concretely ESS 5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, as well as the applicable Laws and Regulations of GoK. The RPF is prepared because the footprint of investments to be financed under the Project, and thus the exact scale and scope of impact, can be known only during project implementation. A site-specific Resettlement Action Plan (RAP)/ Abbreviated Resettlement Action Plan (ARAP) will be prepared in line with the provisions of this RPF and submitted to the Bank for clearance, as and if relevant.

Overall, subprojects should be designed and implemented in such a way to avoid and minimize loss of private assets. Unavoidable impacts should be addressed with mitigation measures that will be sufficient to restore pre-subproject level livelihoods. Affected people should be adequately consulted meaningfully and participate in the development and implementation of mitigation measures. The following is a summary of the key principles applicable under the **ECD** Project:

- i. **Consultation and participation of affected communities:** Local population, academic, healthcare, teachers and caregivers and social/public services representatives, and including but not limited to people who may be directly and adversely affected by the project, will be meaningfully consulted in the development and implementation stages of the subprojects financed under the Project. In particular, their views and perspectives will be incorporated in the RAPs to be developed for respective subprojects.
- ii. **Minimization of impact:** The Project will make every effort to avoid and minimize loss of land and non-land private assets by ensuring a meaningful consultation with and participation of local population throughout subprojects development and implementation processes.
- iii. **Compensation at replacement value:** where loss of land and non-land assets cannot be fully avoided, efforts will be made to fully compensate for such losses and restore pre-subproject level livelihoods by mitigation measures including but not limited to cash compensation at replacement value to be provided before such losses or impacts occur.
- iv. **Preparation of a Resettlement Action Plan (RAP/ARAP):** where losses of land or non-land private assets cannot be avoided and mitigation measures need to be provided, a RAP/ARAP will be prepared in line with the procedures provided in this RPF, and will be subject of approval by the Bank, prior the implementation of such subprojects take place.
- v. **Negotiated compensation options:** Wherever possible, a consensus must be reached with affected people on the mitigation measures to be provided and compensation to be paid. All land conflicts shall be resolved in a transparent manner and in a manner that is not coercive.

Attempts shall be made to resolve conflicts at each city. Where this is not possible, courts of law shall be consulted.

- vi. **Considerations on vulnerable social groups:** These are groups that include people from the population with minimal assets, illiterate, and/or aged who may need special help in re-establishing livelihoods. Gender differences should be monitored as female-headed households may lose out to more powerful households.

**Resolution of gaps between Kosovo laws and the Bank's ESS 5:** In case of any gap or misalignment between the Kosovo legal framework and World Bank's Standards on Involuntary Resettlement, provisions of this RPF, will be part of the international agreement signed between the Republic of Kosovo and the World Bank.

### 3. Institutional and Legal Framework

#### 3.1 KOSOVO LEGAL FRAMEWORK ON LAND ACQUISITION AND EXPROPRIATION

**The Constitution of Republic of Kosovo.** The "ownership" right is categorized with other fundamental rights, embodied in Article 46 of the constitution. The right to own property is guaranteed and enjoys constitutional protection. The property rights are defined on the basis of equality and impartiality, regardless of the national background, meaning that also the foreigners qualify for the right of acquiring immovable properties in Kosovo.

The Constitution prohibits arbitrary deprivation of property (Art. 46) - the authorities may expropriate property only if such expropriation is authorized by law, is necessary or appropriate to the achievement of a public purpose or the promotion of the public interest, and is followed by the provision of immediate and adequate compensation to the person(s) whose property is expropriated.

**Law on Property and Other Real Rights** defines the creation, content, transfer, protection, and termination of real rights such as ownership, limited real rights, possession, real security rights and real rights of use. Law stipulates that ownership and other real rights can only be limited or taken away against the will of lawful holders in accordance with conditions and procedures as defined by the applicable laws.

**Law on Cadaster** regulates the Cadaster of immovable property, national and cadastral surveys, geodesic and cadastral works as well as acquisition, registration, keeping, maintenance and use of cadastral data.

**Law on Spatial Planning** sets out the basic principles of spatial planning, methodology of spatial development and regulations, as well as the responsibilities of administrative bodies at central and local level for drafting and enforcement of spatial planning documents.

**Law on Construction** regulates the procedure of issuing construction permits, compliance with the construction permit requirements, issuing of occupancy certificates, design, construction, reconstruction, demolition, professional supervision, building inspection.

**Law on the Inspectorate of Environment, Waters, Nature, Spatial Planning and Construction** regulates the principles, organization and inspection supervision, coordination of surveillance inspection, rights, duties, powers of inspectors, rights, obligations and supervision entities, the



procedure for performing inspection and other important issues dealing with inspection supervision. The law also, stipulates that inspection supervision and control through urban inspection by implementing this law and other laws related to the field of urbanization and spatial planning is the responsibility of Inspectorate of spatial and urban planning.

**Law on the Establishment of the Immovable Property Rights Register** sets out the principles of implementing and validating immovable property rights in Kosovo through the mechanism of the Immovable Property Rights Register. Immovable property rights including (i) ownership, (ii) mortgages, (iii) servitudes, (iv) the rights of use of municipal, public, social and state property and (v) property burdens and charges are recorded in the Register. It sets out the authority over overall administration of the Register to the Kosovo Cadastral Agency (KCA) and appoints the Municipal Cadastral Offices to record, in writing, immovable property rights in the Register under the authority of the KCA.

**Law on Protection and Promotion of Rights of Communities and their Members in Kosovo** defines Kosovo communities and their special rights with regard to their identity, religion, education, use of languages, culture, health, media, economic and social opportunities, and their political representation in all state mechanisms. The law also, provides measures for protecting cultural and religious heritage, public employment programs especially for Roma, Ashkali and Egyptian communities, education in their own language, etc.

**Law on Use of Languages** regulates the use of official languages, as well as languages of communities whose mother language is not an official language, in Kosovo institutions and other public organizations and enterprises. Law gives equal status to Albanian and Serbian as the official languages of Kosovo and provides the right of all communities in Kosovo to preserve, maintain and promote their linguistic identity.

**Law on the Protection from Discrimination** gives general framework for prevention and combating discrimination based on nationality, or in relation to any community, social origin, race, ethnicity, color, birth, origin, sex, gender, gender identity, sexual orientation, language, citizenship, religion and religious belief, political affiliation, political or other opinion, social or personal status, age, family or marital status, pregnancy, maternity, wealth, health status, disability, genetic inheritance or any other grounds, in order to implement the principle of equal treatment. The Law aims to prevent all acts or omissions, of all state and local institutions, natural and legal persons, public and private sector, who violate, violated or may violate the rights of any person or natural and legal entities, amongst others in relation to (i) access to housing, which is available to the public, and the access to other forms of property (movable and immovable) and (ii) fair and equal treatment in court proceedings and all other authorities administering justice.

## **3.2 EXPROPRIATION PROCESS IN KOSOVO**

### **3.2.1 KEY PROVISIONS OF THE EXPROPRIATION LAW**

**The Law on Expropriation**<sup>1</sup> sets out the rules and conditions under which the Government or a Municipality may expropriate a Person's ownership or other rights in or to immovable property, the rules and conditions under which the Government may authorize the temporary seizure and use of immovable property, the procedures governing the conduct of such an act of expropriation or seizure,

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<sup>1</sup> Amending and supplementing the law no 03/L-139 for the expropriation of immovable property, namely the Law no. 03/L-205 approved by the Kosovo Assembly in 2001

the rules and procedures that shall be used in determining the amount and payment of compensation for such an expropriation or seizure and other provisions governing ancillary matters related to such and expropriation or seizure.

The Law on expropriation does not use the term "involuntary resettlement", but instead uses the term "expropriation" and is based on the Government's eminent domain power. The law also enshrines the principle of fair compensation according to "market value" of the property instead of the "replacement cost" used in WB ESS5.

### **3.2.2 THE EXPROPRIATION PROCESS**

This is a step-by-step presentation of the expropriation process, as defined by Law of Expropriation.

- If all applicable conditions specified in Article 4 of the Expropriation Law are present<sup>2</sup>, the concerned Expropriating Authority may proceed to carry out the concerned expropriation in accordance with the applicable procedures and requirements further established by the law.
  
- An expropriation procedure may be initiated by the responsible Expropriating Authority as per Article 4 of the present law, on its own initiative or pursuant to an application submitted to the Expropriating Authority.  
Applications may be submitted by a Public Authority (government agency) or Publicly Owned Enterprise. If the Expropriation Authority is the Government<sup>3</sup>, an application may also be submitted by: Public-Private Partnership, a party to an Infrastructure Contract awarded by a Tendering Body or any lawful heir, successor, assignee or transferee of such a partnership or party. If the Expropriating Authority is acting on its own initiative, it shall cause one or more of its members or official to prepare and submit the application.
  
- An Application for Expropriation contains the following information:
  - the name and address of the Expropriating Authority and, if the Expropriation Authority is not acting on its own initiative, the name and address of the Applicant
  - The name and address of each person who is, or who claims to be, an Owner or Interest Holder with respect to each and every concerned parcel of immovable property in so far as this information may be readily ascertained from the available cadastral and other official immovable property records in Kosovo, including the records of the Kosovo Property Agency and most recent property tax records;
  - The location and number of each and every concerned parcel of immovable property, and – if less than the entire area of any such parcel is to be expropriated and/or if less that all rights relating to any such parcel are to be expropriated – a specific description of the part and/or rights that are the subject of the application;
  - For each such parcel, a description of any and all rights (whether confirmed or claimed) relating to such parcel that the Applicant is requesting to be expropriated;
  - A detailed description of the public purpose for which the expropriation is being requested;

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<sup>2</sup> The Expropriation is directly related to the accomplishment of a legitimate public purpose within its competence

<sup>3</sup> Expropriating Authority can also be a Municipality. In this case applicant could not be Public-Private Partnership or party to an Infrastructure Contract

- Any significant documents demonstrating the legitimacy of the public purpose and/or the necessity of the applied for expropriation (or, if any such document is publicly available electronically, a clear indication of where such document may be obtained);
  - Information on whether, and to what extent, the requested expropriation includes fixtures accessory parts and/or fruits of the immovable property; and
  - Detailed information, to the extent this is ascertainable from the records specified in this law.
- Within 15 days after receiving the application, the Expropriating Authority shall make a prima facie review of the application to determine whether it appears to satisfy the legal requirements set out in Article 4 and paragraphs 1 through 3 of this Article. If the Expropriating Authority determines that the application does not appear to fulfill any such requirement, it shall not accept the application, which shall be returned to the applicant together with a written statement of the reasons as to why the Expropriating Authority refused to accept the application. If the Expropriating Authority determines that an application appears to satisfy the referenced requirements, it shall adopt a written decision formally accepting the application for further processing in accordance with the present law.
  - Within 5 Business Days after adopting a decision accepting an application for further processing, the Expropriating Authority shall send a copy of the application and all documents attached to the Office of Immoveable Property Valuation and - if the Expropriating Authority is the Government - to the mayor of each municipality where each parcel of the concerned property is located.
  - Within 10 Business Days after adopting a decision accepting an application for further processing, the Expropriating Authority shall send copy of the documents to the Persons identified in the application. The Expropriating Authority shall publish this Decision in the Official Gazette and in a newspaper enjoying wide circulation in Kosovo. Within same period the Expropriation Authority informs affected persons for the decision and convenes public hearing with the affected persons in each municipality where expropriation is needed.
  - Beginning on the date of that publication requirement, there shall be a 30 calendar days period during which any interested Person shall have the right to submit to the Expropriating Authority written comments on the requested Expropriation. Immediately following the conclusion of the written comment period specified above, there shall be a 15 calendar days period during which the Expropriating Authority shall hold a public hearing on the requested expropriation in each Municipality where concerned property is located. Any Person who is a public official of the Municipality where such a hearing is being held, or an Owner or Interest Holder with respect to concerned property lying within the Municipality where the hearing is being held, or the lawful attorney or representative of any such Person, shall have the right to attend such hearing. Each such Person shall be given a reasonable opportunity to orally provide his/her views on the applied for expropriation.
  - The Expropriation Authority takes the final decision for approval or denial, in whole or in part of the application for expropriation. As long as a complaint is not resolved at the competent

court, the Expropriation Authority does not approve the Final Decision on any concerned property or entitlement.

- Expropriation Authority should carry out the Valuation of real estate “valuation of assets”. The law provides that the amount of compensation for expropriation specified in the final decision is paid in full within two 2 years from the date of entry into force of the decision.
- An Expropriation procedure, or the relevant aspect thereof, shall be concluded or terminated when:
  - Transfer of ownership cannot be passed without completion of the procedure and the payment of the compensation. The ownership right over the expropriated property is lawfully registered in the name of the Municipality (if the Expropriation was conducted by the Expropriating Authority of such Municipality) or the Republic of Kosovo (if the Government is the Expropriating Authority) after the conduct of the procedure and the payment of the compensation required by the present law;
  - If the Expropriating Authority issues a decision that rejects, in whole or in part, the application for Expropriation:
    - upon the expiration of the time period during which the Applicant may file a complaint with the competent court challenging such decision, if the Applicant has not timely filed such a complaint, or
    - if the Applicant has timely filed such a complaint, the date on which a final non- appealable judgment has been issued by that court, or if applicable, an appellate court;
  - Prior to the adoption of an Expropriation decision, the Applicant withdraws its application, in whole or in part; or
  - A final non-appealable judgment of a competent court requires such conclusion or termination.
- From the day the Expropriation becomes effective: all pre-existing ownership and possessory rights, security interests, servitudes, construction rights, pre-emption rights and any other rights in or to the property expropriated by the Expropriation decision shall be terminated.

### **3.3 WORLD BANK’S STANDARDS ON LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT (ESS 5)**

The World Bank’s ESS5 on land acquisition, restriction on land use and involuntary resettlement recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. The term “involuntary resettlement” refers to these impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

The World Bank standards also require the application of the local laws for the valuation and compensation of losses as far as they fit the principles of the WB (Achieving the replacement cost for

lost assets). For all losses of assets attributable directly to the project, the ESS5 requires that full compensation at replacement value needs to be provided.

In particular, appropriate planning/management instruments must be developed, disclosed and consulted prior to project appraisal, like Resettlement Policy Framework (RPF) and Resettlement Action Plan/Abbreviated Resettlement Action Plan (RAP/ARAP), as appropriate. The RPF establishes resettlement objectives and principles, organizational arrangements, and funding mechanisms for any resettlement operation that may be necessary during project implementation. The framework also assesses the institutional capability to design, implement, and oversee resettlement operations.

The WB Policy on **Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**, as defined in the **ESS5**, is driven by the following objectives:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- To avoid forced eviction.
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

### **3.4 GAPS BETWEEN KOSOVO LAWS AND WORLD BANK STANDARDS**

The objectives of ESS5 are clear in their aim to avoid involuntary resettlement caused by land acquisition measures wherever feasible and if not possible to apply such compensation principles for impacts on all PAPs and to restore their livelihoods at least to pre-project level. In general, the institutional framework for expropriation in Kosovo is not completely in compliance with the ESS5, and the most evident differences relate to the requirements to compensate at replacement cost for land vis-à-vis the national requirement of compensating land at market value without payment of taxes and fees as part of compensation package. Additionally, the national law does not recognize informal users, occupiers and settlements. It does not require a project specific grievance redress mechanism, a social impact assessment, gender disaggregated data and assistance to vulnerable persons.

The table below provides an overview of specific gaps between the national expropriation law vis-à-vis ESS5 and the recommendations for remedy and/or mitigation in order to comply with the ESS requirements.

**Table 1. Gap Analysis between Kosovo Framework on Easement and Acquisition and WB Standards (ESS5)**

Subject	Kosovo laws	WB ESS5 and good international resettlement standards	Gaps and measures for bridging the gaps
<p><b>Resettlement instruments, census and socioeconomic study</b></p>	<p>The expropriation elaborate contains a detailed list of properties to be expropriated, their location, information about individuals who have formal legal rights on these properties. Specialized Appraisal Reports hold estimated value of affected properties (Land, Crops &amp; Trees, fixed assets).</p> <p>No socio-economic study has been prepared.</p>	<p>Preparation of this RPF, individual RPs, census survey and socioeconomic study is envisaged.</p> <p>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.</p>	<p>All documents must be prepared in accordance with WB ESS5 requirements, in addition to national legal requirements. The implementation of a census is required to identify the persons who will be affected by the project (including those who are not registered through national procedures). The implementation of census survey/ household census is necessary also to identify characteristics of displaced households, including standard of living, level of vulnerability, establishing baseline conditions for monitoring and evaluation purposes, and to set a cut-off date.</p>
<p><b>Public consultations</b></p>	<p>The formal owners are contacted only at the very process of expropriation there is no requirements for public consultation apart from the spatial planning phase under the Planning and construction law.</p>	<p>Meaningful consultations with affected persons and communities, local authorities, and other stakeholders need to be carried out during the preparation and implementation of resettlement instruments.</p>	<p>National legislation does not require public consultation with affected persons and communities at the extent and reach of those envisaged by WB ESS5 and ESS1 and ESS10. The Borrower shall disclose RPF and RAP (if applicable) to PAPs and stakeholders and conduct consultation meetings as</p>

Subject	Kosovo laws	WB ESS5 and good international resettlement standards	Gaps and measures for bridging the gaps
	All those owners whose current addresses are not listed in official records are precluded from being notified of the expropriation		described in the according chapter of this RPF.
<b>Eligibility for Compensation</b>	The Expropriation Law recognizes the eligibility of persons who have formal legal rights on land and structures, as registered by the Kosovo Cadastral Agency for and those whose rights are recognizable under national laws (factual ownership).	WB ESS also recognizes those who have no recognizable legal right or claim to the land they are occupying on Cut-off-Date are also eligible for rehabilitation assistance and compensation for loss of non-land assets at replacement value.	Compensation and assistance to PAPs without legal right or claims will be made per principles and entitlements provided in the entitlement matrix of this RPF, if they are present in the project affected area at the time of the cut-off date. Asset inventory and valuations of their affected properties will be conducted and all measures will be recorded in the internal periodical (monthly or quarterly) project progress report.
<b>Valuation methodology for compensation for property</b>	<p>Compensation for loss of properties and assets should be at least equal to the market price.</p> <p>Depreciations are deducted from compensation (or included by decreasing the market price value appraisal).</p>	Compensation should be equal to full replacement cost without depreciation.	Compensation and assistance to PAPs will be at least equal to replacement value as provided in the entitlement matrix of this RPF.
<b>Transitional Support</b>	No transitional support has been foreseen by the Kosovo's law for expropriation.	Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the	In a highly unlikely event that physical displacement is unavoidable, the Borrower will ensure that displaced persons receive transitional

Subject	Kosovo laws	WB ESS5 and good international resettlement standards	Gaps and measures for bridging the gaps
		time required to restore their income-earning capacity, production levels, and standards of living.	support per entitlement of this RPF
<b>Addressing Loss of Livelihoods / Incomes</b>	Loss of benefits and income for workers and employees are not specifically mentioned by the Law.	Affected employees will receive assistance for temporary loss of wages and, if necessary, assistance in identifying alternative employment opportunities	Each site-specific RAPs shall include measures and design adequate support and assistance commensurate to the impact, as a way to bridge the gap, and all measures must be demonstrated and documented to the satisfaction of the WB.
<b>Grievance Redress Mechanism (GRM)</b>	There is no requirement to have grievance redress mechanism apart from the institutional ones	Appropriate, affordable and accessible procedures for third-party settlement of disputes arising from resettlement must be established; such grievance mechanisms should consider the availability of judicial recourse and community and traditional dispute settlement mechanisms.	The Borrower will establish a Project specific and impact commensurate Grievance mechanism as described in the RPF.
<b>Monitoring &amp; Evaluation</b>	No specific monitoring procedures are required by Kosovo laws to be implemented.	The Borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instruments.	The Borrower will be responsible for monitoring in line with the requirements set out in the RPF and any subsequent RAPs.



## 4. Expected project impact and eligibility criteria

### 4.1 EXPECTED PROJECT IMPACTS

The proposed project has a national coverage, and covers the administrative borders of the Republic of Kosovo. Republic of Kosovo is placed on Balkan Peninsula and has an area of 10.887 km<sup>2</sup>. The country borders with Serbia on the north and east, with North Macedonia on the southeast, with Albania on southwest and Montenegro on the west. Kosovo is divided into seven districts, according to the Law of Kosovo and the Brussels Agreement of 2013, which stipulated the formation of new municipalities. The districts are further subdivided into 38 municipalities. The largest and most populous district of Kosovo is the District of Pristina with the capital in Pristina, having a surface area of 2.470 km<sup>2</sup> and a population of 477.312.

The social risk of the project is proposed moderate. Considering the fact that the project will finance civil works related to the rehabilitation and repurposing of existing spaces as well as the construction of new kindergartens, and the locations of the new constructions are yet not known, thus, ESS5 is relevant, and the client is expected to follow the guidance of the Resettlement Framework (RPF) to guide the project in dealing with land acquisition, restrictions to access, or any economic and/or physical displacement.

The methodology for selecting the design of proposed investments and specific site locations will be carefully analyzed from the technical design team and consulted with the respective local plans and beneficiary municipalities, in order to avoid as much as possible intersection with private properties/assets. The selection of construction sites under the Project will be discussed and agreed with the World Bank prior to the start of civil works.

Based on the evaluation of project components, Component 3, specifically sub-component 3.1 is the only one including interventions and civil works, in the form of new constructions, renovations, extensions, retrofitting or transformations of existing ECD space and buildings. Therefore, only under this Component resettlement/land acquisition related impacts can be anticipated.

Components 1,2 and 4 are unlikely to have resettlement/land acquisition impacts as no civil works are included. Nevertheless, principles regarding resettlement promoted by RPF apply in all phases of the Project, and if any case of resettlement and adverse social impact occurs, RPF rules pertain. So that that the latter does not need to be repeated every time.

The methodology for selecting the design of proposed investments and specific site locations will be carefully analyzed from the technical design team and consulted with the respective local plans and beneficiary municipalities, in order to avoid as much as possible intersection with private properties/assets. The selection of construction sites under the Project will be discussed and agreed with the World Bank prior to the start of civil works.

The table below summarizes the likelihood and scale of possible resettlement impacts that may occur under the Project activities, the likelihood of such impacts, and actions to be taken in the event of their occurrence in order to mitigate negative impacts.

**Table 2. Anticipated Resettlement Impacts under the Project**

Project Activity	Resettlement Situational Scenarios/impacts	Probability	Mitigation Measures
Construction of new kindergartens/ECD facilities;	<p>Land take; Acquisition of certain part of private land parcels without or with associated loss of assets; change in use of public land under use by informal settlers. (It is <b>highly unlikely</b> to occur resettlement).</p> <p>The sites for the construction of new kindergartens are expected to occur mainly on publicly owned lands, which have been designated for this purpose and either owned by, or transferred to the respective beneficiary.</p>	<p>Moderate</p> <p>(Locations of the new constructions are yet not known)</p>	<p>Abbreviated RAP (that includes livelihood restoration plan if needed), compensation of losses.</p> <p>Mitigation measures to be developed under the ESMP</p>
Civil works related to the rehabilitation and repurposing of existing spaces;	<p>Land take; it is unlikely to occur acquisition of private land parcels.</p> <p>The works foreseen under this activity are of a rehabilitation, improvement and repurposing nature of the existing structures/spaces and overall works will be implemented in the existing footprint.</p>	<p>Unlikely to occur</p> <p>Very Low</p>	<p>Technical design to make sure that the civil works related to the rehabilitation and repurposing of existing spaces take place in same footprint.</p>

It is anticipated that the majority of rehabilitation works under the ECD project, will occur within the boundaries of publicly-owned areas. The rehabilitation and repurposing of existing spaces will be carefully designed and projected in a manner to exclude as much as possible the intersection with private properties. New constructions are expected to occur mainly on publicly owned lands, which have been designated for this purpose and either owned by, or transferred to the respective beneficiary. Even the above-mentioned precautions, a small scale of temporary/permanent land acquisition impacts may take place under the construction works. Resettlement impacts will not take place as per the project preliminary evaluation, anyway in case will be faced, it will be avoided and minimized to the extent possible.

As the exact footprint and location of civil works under the project is not known at the time of project Appraisal, the present Resettlement Policy Framework in line with World Bank’s ESS5 sets out the principles and procedures that will govern any resettlement and land acquisition activities that may occur under the project. The RPF identifies categories of affected persons and their respective entitlements, and describes the analytical work and documentation to be prepared before, during and after implementation of the a-RAPs/RAPs. In addition to issues directly concerning land acquisition, the RPF also covers issues related to informal use of public land and restriction of access to resources.

#### 4.2 ELIGIBILITY CRITERIA

**Table 3. Categories of losses and their impacts on project affected persons**

Loss Category	Social Impacts
Physical relocation	Highly unlikely to occur, and such an impact will be avoided and minimized to the extent possible. If it happens, the impacts could be in one or two facilities and this could less likely be homes and more likely business related, support facilities etc... In this case, the following impact may occur: impoverishment, disturbance of production systems, loss of sources of income <sup>4</sup>
Loss of land and non-land assets without physical relocation	Loss of land and loss of assets or access to assets, increased time to access resources, impacts on the livelihoods.

In line with the ESS5 of the World Bank, following groups of people are eligible for compensations and/ or other types of mitigation measures, if they are found to occupy or use the land on cut-off date (which is the date of the commencement of the Census):

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

Affected persons classified under paragraph (a) and (b) shall be provided compensation, resettlement and rehabilitation assistance for the land, building or fixed assets on the land and buildings taken by the project in accordance with the provisions of this RPF. Persons covered under sub-section (c) above are entitled for compensation for the loss of non-land assets they have built on the land that will be acquired by the Project, and resettlement assistance in lieu of compensation for the land they occupy.

Communities including districts, towns, wards and villages permanently losing land, resources and/or access to assets shall be eligible for compensation. Compensation measures shall ensure that pre-resettlement socio-economic status of the communities are restored and maintained.

**Table 4. General Typologies of Project Affected Groups for the “ECD” Project**

General Typology	Definition
<b>Private land Owners</b>	Are those who have legal title to land, structure and other assets
<b>Informal land users</b>	Are those who have occupied state/municipal/communal lands without formal permission for residential, business and or other purposes.
<b>Encroachers</b>	Encroachers are persons who have extended their building, agricultural lands, business premises or work places into state/ municipal/communal lands.
<b>Tenants</b>	Tenants are those persons having tenancy agreements, written or unwritten, with a private property owner with clear property titles, to occupy a structure or land for residence, business or other purposes.
<b>Business owners</b>	Those owners of commercial entities who will need to close their businesses, temporarily or permanently, due to the implementation of the project, affected by land take.

<sup>4</sup> Impacts such as loss or weakening of community system and social networks; loss of access to social amenities such as hospitals, schools and water; dispersion of kin groups, loss of cultural identity and traditional authority, loss or reduction of potential for mutual help, and emotional stress, would not occur given the type and scale of the subprojects.

<b>Vulnerable groups:</b>	Are those groups such as those who are under social assistance schemes, women-headed households, handicapped/disabled and landless families, who will be dealt with on a case-to-case basis.
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## 5. Land Acquisition Planning Process

The focus of ECD project will include the Construction of new kindergartens as well Civil works related to the rehabilitation and repurposing of existing spaces.

Implementation of the project activities, according to the component 3, may require land acquisition, leading to people’s denial or restriction of access to land resources, services and social amenities. In this case, Resettlement Action Plans (RAP) must be prepared in accordance with this Resettlement Policy Framework (RPF), through the following steps:

### 5.1 SOCIAL SCREENING

When a subproject is identified, it will be screened to identify if it may impact land and/ or non-land private assets against the screening checklist which is attached in Annex 1 of this RPF.

Social screening will be conducted by the contracted social specialist within the PIU in partnership with beneficiary MESTI and respective municipalities. Specifically, the social specialist will send to the relevant beneficiary municipalities the concept of the subproject identified and the social screening checklist and procedures, and request organizing a consultation meeting with local population. Beneficiary MESTI and respective municipalities together with PIU/implementing agency, will inform local population of prospective consultation meetings early on and distribute the project concept broadly so local population can participate in consultations meaningfully. The PIU will fill the social screening checklist together with relevant officials of beneficiary MESTI and respective municipalities, and participate in consultation meetings and prepare minutes. Based on the result, the social specialists will determine if land or non-land private asset may occur under the subproject identified. When no land or non-land private asset is found to be affected by the subproject, no further action needs to be conducted, except that grievance mechanisms should be set up and local population continue to be consulted throughout the life of the subproject.

If social screening indicates that land and/ or non-land private assets may be affected, the PIU will inform the IA relevant staff in charge of the engineering design of the subproject of the potential impact, and seek measures to avoid or minimize such an impact.

If it is found that impact on land and/ or non-land private assets cannot be fully avoided, the social specialist will start the process to prepare a Resettlement Action Plan (RAP).

### 5.2 CENSUS, CUT-OFF DATE, AND SOCIOECONOMIC SURVEY

Once it is confirmed that land or non-land private assets are to be affected under a sub-project, a census will be taken. Census is a field-based survey to identify genuine owners/occupants of the land and the other assets to be affected by the project, and inventories them (recording all affected land and assets), and thus will be eligible for compensation and/ or rehabilitation support as provided in this RPF. Compensation eligibility will be set for each subproject on the day of the beginning of the PAP Census (Cut-off date). The Cut-off date will be announced to local population well in advance through local media and other appropriate means.

PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to subproject implementation. Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction.

In the case of absentee owners (e.g. people with legal rights to the land but who are living elsewhere), they are eligible for compensation and the IA in collaboration with PIU, should make and document, good faith efforts 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 they cannot be found, and in accordance with local requirements, the compensation amount must be allocated in an escrow account and be made available to absentee owners when they reappear.

Once the Cut-off date is set, a socioeconomic survey will be conducted for each sub-project. It should address the following, at minimum:

- Baseline socioeconomic information of affected people including: demographic information of affected people, land use and ownership types; sources of income and vulnerability, etc.
- Inventory of assets owned by affected people, scale and scope of impact and asset loss, leading to the development of the Inventory of Loss.
- List of businesses that may be affected, including those with and without formalities to run the business.
- List of vulnerable people.
- Cadastral data to determine the boundary of land ownership.
- List of people without formal ownership or recognizable rights to using the land and/or building structures on the land, and the description of legality of ownership.
- Community assets or cultural resources that may be affected by the project.
- Summary of consultations conducted with affected people.
- All other relevant information.

### **5.3 RAP PREPARATION**

Once data on socioeconomic profile of affected people and the scale and scope of impact and loss have been collected, the Resettlement Action Plan (RAP) will be prepared for the subproject. When less than 100 people are expected to be affected, abbreviated RAP may be prepared.

A Resettlement Action Plan (RAP) should address, at minimum:

- Description of the subproject. General description of the subproject
- Potential impacts Identification of:
  - Subproject components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;
  - Zone of impact of such components or activities;
  - Scope and scale of land acquisition and impacts on structures and other fixed assets;
  - Any project-imposed restrictions on use of, or access to, land or natural resources;
  - Alternatives considered to avoid or minimize displacement and why those were rejected; and
  - Mechanisms established to minimize displacement, to the extent possible, during project implementation
- Objectives. The main objectives of the resettlement program
- Census survey and baseline socioeconomic studies:

- Characteristics of affected households (production systems, labor, household organization; and livelihoods derived from both formal and informal economic activities; standards of living; etc.);
- Information on vulnerable people;
- Public or community infrastructure, property or services that may be affected;
- Affected people eligible for compensation and rehabilitation support; and
- Baseline conditions for monitoring and evaluation purposes
- Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;(however, there will be no case where all communities will be resettled)
- Patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
- Socioeconomic and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g. community organizations, ritual groups, nongovernmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities, to the extent that is relevant. (There will be no cases where whole communities will be displaced)
- Legal framework.
  - Scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
  - Applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance redress mechanisms that may be relevant to the project;
  - Laws and regulations relating to the agencies responsible for implementing resettlement activities; and
  - Gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps
- Institutional framework:
  - Agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;
  - Capacity of implementation agency in implementing land acquisition and resettlement in line with this RPF, including possible capacity development measures.
- Eligibility. Criteria to determine eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
- Valuation and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
- Resettlement assistance. If a subproject requires the physical relocation of households or businesses, the assistance to be provided them including arrangements to secure adequate housing or business structures and transitional support.
- Community participation and consultation:

- Strategy for consultation with, and participation of, affected people in the design and implementation of the resettlement activities;
- Summary of views expressed by affected people and how they are taken into account in preparing the resettlement plan;
- Institutionalized arrangements by which affected people can communicate their concerns to project authorities throughout planning and implementation.
- Implementation schedule. Anticipated dates of displacement, compensation payments and other activities to clear lands for purposes of, and linked to, subproject preparation and implementation.
- Grievance redress mechanism. Affordable and accessible processes and procedures including responsible parties and budget to allow those who believe have been adversely affected by the project to air their concerns.
- Monitoring and evaluation. Arrangements to monitor RAP implementation processes and evaluate outcomes of RAP implementation.
- Costs and budget. Estimated cost of RAP implementation.

Abbreviated Resettlement Action Plan should address the following, at minimum:

- Census survey of displaced persons and valuation of assets: (List of affected people and how they are affected. What are they losing concretely and valuation?)
- Description of compensation and other resettlement assistance to be provided: (self-explanatory: what is being given and how they are helped)
- Consultations with project affected persons (PAP) about acceptable alternatives: (report on consultation)
- Institutional responsibility for implementation and procedures for grievance redress: (who does what? and when?)
- Arrangements for monitoring and evaluation of ARAP implementation
- Time table and budget: (timing for each step and the costs)

The MESTI in collaboration with PIU, will verify at the time of subproject implementation, if any of the residents has ownership claims on the property in case where this is a public land. If someone has such ownership claims, the MESTI/PIU, respective LGU must assist them to obtain property titles and compensate them for the expropriated property.

#### **5.4 RAP APPROVAL**

MESTI/PIU will submit the draft RAP/ARAP to the Bank for clearance. No physical works should start where a draft RAP/ARAP has not been cleared by the Bank, or till the cleared RAP/ ARAP has been fully implemented and affected people have received their entitlements fully.

#### **5.5 RAP IMPLEMENTATION**

Implementation of the sub-project's RAP will be considered completed when the adverse impacts of resettlement have been addressed in a manner that is consistent with the relevant plan as well as the objectives of ESS5. For all projects with significant involuntary resettlement impacts, the Borrower will commission an external completion audit of the plan when all mitigation measures have been substantially completed. The completion audit will be undertaken by competent resettlement professionals, will assess whether livelihoods and living standards have been improved or at least restored and, as necessary, will propose corrective actions to meet objectives not yet achieved.

## 6. Entitlement Matrix

All entitlements, eligibility for compensation and compensation evaluation methods for resettlement under this RPF are summarized in the Table 5. below.

**Table 5. Compensation Entitlement Matrix**

Types of Impact	Eligible people	The right of compensation
<b>Expropriation of lands</b>	Owner/Holder of the property title	Compensation in cash or in-kind for affected land equivalent to the market value of the property, enough to replace lost assets and cover transaction costs. If remaining land becomes economically unviable, such lands will also be acquired and compensation at replacement values be paid.
<b>Land use restrictions</b>	Owner/Holder of the property title	Compensation in cash or in-kind equivalent to the loss of land value as a result of land use restrictions. Where affected people are no longer able to maintain their assets (buildings, trees, etc.) as a result of land use restriction, including for income generation, compensation at replacement value will be provided.
<b>Loss of buildings</b>	Owner of the building, without regard to legal status of the land where the building is built	Compensation in cash or in-kind for structures partially or completely affected without depreciation. Salvage materials will be handled over to affected persons.
<b>Los of illegal building in own land</b>	Informal Owner/Not Holder of the property title	Land and building will be compensated same as the legal building
<b>Los of illegal building in public land</b>	Informal Owner/ Not Holder of the property title of the building, without regard to legal status of the land where the building is built	Materials will be compensated. Not for the land
<b>Loss of standing crops</b>	Owner of the crop without regard to legal status of the land where lost standing crops are planted	Compensation in cash equal to the fair market value of the affected crops.
<b>Loss of trees</b>	Owner of the tree without regard to legal status of the land where lost trees are planted	Compensation in cash based on the type, age and production value of affected trees.
<b>Temporary loss of and/ or access to land</b>	Occupants of the land	Fees agreeable to affected occupants of the land. Any damage to assets will be compensated by responsible agency/beneficiary (MESTI), as relevant) at replacement value.



<b>Loss of income</b>	Affected people with or without full formalities	If permanent loss of sources of income (including as a result of land use restriction), payment of cash equivalent to income over six months; if temporary loss of income, payment of cash equivalent for income during the stoppage time, based past year average income/ turnover.
<b>Physical relocation</b>	Residents, business owners/ employees	Physical relocation of households and businesses will be avoided to the extent possible, but if unavoidable, provision of sufficient allowance to cover transport expenses and living expenses/ salary/ rent for three months (as relevant); and support to search alternative residence/ business sites.
<b>Vulnerable people</b>	PAP below poverty line, elderly, disabled, female headed House Holds	Subsistence grants to displace poor /vulnerable families. Employment priority in project-related jobs.
<b>Public utilities/land or buildings</b>	Municipalities, communities and Kosovo Privatization Agency (KPA)	Replacement or restoration of damaged or lost public land managed by Kosovo Privatization Agency (KPA); some of the expropriations may be on these lands.

## 7. Valuation methodology

### **The valuation and entitlement principles according to the Law of Expropriation.**

Valuation of real estate is managed through the Law<sup>5</sup> for approval of technical evaluation methods and criteria that is used to calculate the amount of compensation for expropriated immovable property and damages relating to expropriation. Assessment of the value of real estate is based on three methods specified on the abovementioned administrative instruction.

One of the following methods or combined methods of property evaluation can be selected during the assessment of immovable property. There are known three different evaluation methods under administrative instruction in question, such as: comparative sales method, the cost method and the method of income. Whichever approach is chosen for the valuation it should to at least replacement value of the property plus all provisional costs such as transaction, relocation if applicable.

Property valuation is done by the Office of the Immoveable Property Assessment at the Property Tax Department, exercising its responsibilities under law no. 03/L-139 on “Expropriation of Immoveable Property”. Office of Immoveable Property Assessment evaluates the property and damages relating to expropriation, which requires information or data as requested at institutions such as Municipal Cadaster Offices, respective Courts, Kosovo Property Agency, Kosovo Cadaster Agency, Property Tax Department within the Ministry of Finance, Labor and Transfers, and in any other state institution which administers property or can give information about it. Officials of the Office of the Immoveable Property Assessment receive additional information from real estate agencies, lawyers, and construction companies.

**Land:** The evaluation method for estimating the compensation should consider all the available sources of information in order for the proposed value for compensation to reflect the market value / replacement value of the land. Main assumptions to be taken into consideration in the methodology frame could be related with the current regulatory framework for land expropriation and its recent amendments; financial analysis on net income stream on the sites and its neighborhoods; eventual transactions (sales and leasing) on the region.

**Buildings:** Value of residential dwellings, commercial structures, and other affected structures (such as barns, fences, and outdoor cooking facilities) will be valued at replacement value based on construction type, cost of materials, type of construction, labor, transport and other construction costs. No deduction for depreciation and transaction costs will be applied. This method will be applied for the areas with no real estate market. For the partial impact (if the loss is less than 15%), compensation is paid for the replacement value of impacted structures. Valuation also shall include the cost of access to water supply if the displaced structure had access or if the replacement location does not provide access. Estimated costs shall be sought from PAPs and other local residents and from contractors and suppliers in the affected areas. These estimates do not include the cost of land. Incomplete dwelling units or units that have collapsed shall be valued based on replacement cost of materials.

**Standing crops and trees:** Compensation for standing crops will be based on farm gate rate. Trees will be valued according to different methodologies depending on whether the tree lost is a wood tree or a productive tree.

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<sup>5</sup> Official Gazette No. 03/L-205 and Administrative Instruction (no.13 / 2011)

Wood trees will be valued based on age category (a. seedling; b. medium age tree and c. fully grown trees), their timber value and volume. Fruit/productive trees will be valued based on age (a. seedling; b. adult-not fruit bearing; and c. fruit bearing). Stage (a) and (b) trees will be compensated based on the value of the investment made; stage (c) trees will be compensated at net market value of 1 year income x number of years needed to grow a new fully productive tree. The unit compensation rates will be assessed by Project consultants or by the authorized independent evaluator based on clear and transparent methodologies acceptable to WB.

## 8. Consultation with Affected Populations

To ensure the interests of the affected persons are fully included in the RAP process and income restoration, a thorough consultation with the affected persons, representatives of any affected group, any interested group and the various administrative and government departments will be conducted throughout subproject preparation and implementation processes.

### 8.1 MECHANISMS FOR CONSULTATIONS

In addition to documenting the expropriation procedures indicated above, once the tentative arrangement of the civil works is identified, MESTI/PIU and each sub-project beneficiary (LGUs) in cooperation with the IA, will hold public consultations to discuss land acquisition processes. All those who own or occupy lands to be affected by respective subprojects will be invited to consultation meetings, in which they will be explained about the project and the expected impact, and their entitlements for compensation and other mitigation measures.

The aim of consultations at this stage is to ensure all people who may be potentially affected by respective subprojects become aware of the nature of the subproject, potential impacts, their entitlements, and avenues to their grievances. A leaflet will be prepared that will describe the nature of the subproject, potential benefits and impacts, as well as contact information of persons responsible for the subprojects including public relations officers of relevant LGUs and social staff of the PIU, which will be shared with participants of consultation meetings and notified to local population broadly at relevant public places. The leaflet will also describe Grievance Redress Mechanisms for respective subprojects. Consultations will continue into the detailed designs and implementation of subprojects, in order to ensure that the views of potentially affected people are adequately addressed in line with this RPF.

### 8.2 GRIEVANCE REDRESS MECHANISMS

**Grievance Redress Committee (GRC).** A Grievance Redress Committee will be established for each subproject to address complaints and grievances including those that may be related to loss of land and non-land assets as well as negative impacts on income and livelihoods. The Committee will include the MESTI/PIU and LGU staff. The IA, will also set up an ad hoc Grievance Handling Committee that will be organized when grievances that cannot be addressed at the municipal level are elevated to the higher level.

**Procedure:** Under the guidance of the PIU M&E specialists, the GRC will make every effort to achieve an amicable settlement of all grievances raised for respective subprojects. Complainants may send their grievances through emails, letters or phone calls. Anonymous submission of complaints is allowed. The GRC will respond to the complainants in writing within 10 days of the receipt of the grievance. If this attempt fails, the MESTI/PIU will organize the Grievance Handling Committee to discuss grievances and identify solutions that are consistent with national laws and this RPF. A response will be sent to complainants, in writing, within 10 days of the receipt of the grievance. If complainants are still not satisfied, they are free to lodge a court case to seek a remedy.

Local population of municipalities where a subproject will be implemented will be informed of the Grievance Redress Mechanism during consultation meetings. The leaflet of subprojects

to be prepared will also describe the Grievance mechanisms and disseminated widely within the affected municipalities.

Detailed processes and procedures to handle grievances will be provided in the Operations Manual. The functioning of the GRM will be regularly monitored and evaluated by the MESTI/PIU consultant and reported to the Bank through regular progress report.

## **9. Cost and Funding Arrangement**

The cost of RAP implementation will be covered by the Project. The cost of RAP implementation in particular cost of compensation can only be estimated when respective subprojects are identified, however, all subprojects will require cost of (i) the implementing agency staff in managing social impacts of respective subprojects and (ii) developing a RAP for respective subprojects, if relevant. Regarding the cost of RAP preparation, the total cost will depend on the number as well as complexities of RAPs to be prepared, but it will be included in the cost of subproject preparation and covered from the Project budget. The budget for compensation will be provided by the Government of Kosovo based on the subproject specific RAP based on the Expropriation Law of Kosovo.

## **10. Institutional and Implementation Arrangements**

### **10.1 INSTITUTIONAL RESPONSIBILITY FOR PROJECT IMPLEMENTATION**

Ministry of Education, Science, Technology and Innovation (MESTI) has ultimate responsibility for the implementation of all project components along with the implementing agency PIU. A committee composed of PAP-Project Authorities will be constituted to be responsible for overseeing the implementation of the RAP. The PIU will prepare the RAP/ARAP based field visits, background checks and on data received from the MESTI and LGU and other institutions. The IA will also cooperate with all local institutions to provide a successful implementation of the RAP. The RAP will be submitted to the WBG for clearance prior to implementation. A property evaluation study, an integral part of the design, will serve as the basis for the preparation of the RAP/ARAP.

MESTI, PIU and the LGUs (Municipalities, Communes) are the final beneficiaries of the project implementation. From the institution it is required continuous assistance and presence during all the progress of the project.

Kosovo Cadastral Agency (KCA) for each District in the Project area, under the authority of the Central Registration Office, which are responsible for identifying and verifying property boundaries and ownership.

Municipal Cadaster Offices under the Region, which will clarify land allotment certificates for agricultural land that has not been formally registered and transferred to KCA

The Regions and the Municipalities will be responsible for the coordination of the implementing procedures and execution of the compensation.

**10.2 INSTITUTIONAL ARRANGEMENTS FOR THE LAND ACQUISITION AND RESETTLEMENT PROCESS**  
**IMPLEMENTATION**

**Table 6. Institutional Arrangements for Implementation**

Steps	Institution	Description of responsibilities	Timing	Remarks
<b>RAP Planning</b>				
<b>Step I</b>	MESTI /PIU/ LGU or Consultants on behalf of IA	Identification of PAPs, calculation of RAP value conforms the ESF of WB - ESS5	During project design phase	Information on project effects, needs for RAP/ARAP, evaluation and verification of PAPs
<b>Step II</b>	MESTI /PIU or Consultants on behalf of IA	PAP Consultation	Project design, prior to final design preparation	Explanation on assets to be affected, identification of the best way for compensation, explanation of time for compensation, main actors on implementation process, procedures to be undertaken and the rights for Grievance. The information must have been available to PAPs 20 days prior to the meeting.
<b>Step III</b>	MESTI /PIU	Grievance Committee Creation		The Grievance Committee needs to be formalized and specific contacts need to be given to the PAPs.
<b>Step IV</b>	MESTI /PIU or Consultants on behalf of IA	Preparation of draft RAP report	During project design	Preparation of draft RAP/ARAP Report compliant with ESS 5
<b>Step V</b>	MESTI /PIU or Consultants on behalf of IA	Consultation of draft RAP with PAP	During project design	Consultation of draft RAP/ARAP with affected communities and allowing time for receiving grievances
<b>Step VI</b>	MESTI /PIU or Consultants on behalf of IA	Preparation of final RAP report	Prior to start of works	Preparation of final RAP/ARAP Report considering comments of WB and MAFRD
<b>Step VII</b>	WBG	Approval of final RAP/ARAP report	Prior to start of works	The WBG must provide No Objection to the RAP prior to initiation of its formalization process
<b>Step VIII</b>	MESTI /PIU/ LGU/ Kosovo Cadastral Agency (KCA)	Request for expropriation for public interest	Prior to start of works	Fulfill of criteria provided by law, especially the necessary documents that prove the expropriation needs
<b>Step IX</b>	Kosovo Cadastral Agency (KCA)	Expropriation Commission at (State Agency of Expropriation has to examine the request and documents  If the legal criteria are fulfilled the KCA starts	Prior to start of works	Raising of Expropriation Commission, verification of documentation on proprieties, calculation and verification of compensation value

		the expropriation procedures.		
		If not, the request will be rejected.		
<b>Step X</b>	Local authority/ MESTI /PIU/KCA /PAPs	Compile the agreement considering pretends of any parts and legislation	Prior to start of works	Give solution and incite agreements supporting PAPs requests upon legislation
<b>Step XI</b>	MESTI /PIU/KCA	Formalization and execution of RAP/ARAP to enable compensation of PAP's	Prior to start of works	A decision of respective authority for compensation will be issued, in line with the Environmental and Social standard 5 "On land acquisition, restriction on land use and involuntary resettlement, based on the approved RAP/ARAP
<b>Step XIII</b>	MESTI /PIU Grievance Committee	Ensure that the Expropriation Commission decisions are based in Kosovo Legislation and WB ESF and considers PAPs requests	Prior to start of works	Evaluation of compliance between interested part requests
<b>Step XIV</b>	MESTI /PIU	Agreement with PAP's about expropriation.	tbd	Important: the fair evaluation of the properties
		Publication of the notice for the expropriation - Declamation		The procedure must be followed carefully and respecting the right of the third persons to prevent the complaint to the Court
		Examine the suggestions and the complaints of persons affected by the process		The expropriation it will be done for the persons who will accept to be compensated with the conditions published.
		Reject the proposal to MESTI /PIU with the suggestion to review, if it is not in conformity with the law. Pay the compensation to persons affected by the project		
<b>Step XV</b>	MESTI /PIU (or Consultant on behalf of IA)/Grievance Committee	Assistance on relationship between PAPs and Local and Governmental authorities, verifications, and supervision of RAP implementation	tbd	Verification of compatibility of the agreement between interested parts.
<b>Step XVI</b>	MESTI /PIU	Issuing of clearance memo	Prior to start of works	MESTI /PIU provides a clearance memo for start of works that ensures that compensation / mitigation measures are

				implemented before any impacts related to land acquisition take place
<b>RAP Implementation</b>				
<b>Step XVII</b>	MESTI /PIU (or Consultant on behalf of IA)/Grievance Committee	If needed, assistance of PAPs on grievance procedures for administrative bodies, RAP procedures, compensation values etc and support PAPs grievances on the Court	tbd	If PAPs will have grievances
<b>Step XVIII</b>	PAPs	Opening a Bank Account and reporting it at the MESTI /PIU	tbd	Institutional support of the compensation process
<b>Step XIX</b>	MESTI /PIU and LGU	Pay the compensation to persons affected by the expropriation before the civil works begin	tbd	Ensure that compensations are done in respect (amount and time) of agreements signed by interested parties and before starting the project implementation
<b>Step XX</b>	MESTI /PIU (or Consultant on behalf of IA)	Ensure that the process implementation has considered all pretends by both interested parties	tbd	Ensure that compensations are done in respect (amount and time) of agreements signed by interested parties
<b>Step XXI</b>	MESTI /PIU	Prepare the final report on RAP implementation	tbd	Considering that compensations should be finished before starting the project implementation.
<b>Step XXII</b>	MESTI /PIU/ LGU	Assignment of the disclosure process according the interested parties demands and in respect of expropriation law	tbd	Ensure a signed document that shows the RAP is finished and the compensation is done.
			tbd	This document also will verify that in the future the expropriated lands are ownership of MESTI



## 11. Monitoring Program

The MESTI/PIU are overall responsible for the monitoring and evaluation of the implementation of this RPF and of respective RAPs/ARAPs at the subproject level.

The main objective of RPF is to improve or at least restore the social and livelihood resources of people affected by respective subprojects. The process of implementation should ensure that this objective is achieved over a reasonable time with allocated resources. Therefore, the monitoring of RPF implementation processes and the delivery of institutional and financial assistance to affected people are designed as an integral part of the overall functioning and management of the Project. RPF implementation will be regularly supervised and monitored by the IA consultants, at the project level and responsible persons of the MESTI and LGU at the subproject level. The beneficiary MESTI, will monitor land acquisition processes using the monitoring and evaluation indicators (process, delivery and impact indicators). The purpose of the monitoring and evaluation is to provide feedback to all stakeholders on progress made in view of a timely and comprehensive implementation of respective RAPs and to identify problems as early as possible to facilitate well-timed adjustment of implementation arrangements. The objectives are to:

- a) Ensure that the standard of living of affected people is restored or improved;
- b) Ascertain whether activities are in progress as per schedule and the timelines are being met;
- c) Assess whether the compensation, rehabilitation measures are sufficient;
- d) Identify problems or potential issues; and
- e) Identify methods to rapidly mitigate problems.

The implementing agency PIU will report to the Bank the RPF implementation performance through regular project progress report. Specific monitoring benchmarks will be:

- Information campaign and consultation conducted;
- Status of land acquisition and payments on land compensation;
- Payments for loss of income;
- Income restoration activities, and
- Grievances and their resolution.

The above information will be collected by the PIU through regular communication with the MESTI and LGU and the monitoring activities conducted by the implementing agency consultants who will be responsible for monitoring the day-to-day resettlement activities of subprojects through the following means:

- Review of census information for all PAPs;
- Consultation and informal interviews with PAPs;
- In-depth case studies;
- Sample survey of PAPs;
- Key informant interviews; and
- Community public meetings.

For each RAP or ARAP to be prepared, the respective PIU, will prepare a RAP/ ARAP completion report and report the delivery of entitlements and outcomes of RAP/ ARAP implementation.

# 1. Annexes

## 1.1 ANNEX 1: SCREENING CHECKLIST

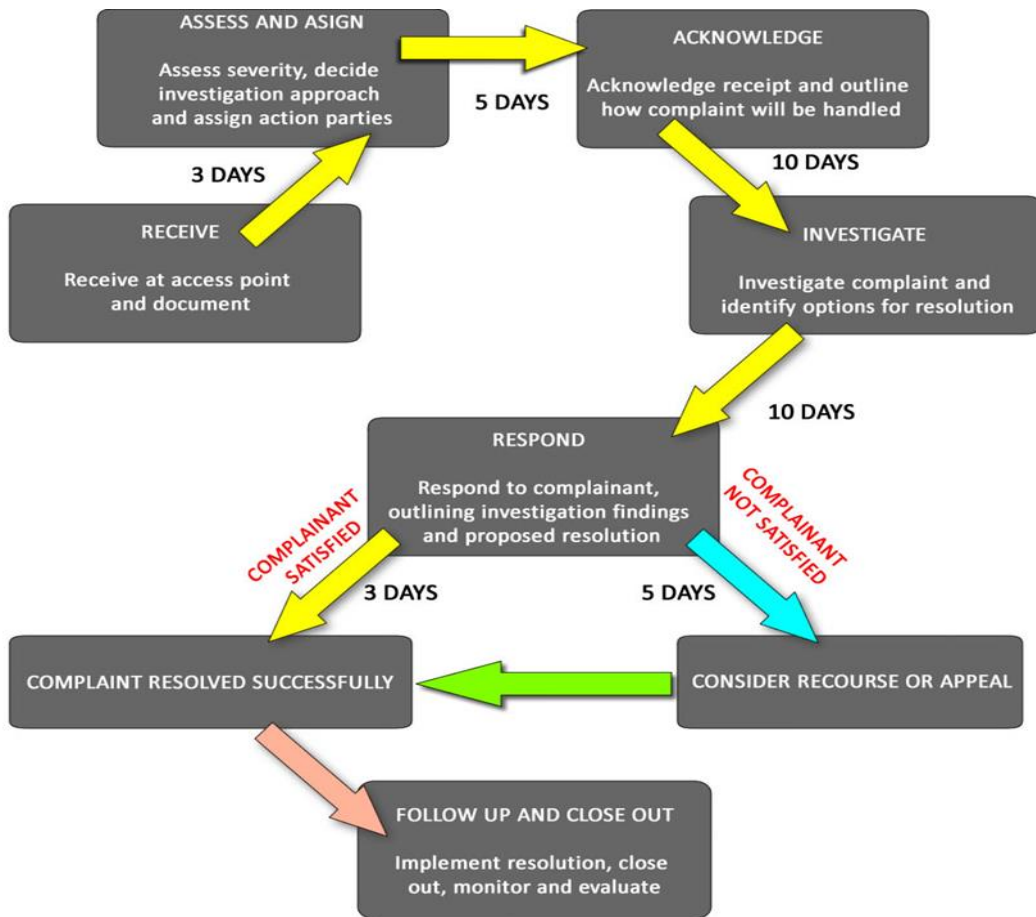
No.	Screening question	Identification Phase of Sub-Project			Remarks
		Yes	No	Significance of the effect (low, moderate, high)	
1	Has the project been conceived based on sufficient stakeholders participation?				
2	Does the project affect any private property?				
3	Does the project foresee any relocation?				
4	Does the project foresee loss of land but no relocation?				
5	Does the project foresee any alienation due to neighbours being relocated?				
6	Will the project affect businesses or livelihoods?				
7	Does the project foresee any negative effect on hosting PAPs (such as impoverishment, loss of sources of income, reduced access to resources such as hospitals and schools, water, increased time to access resources)?				
8	Could the Project lead to adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?				
9	Could the Project potentially restrict availability, quality of and access to resources or basic services, in particular to marginalized individuals or groups?				
10	Is there a risk that the Project would exacerbate conflicts among and/or the risk of violence to project -affected communities and individuals?				

11	Any informal land users/occupants to be affected?				
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## 1.2 ANNEX 1: GRIEVANCE REDRESS FORM

<b>Reference No:</b>	
<b>Full Name and Surname:</b> <i>(you can remain <u>anonymous</u> if you prefer or request not to disclose your identity to the third parties without your consent)</i>	
<b>Contact information:</b>  Please mark how you wish to be contacted (mail, telephone, e-mail)	<ul style="list-style-type: none"> <li>• <b>By Post:</b> Please provide postal address _____</li> <li>_____</li> <li>• <b>By phone:</b> _____</li> <li>• <b>By e-mail:</b> _____</li> </ul>
<b>Preferred language of communication:</b>	Albanian Serbian  Other: _____
<b>Description of incident/grievance:</b> What happened? Where did it happen? Who did it happen to? What is the result of the problem?   	
<b>Date of incident/grievance:</b>	<b>One-time incident/grievance</b> (date _____ )  <b>Happened more than once/how many times?</b> ( _____ )  <b>On-going/currently experiencing problem</b>
<b>What would you like to see happen to resolve the problem?</b>   	
Signature: _____	Date: _____
Please return this form to: <b>MESTI/PIU of ECD</b> <i>Mr/Mrs. XXX YYYYY</i> email: email@email.com tel. + 383 XX XXX XXX Address: Ministry of Education, Science, Technology and Innovation	

### 1.3 ANNEX 2: GRIEVANCE REDRESS MECHANISM SCHEME



#### **1.4 ANNEX 3: GRIEVANCE REGISTER ITEMS**

The GMR register, kept in digital format, as a spreadsheet file, should contain the following information:

##### **ENTRY:**

Initiator:

Location of residence:

Type of problem:

Name and surname:

Contact information:

Date of entry:

Acknowledgement for receipt of Grievance:

##### **PROBLEM:**

Description of the Problem:

Proposed solution:

Actions to be undertaken for problem solving:

##### **EXIT:**

Date of closure:

Grievance's Follow-up:

Results of the intervention:

Recurrence Y/N

## 1.5 ANNEX 5: MINUTES OF MEETING – ESF INSTRUMENTS DISCLOSURE



Prishtina, November 3<sup>rd</sup>, 2023

### Meeting Minutes

**Topic:** Public Discussion on the Environmental and Social Management Framework of the Early Childhood Education and Care for Kosovo’s Human Capital Project

**Location:** Ministry of Education, Science, Technology, and Innovation (MESTI)

**Time:** 13:30 – 15:30

This public discussion took place as part of the preparation process for the Early Childhood Education and Care for Kosovo’s Human Capital Project (P179656), organized by MESTI, which is the main implementing agency for project preparation and related activities.

The following individuals participated in this meeting:

1. Mevlude Murtezi, Director, Collegium of Directors of Pre-school Institutions of Kosovo
2. Gëzime Rexhepi Çollaku, Director, Association of Private Pre-school Institutions of Kosovo
3. Lulavera Behluli, Project Coordinator, Save the Children
4. Dafina Krasniqi, ECD Officer, UNICEF
5. Shukrije Lecaj, Pedagogical Coordinator, CARITAS
6. Driana Sogojeva, Consultant, MESTI
7. Leonora Shala, Coordinator, MESTI
8. Isuf Gashi, Head of Division, MESTI
9. Nita Prekazi, Senior Officer for International Financial Cooperation, Ministry of Finance, Labor, and Transfers
10. Aurora Osmanaj, Intern, MESTI
11. Luljeta Kabashi, Deputy Director of DAGJ, MESTI
12. Imrane Ramadani, Officer, MESTI
13. Reshit Kurtaj, Education Officer, DKA Prizren
14. Shpresa Kastrati, Environmental Specialist, World Bank
15. Labëri Luzha, Head of the Division for Pre-school Education, MESTI
16. Erjona Bajraktari, Environmental Consultant, MESTI
17. Jora Lumezi, Social Consultant, MESTI
18. Tigran Shmis, World Bank (online)
19. Mjellma Rrecaj, World Bank (online)

20. Mrikë Aliu, World Bank (online)

**Agenda:**

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| <b>13:30 -14:00</b>  | <ul style="list-style-type: none"><li>▪ Introduction<br/>Avni Rexha – Director, Department of Pre-University Education (MESTI)<br/>Labëri Luzha – Head of the Preschool Education Division (MESTI)<br/>Tigran Shmis – ECEC Project Representative, World Bank Group</li></ul> |
| <b>14:00 -14:45</b>  | <ul style="list-style-type: none"><li>▪ Presentation: Environmental and Social Management Framework -<br/>Jora Lumezi and Erjona Bajraktari, Project Consultants (MESTI)</li></ul>  |
| <b>14:45 –15:15</b>  | <ul style="list-style-type: none"><li>▪ Open Discussion/Questions</li></ul>   |
| <b>15:15 – 15:30</b> | <ul style="list-style-type: none"><li>▪ Summary and Closing of the Meeting</li></ul>  |

**Meeting Development:**

- The opening speech of this meeting was delivered by Avni Rexha, Director of the Department of Pre-university Education at MESTI, who initially thanked the World Bank for developing this project. He further stated that MESTI prioritizes early childhood education and care, a priority outlined in the Strategic Education Plan. Therefore, he added that the development of this project holds great importance for MESTI because, if implemented as envisioned, it will raise awareness among school staff, parents, and the society as a whole about the importance of early childhood education. Rexha added that ECEC in Kosovo is not highly developed, and for this reason, he believes that this project will greatly contribute to this direction. In conclusion, he also expressed gratitude to the consultants involved in this project, wishing them continued success in the project's further implementation.
- Next, Labëri Luzha, Head of the Division for Pre-school Education at MESTI, took the floor, thanking the partners for designing the ECEC project related to human capital. She also expressed gratitude to the participants of this public consultation for taking the time to join and discuss the social and environmental management components of the project. She commenced by saying that the Government of Kosovo, through the Ministry of Finance, aims to secure funds from the World Bank for the implementation of the project “Early Childhood Education and Care for Kosovo’s Human Capital”. Furthermore, she stated that the overall objective of the project is to improve quality and equitable access to early childhood education and care services in the country. She added that this project is structured to address key issues in early childhood development services in Kosovo.
- Luzha mentioned that MESTI has been collaborating closely with UNICEF in recent years, and this project fits perfectly into their ongoing efforts. This year, Kosovo’s Parliament approved a Law on Early Childhood Education in August. In response, MESTI has already started drafting Administrative Instructions to put this law into action, including guidelines for Healthy Nutrition in pre-schools. They are also finalizing a key document, the Basic Curriculum for Early Childhood Education, which aims to enhance the quality of early education nationwide. Luzha noted that this project aligns with Kosovo’s National Development Strategy 2030 and the

Education Strategy 2022-2026. All these new policies related to early childhood education and care will be integrated into the four components of this project. Along with the working group established by MESTI, they aim to address crucial issues and contribute significantly to this substantial project, the largest-ever financial investment for ECEC in Kosovo.

- Furthermore, Luzha highlighted that the new law addresses several critical issues contributing to early childhood education and care. These encompass expanding children's access to pre-school institutions, enhancing the quality of education, and efforts to increase the capacity of existing pre-school spaces. There are plans to renovate current facilities, create new modular kindergartens, and extend educational initiatives. Luzha emphasized the extensive efforts of the Government of Kosovo in collaboration with partners like UNICEF, Save the Children, CARITAS Switzerland, and the World Bank in advancing early childhood development. A collaborative project with these partners aims to design and construct 47 new kindergartens across the country over a 5-year period. The new law introduces articles focused on inter-sectoral coordination, a field targeted for regulation or improvement by the World Bank project in Kosovo. She acknowledged the challenge posed by this aspect but deemed it not impossible, as they will engage with international and local experts. She said that the overarching goal is to comprehensively support children in early childhood, prioritizing their health, well-being, and education.
- Luzha also highlighted additional aspects incorporated into the new law, including provisions for training nannies to assist parents who may face constraints in sending their children to preschool institutions, as an alternative new option. Furthermore, she continued with the mention of the components of this project, which are: 1) Improving the Quality of ECEC Services in Kosovo, 2) Fostering Multi-sectoral Integration in ECEC Service Delivery, 3) Increasing Equitable Access to ECEC Services, and 4) Project management, monitoring, and evaluation.
- Moving forward, Tigran Shmis, the representative of the World Bank, addressed the audience. Expressing great honor to speak before this gathering, Shmis anticipated a fruitful discussion. He acknowledged and commended everyone involved in the final steps of submitting and preparing the project on behalf of the entire Bank team. Shmis emphasized that the project responds to a pressing need in the country, focusing on providing access to quality early childhood education and care services for families in Kosovo. Highlighting Kosovo's slight lag compared to other regional countries in this aspect, he mentioned the collaborative efforts with MESTI and the extensive international consultations sought during the project's drafting phase.
- Shmis emphasized that the project places a dual focus on quality and access. Access ensures that children have the opportunity to attend kindergartens, and when the services are of higher quality, it yields better outcomes for children, particularly in their later lives, such as enhanced performance in the job market and an overall improved quality of life. He highlighted that early investment in the care and education of children plays a pivotal role in shaping successful individuals later in life, hence the project's title emphasizing human capital. Shmis articulated that when Kosovo chooses to invest in its young children, it signifies an investment in the country's future, crucial for economic development. He pointed out that the 22 million euros invested in this project will result in significantly larger benefits down the line, considering it not as an expense but as an investment in Kosovo.
- Furthermore, the World Bank representative delved into the project components and their societal impact, highlighting a specific project activity known as community grants. This activity



will enable all municipalities to participate in a competition, providing an avenue to comprehend how societies and communities perceive early childhood development. The focus is on understanding their concerns, satisfaction levels, ideas, both negative and positive aspects of the project, and more. Additionally, the project will conduct various studies on the quality of services in the country, examining the roles of teachers, identifying areas for improvement, and assessing the outcomes of children in pre-school institutions. Shmis concluded by emphasizing that these represent just the initial steps of the project. The next phases involve submission to the World Bank's senior management, approval by the Kosovo Assembly, and finally, the official signing of the agreement that marks the commencement of the project.

- Erjona Bajraktari, appointed by MESTI as a consultant for preparing project documents related to the environmental and social framework, commenced the presentation of foundational documents. She initiated the discussion with the Environmental and Social Management Framework (ESMF), designed to preempt, minimize, or alleviate potential adverse environmental and social impacts associated with the project implementation. The Resettlement Policy Framework (RPF) was formulated to establish policies and procedures that prevent and minimize the project's necessity to acquire privately owned land, thereby averting impacts on the income loss of affected parties. The Labor Management Procedures (LMP) document facilitates the identification of crucial labor requirements and associated risks, aiding the borrower in determining essential resources to address labor-related issues. Furthermore, the Stakeholder Engagement Plan (SEP) seeks to activate stakeholder involvement at appropriate stages during the project's preparation and implementation. Bajraktari indicated that she would now proceed with presenting the first two documents, ESMF and RPF, while her colleague would cover the remaining two, LMP and SEP.
- The environmental consultant for the project highlighted that the overall anticipated impacts from the complete implementation of the project are expected to be positive in social aspects. Furthermore, Bajraktari mentioned that activities under component 3, involving the reconstruction of existing buildings, reorganization of pre-existing kindergarten spaces, and the construction of new kindergartens, might entail medium-term and local environmental and social impacts. These impacts are temporary and can be effectively avoided or minimized by applying protective measures in accordance with World Bank standards, the health and safety protection policies of the World Bank, and compliance with the environmental and social legal framework of the Republic of Kosovo. She emphasized that the primary social impact requiring careful consideration during project implementation is associated with the risk of excluding needy and disadvantaged groups, preventing them from benefiting from the project. Bajraktari added that the level of environmental and social impacts of the project, primarily linked to the implementation phase of planned activities under component 3, is assessed to be moderate.
- Furthermore, Bajraktari provided an overview of the ESMF document, emphasizing its foundation on existing environmental policies, regulations, and laws. This document conducts a thorough examination of the current legal landscape in Kosovo, ensuring alignment with World Bank standards. She clarified that MESTI will assume responsibility for overall implementation, coordination, results monitoring, and communication with the World Bank concerning all project-related activities. Moreover, she introduced the establishment of a Central Project Implementation Unit (CPIU) within MESTI, tasked with offering technical and operational support for project activities in targeted regions/municipalities. This includes functions such as procurement, financial management, and the management of environmental and social impacts.

- Continuing, Bajraktari proceeded with the presentation of the second document, the RPF. This document provides guidelines and procedures to minimize the loss of land, private assets, and resulting income due to project implementation. She emphasized that any unavoidable impacts should be addressed with sufficient mitigating measures to restore affected individuals' living standards to pre-project levels. In conclusion, the consultant stated that in case of any discrepancies between the Kosovar legal framework and the World Bank Involuntary Resettlement Standards, the provisions of RPF will prevail and become part of the legal agreement signed between the Republic of Kosovo and the World Bank within the project financing framework.
- Subsequently, Jora Lumezi, the project consultant for social issues, took the floor to present the final documents, LMP and SEP. Lumezi outlined that the LMP document aims to address potential work risks, which are considered moderate, with a specific focus on health and safety at work, including concerns related to COVID-19. She highlighted the document's strong emphasis on raising awareness about gender-based violence, harassment, and challenges related to workload. The commitment to addressing these risks and ensuring fair practices, safety, and compliance with labor regulations is emphasized in the document. Additionally, Lumezi mentioned that the LMP provides a summary of labor legislation, focusing on three main areas: National Legislation (Labor Law 03/L-212) in Kosovo, Legal Provisions for Health and Safety at Work (Kosovo Law on Safety and Health at Work 04/L-161), and World Bank Environmental and Social Standards (ESS2). According to Lumezi, the project places significant emphasis on fair treatment, prevention of discrimination, and ensuring equal opportunities for the workforce. Lumezi explained that an integral part of LMP is the Grievance Redress Mechanism, serving as a unified platform for addressing complaints and concerns for project employees. This mechanism includes a clear definition of who the employee should contact to file a complaint, a framework for addressing the complaint within a specific timeframe, the option to escalate the complaint to a higher organizational level, the right to representation, protection against retaliation, access to legal remedies, and the submission and handling of anonymous complaints. In conclusion, Lumezi emphasized that workers have the right to refuse to work if their safety or well-being is at risk or if proper health and safety measures are lacking.
- Furthermore, Lumezi proceeded with the final document, the SEP, which serves several purposes, including the identification and analysis of stakeholders, planning engagement modalities and effective communication tools for consultations and disclosure, defining the roles and responsibilities of various actors in implementing the SEP, establishing the project's grievance mechanism, providing feedback to stakeholders, and monitoring and reporting on the SEP. She explained that the plan categorizes project stakeholders into three groups: those affected by the project, other interested parties, and individuals or groups that are disadvantaged/vulnerable. According to this document, key participants in the project's execution include Local and Regional Authorities, Private Companies and Associations, Preschool Staff and Local Communities, Government and Regulatory Bodies, Non-Governmental Organizations and International Organizations, and Individuals or groups that are disadvantaged/vulnerable.
- Lumezi highlighted that the SEP has various objectives, such as compliance with Kosovo's legal requirements and alignment with World Bank standards, identifying key stakeholders, ensuring effective communication, addressing grievances, defining roles and responsibilities, and more. She emphasized that an integral component of this plan is the establishment of a grievance redress mechanism, similar to the previous document, which includes an online platform and a complaint registry. The goal is to inform all relevant actors about the procedures for submitting

complaints regarding project activities and to provide timely responses to their potential concerns.

- Following the presentation of the four crucial project documents within the social and environmental framework, a session of questions and open discussions with the participants commenced. Luzha from MESTI initiated the open discussion, mentioning that these prepared documents would initially be shared in internal public discussions, specifically with the dependent institutions of the Government of Kosovo. Subsequently, they would be shared with the wider public to gather opinions from those not present at the meeting, seeking comments and ideas to ensure the comprehensiveness of these documents.
- Further, Lulavera Behluli, Project Coordinator at Save the Children, took the floor. She commenced by extending congratulations to the Preschool Education Division at MESTI for their commendable efforts and the initiation of this highly significant project for the country. Emphasizing the paramount importance of the preschool education quality component, Behluli underscored that it should be a top priority for this project. She further highlighted the shared objective among MESTI and all partners regarding aiming to increase children's enrollment in preschool institutions. Behluli pointed out that the latest PISA report indicated no significant performance difference between children who attended preschool education and those who did not. Consequently, she stressed the critical need to enhance the quality of preschool education for the proper development of children. Additionally, Behluli emphasized the crucial role of inter-sectoral cooperation in such a project, ensuring collaborative synergy among all stakeholders for more effective outcomes.
- Furthermore, Isuf Gashi from MESTI, also a member of the working group, raised another significant concern: rural constructions, modular constructions, and adaptations of existing structures. He emphasized the necessity for the project to provide more detailed information regarding locations and property issues, considering that building permits are contingent on property conversion into municipal ownership. Gashi identified the primary challenge of the project as securing suitable locations, a task that should be entrusted to experts. He also highlighted the potential environmental and social impacts in both urban and rural areas where the respective constructions are planned. Addressing the location challenge, Luzha assured that there would be continuous collaboration with local municipalities, which share priorities in ECEC, women's employment, and other social aspects. Consequently, she expressed confidence that the matter of locations would progress smoothly with easily attainable solutions. Regarding other concerns raised by Gashi, it was noted that all details regarding the environmental impact surrounding the constructions would be outlined in documents prepared by project consultants, shared with participants and the wider public. Additionally, the project consultant, Bajraktari, clarified that specific details concerning locations, expropriation, etc., would be determined in subsequent phases of the project.
- The subsequent topic in the discussion was introduced by Mevlyde Myrtezi, Director at the Collegium of Directors of Preschool Institutions in Kosovo. She emphasized the significance of conducting research on the current state of ECEC at the national level, aligning with the specific needs of the country. Myrtezi advocated for a focused approach on two key elements highlighted during the discussion, namely component one and two – the capacity building of ECEC professionals and the promotion of healthy nutrition for children. Drawing from her hands-on experience in ECEC through fieldwork, she underscored the pressing need for improvement in these areas, particularly in rural settings. Consequently, she urged the project representatives to give special attention to these aspects. Regarding this, Luzha acknowledged the existing

deficiencies in these domains within Kosovo and affirmed that the project would actively address these issues, particularly concerning children's health. According to her the plan involves conducting a comprehensive analysis to identify specific intervention needs in kindergartens across Kosovo's municipalities. Additionally, she highlighted the development of an administrative guideline on healthy nutrition and the collaboration with experts to create new menus.

- Next, Gëzime Rexhepi Çollaku, Director of the Association of Private Preschool Institutions, took the floor, addressing the future prospects for private preschool institutions. She expressed concern about the constant risk of closure and external pressures faced by these kindergartens, despite their role in increasing early childhood education enrollment. Rexhepi Çollaku sought clarity on the potential collaboration with these private institutions in the future, whether initiated by the World Bank or the Government of Kosovo, as they have lacked state support thus far. Luzha responded by highlighting the presence of over 200 licensed private kindergartens nationwide, leading to the establishment of the Association of Private Preschool Institutions through UNICEF for coordination and mutual strengthening. She outlined that projects from MESTI, including this World Bank initiative, will focus on capacity building for all educational staff in preschools across the country, irrespective of their affiliation with public or private institutions. The project will also involve drafting new administrative guidelines, encompassing support for the private sector by the Government of Kosovo in the realm of ECEC. Luzha emphasized the active participation of private sector actors in the drafting process. In conclusion, she conveyed a positive outlook for the collaboration to deepen, emphasizing the involvement of these institutions in decision-making and ensuring the representation of all stakeholders' voices.
- Moreover, Leonora Shala from MESTI underscored the paramount importance of children's health. She highlighted the group within MESTI actively raising awareness and working diligently in this regard. Shala pointed out the significant steps taken, such as the inaugural drafting of administrative guidelines on healthy nutrition for children in kindergartens, the introduction of new menus sponsored by UNICEF, the incorporation of nutrition into the educational curriculum as an integral component, and various other initiatives. Conclusively, she expressed the team's receptiveness to comments and ideas for continuous improvement in this domain, assuring that they are committed to addressing all concerns comprehensively.
- Luljeta Kabashi from the Division for Children with Special Needs at MESTI proposed that it would be beneficial for this project to also encompass children with special needs. She emphasized the necessity and significance of intervening with these children in preschool institutions for our country. Kabashi continued by stressing the importance of preparing educators with sufficient knowledge to deal with children, provide care, and empower them, ultimately enabling these children to lead independent lives in the future. In response, Luzha affirmed that this project will prioritize the early identification of children with special needs and aim to reduce child mortality. Additionally, she highlighted that all constructions will adhere to MESTI's existing infrastructure standards, subject to review through this project for updates that favor children with special needs. Luzha illustrated this with an example, pointing out that many kindergartens currently lack elevators, and such deficiencies will be addressed with the World Bank project.
- The public discussion concluded with Luzha expressing gratitude to all participants for their valuable contributions. She affirmed that MESTI will maintain coordination with the partners involved in this consultation concerning the planned activities within this project. Furthermore,

she indicated that the documents prepared will undergo updates based on the feedback received during this meeting.