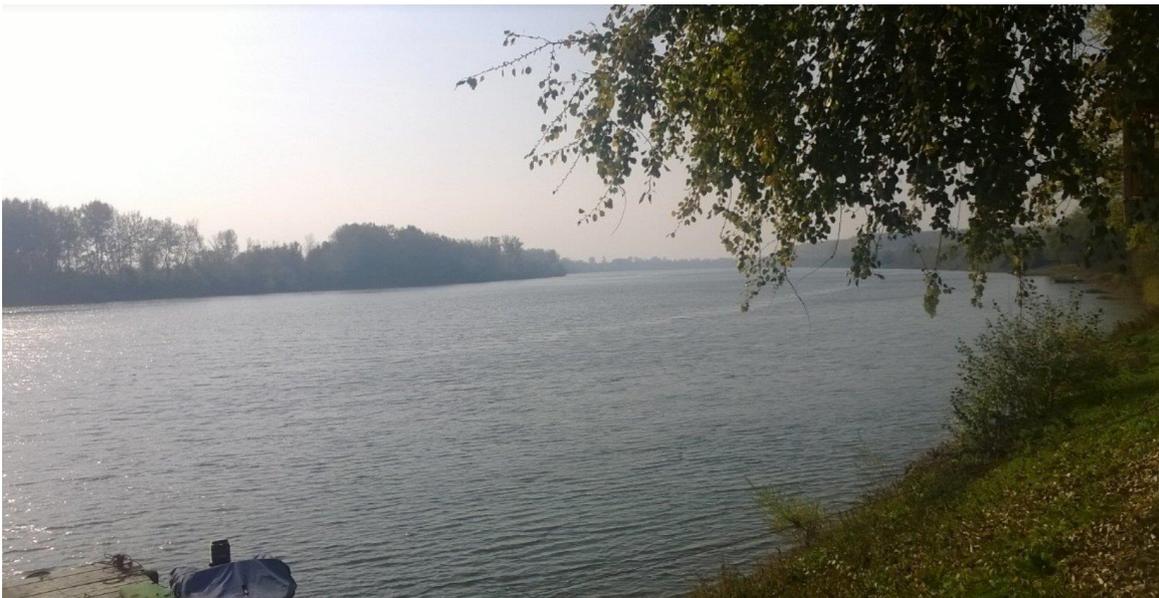


SAVA AND DRINA RIVER CORRIDORS INTEGRATED DEVELOPMENT PROJECT (SDIP)

Resettlement Plan
(RP)

For Jarak sub-project



Republic of Serbia

Ministry of Agriculture, Forestry and water management

Directorate for Water Management

Project Implementation Unit (PIU)

Draft

October 2019

Table of contents

Table of contents.....	1
Table of figures	2
Acronyms	4
Definitions glossary	5
Executive summary	7
1. Introduction.....	9
1.1 Project description.....	9
Component 1: Integrated Development of the Sava River Corridor.....	10
Component 2: Sustainable Management of Environmental Assets in Drina Corridor	10
Component 3: Enabling regional economic integration, institutional strengthening and program management.....	11
1.2 Sub-project description	11
1.3 Sub-project area description and why land must be acquired, local context and key demographics....	13
1.4 Scope and work for RP preparation	15
1.5 Principles and objectives of the RP	16
1.6 Study methodology and limitations	17
2. Legal framework.....	18
2.1 The national RS policy on involuntary resettlement.....	18
2.1.1 Key features of the Law on Expropriation in regard to the Sub-project.....	18
2.1.2 Expropriation process	19
2.1.3. Valuation stage of the expropriation process.....	19
2.1.4 Eligibility by Law	20
2.1.5 Information and dissemination requirements	21
2.1.6 Other applicable laws and regulation influencing involuntary resettlement.....	21
2.2 WB standards on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5)...	21
2.3 Gap analysis	22
3. Potential Sub-project impacts.....	26
3.1 Minimization of impacts.....	26
3.2 Overview of Sub-project impacts.....	26
3.2.1 Affected land to be acquired by the Sub-project.....	26
3.2.2 Impacts caused by temporary occupancy of land	28
3.3 Census/inventory of affected assets.....	29
4. Socio-economic survey.....	29
4.1 Introduction, information about the community and its perception of the Sub-project.....	29

4.2 Demographic features of the household	30
4.3 Sources of Livelihood and monthly income	30
4.4 Place of residence.....	30
4.5 Vulnerability	31
5. Resettlement compensation strategies	31
5.1 Key principles.....	31
5.2 The cut-off date.....	31
5.3 Eligibility and entitlements	32
5.4 Valuation	33
6. Grievance mechanism	34
6.1 Organizational arrangements for GM management	34
6.2 Grievance procedure	35
7. Consultation and participation.....	36
7.1 Public consultation principles	36
7.2 Disclosure and public participation requirements during preparation of draft RP and final RP	37
7.3 Previous public consultations held	37
8. Institutional arrangements and implementation.....	38
8.1 Responsibilities for implementation	38
8.2 Institutional capacities	39
8.3 Implementation schedule	40
9. Monitoring, evaluation and reporting.....	40
9.1 Internal monitoring and adaptive management	40
9.2 Evaluation.....	41
9.3 Completion report	42
10. Costs and budget for resettlement.....	42
Annex 1 - Socio-economic questionnaire	43
Annex 2 - Grievance registration form.....	48
Annex 3 - Documentation from public consultation.....	50
Annex 4 - Lease agreement.....	53

Table of figures

Figure 1 - The Sava and Drina rivers basin; Source: UNECE (2016)	9
Figure 2 - Similar construction works with geocomposite covering a river bank.....	12
Figure 3 - Map of the Sub-project area	13
Figure 4 - Aerial photo of the impacted private property	27
Figure 5 - Organizational chart of the PIU on Popova Bara Sub-project	39

Figure 6 - Invitation to public consultations 2018	50
Figure 7 - Public consultation 2018 attendance sheet.....	51
Figure 8 - Photos from 2018 public consultations	52
Table 1 - Gap analysis	23
Table 2 - Impacted land list	26
Table 3 - Demographic features of the affected households.....	30
Table 4 - Sub-project referent Entitlement matrix	33
Table 5 - Implementing responsibilities and arrangements.....	38
Table 6 - Tentative implementation schedule for RP Popova Bara	40

Acronyms

BoE	Beneficiary of Expropriation
CC	Constitution Court of Serbia
CFD	Central Feedback Desk
CM	Cadastre Municipality
DfW	Directorate for Water of Republic of Serbia
ESS	Environmental and Social Standards of World Bank
ESS5	ESS on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement
GoRS	Government of Republic of Serbia
GM	Grievance Mechanism
GRS	Grievance Redress Service
ISRBC	The International Sava River Basin Commission
LM	Local Municipalities
LGD	Local Grievance Desk(s)
MoAFWM	Ministry of Agriculture, Forestry and Water Management of Republic of Serbia
MoF	Ministry of Finance of Republic of Serbia
PAP	Project Affected People
PIU	Project Implementation Unit
PWMC	Public Water Management Company
RPF	Resettlement Policy Framework
RP	Resettlement Plan (this document)
RS	Republic of Serbia
RSD	Serbian currency - Dinar
SDIP	Sava and Drina river corridors integrated development project (this Project)
SEL	Stakeholder Engagement Log
SSS	Social Safeguard Specialist
WB	World Bank

Definitions glossary

Cut-off date	Date set by this RP. If a person(s) should occupy the project area after the Cut-off date, they will not be eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the Cut-off date will not be compensated. Before the census, the PIU will publish an information about the Cut-off date in local newspapers, informing all owners and users of the initiation of the expropriation process. The Cut-off date will also be publicly disclosed on notice boards in local communities and relevant municipalities and at consultation meetings, with an accompanying explanation. The public announcement will also be posted, as necessary, on frequently visited locations throughout the affected areas. This information will include posted warnings that persons settling in the project area after the cut-off date may be subject to removal.
Economic displacement	Includes all loss of income sources or means of livelihood as a result of land acquisition or restricted access to resources (land, water, or forest) as a result of Project implementation, regardless whether affected persons must move to another location or not.
Entitlement	Compensation and other forms of assistance that PAPs have the right to receive in accordance with this RPF in the respective eligibility category.
Expropriation	It refers to a dispossession or a limitation of ownership rights on property with a compensation pursuant to market value of the property and is based on the Governments eminent domain power, regulated by the Law on Expropriation.
Involuntary resettlement	Refers to Project-related impacts of resettlement where the person affected has no possibility to decline land acquisition or restrictions on land use, 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.
Land Acquisition	Refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. "Land" includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.
Livelihood	Refers to 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.
Moving allowance	The cash compensation for expenses directly associated to moving/relocation of the household or business.

Physical displacement	Loss of shelter and assets resulting from the property acquisition associated with the Project that requires PAPs to move from home, work place or business premises to another location.
Project Affected Person (PAP)	PAP is any person who, as a result of the implementation of the (sub)-project suffers impacts.
Replacement cost	Replacement cost is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons.
Restrictions on land use	Refers to 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, and restrictions on land use within utility easements or safety zones.
Stakeholders	Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a Project, or having the ability to influence the Project.
Transitional allowance	Describes one-off cash compensation as an additional financial assistance to facilitate PAP adjustment in the area to which they are relocated.
Vulnerable group/individuals	Refers to people below the poverty line, the landless, the elderly, women and children, and those who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others or who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

Executive summary

The development objective of the SDI Project is to strengthen capacity for integrated river basin management and development through improved transport connectivity, flood protection, and landscape management in selected catchment areas of the Sava and Drina river corridors. This Project will implement approximately 40 sub-projects with high relevance to the program objectives. Sub-projects will be implemented at national level and will have cumulative regional benefits.

This Sub-project "Jarak" defines technical solutions and necessary construction works for the rehabilitation of the left bank of the Sava River in the area between settlements of Jarak and Hrtkovci, from rkm 121+277 to rkm 123+350 of river Sava, in order to prevent further erosion of the left bank due to the flow of the river in the river bend, weak resilience of soil on the left bank and narrowed riverbed.

The Sub-project will require permanent and temporary acquisition of private land owned by one person. Namely, the land parcel (3617/2) in the total area of 3099 m² will be permanently acquired while land parcel (3616/2) in the total area 167 m² will be temporarily required. Both parcels are owned by the same person and currently in the possession by PWC "Vode Vojvodina" by virtue of a lease agreement signed with the owner in 2017 in order to implement the Detailed Regulation Plan which is a regular maintenance plan for protection against flood risk and is not directly related to the project.

It should be noted that rehabilitation of the left Sava river bank in the area of Hrtkovci village was a subject of a preceding Flood Emergency Recovery Project (FERP) sub-project "Gomolava", but as an "Associated Facility" in term of standards and regulations of the WB OP 4.12 (and now ESS5). It was part of the Package 5 sub-component (from rkm 121 + 112 to rkm 121 + 277, L = 165m) that was supposed to be another RS Government funded section in the total length of 165 m that was planned to have minor social impacts. Social impacts of that Package 5 Associated Facility of the Gomolava sub-project was described in ARAP which was prepared and finalized in August 2018. However, the Package 5, as an Associated Facility of the Gomolava sub-project was never executed, but is now integrated as part of this, new Sub-project Jarak of the SDIP. The scope of social impacts of that FERP sub-project Package 5 had anticipated same social impacts as it is identified in this Sub-project Jarak, but as this is a new Sub-project, and it will have only minor land acquisition impacts, the ESS5 is relevant and a new RP is being prepared as required by the ESS5.

This RP specifies following objectives and describes following issues to this Sub-project resettlement plan:

- Provide legal framework to be followed by description of national RS laws of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, applicable legal and administrative procedures, regulations relating to the institutions responsible for implementing resettlement activities and identify gaps between national RS laws and ESS5, and the mechanisms to bridge such gaps;
- Describe Sub-project specific impacts, including activities give rise to impacts, zones of impact, scope and scale, restrictions on use (i.e. temporary occupancy of land for construction purpose, heavy construction machinery passing over private property etc.) and the mechanisms established to minimize displacement, to the extent possible, during project implementation;
- Provides baseline social-economic survey of affected persons and asset information;
- Describes specific compensation rates, standards, eligibility as per ESS5 and compensation strategies adopted for involuntary resettlement impacts caused by this Sub-project;
- Describes institutional responsibility for implementation and procedures for grievance redress adopted in the GM;

- Provide detailed procedures to be followed by Directorate of Water Management (DWM) of MoAFWM (PIU), PWC “Vode Vojvodina”, Municipality of Sremska Mitrovica and Local Community Centre at Martinci in respect to consultation and disclosure of resettlement instruments and other measures and describe consultations requirements with affected people about acceptable alternatives and mitigation measures during Sub-project implementation;
- Describe Institutional framework regarding resettlement implementation, including capacity evaluation and provisions for adapting resettlement implementation in response to unanticipated changes in Sub project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes, and
- Provides a tentative implementation action timetable and budget;
- Implementation and monitoring arrangements of the Sub-project; and
- Resettlement impacts monitoring, adaptive management, evaluation and reporting procedures during different phases of the Sub-project, and Completion reporting on its finish.

The cut-off date is estimated to be in March 2020. The reason for the delay in announcing it goes to the benefit of the affected persons. The steep embankment is very prone to erosion and every year, people need to re-invest to protect their property and assets, commensurate to the water level that year. If the cut-off date would be announced this early, it would make the people in-eligible for any compensation of rightful investments done this year.

The total budget for resettlement is around 3.000.000 RSD. The current RAP contains a list of affected owners and the total land area. At this stage, detailed technical designs showing exact impact on each parcel of land and assets (fences, trees etc.) is not available. Hence it is not possible to identify the exact dollar expense per individual household. This information will be incorporated into an updated RAP once the design is detailed and detailed budgets identified.

1. Introduction

1.1 Project description

A pivotal feature of the Western Balkans region is the Sava River Basin, one of Europe's largest transboundary basins. It covers over one third of the Western Balkans in area and population, and connects five of the eight Western Balkan countries (i.e., Slovenia, Croatia, Bosnia and Herzegovina [BiH], Serbia, and Montenegro). The Drina is the Sava's largest tributary, draining a mountainous area half the size of Switzerland.



Figure 1 - The Sava and Drina rivers basin; Source: UNECE (2016)

The Sava and Drina have a proclivity for both dry spells and devastating floods—most recently occurring in 2010 and 2014. Current climate change projections for the Sava River Basin foresee a rise of flood peaks of up to 8 percent, while droughts are also anticipated to become more frequent. Floods and

droughts create risks for livelihoods and impose constraints on trade, food security, and productive investment.

The development objective of the SDIP is to strengthen capacity for integrated river basin management and development through improved transport connectivity, flood protection, and landscape management in selected catchment areas of the Sava and Drina river corridors. This Project will implement approximately 40 sub-projects with high relevance to the program objectives. Sub-projects will be implemented at national level and will have cumulative regional benefits. Sub-projects related to environmental and flood management were prioritized based on potential for climate change adaptation.

The Project consists of three components as described below:

Component 1: Integrated Development of the Sava River Corridor

Sub-component 1.1: Flood protection, environmental management and climate change adaptation. This sub-component will finance the cleaning up of an old solid waste dump site in Brčko District located along the Sava River bank as well as nature-based solutions to re-vitalize selected protected areas of ecological significance to the Western Balkans. This sub-component will also finance construction and rehabilitation of embankments at selected priority areas along the Sava River Corridor.

Sub-component 1.2: Enhancement of ports facilities, services and logistics. The project will finance the acquisition of equipment for the rehabilitation and expansion of cargo and vessel handling infrastructure and associated supporting services, like power supply and water treatment, at the Sava river ports of Sremska Mitrovica (Serbia) and Brčko (BiH). Specifically, the project will finance the construction of a container terminal at the ports of Sremska Mitrovica and Brčko. These facilities are expected to benefit from improved navigation access to be supported by this program and contribute to improvements in logistics service delivery in the Sava corridor, including the facilitation of container transportation and handling. These developments have proven effective at facilitating modal shift from trucks to barges, and through these interventions, could indirectly contribute to this outcome.

Sub-component 1.3: Multi-purpose Waterway Improvements. This sub-component will fund civil works in selected sites to address impediments to navigation along the Sava between the Port of Sremska Mitrovica (Serbia) and Slavonski Brod (Croatia) to bring these sections up to Class IV standard. This standard will guarantee a least available depth of 2.5 meters (relative to current draft levels of 2 meters or less) and a waterway fairway consistent with the navigation of vessels of 1,000-1,500 deadweight tons in capacity for 300 days per year. The works will include a combination of bank protection, dredging, river, bend correction, and provision of navigational aids. While the detailed engineering designs for these works are not yet available, sustainable engineering solutions will be proposed, based on European best practice, to minimize dredging volumes, and room for the river approaches will be pursued to increase climate resilience. These designs will be finalized during Phase 1 and implementation undertaken in phase 2. Grant financing will be mobilized to finance demining activities along the Sava Right bank within BiH. Demining is a prerequisite for preparation of design documents for subprojects in the key waterway section between Jaruge (Croatia) and Novi Grad (Federation of Bosnia and Herzegovina)—considered the most pressing navigation bottleneck across the Sava at present. Demining activities are proposed as a no-regret investment that will help unlock the river's economic potential for generations to come.

Component 2: Sustainable Management of Environmental Assets in Drina Corridor

Sub-component 2.1: Managing climate change impacts and risk mitigation in Drina river corridor. The sub-component will finance infrastructure works, studies, surveys, consultations and preparation of detailed design of interventions related to the management of environmental assets along the Drina Corridor. This project will finance improved watershed management in the Lim and Grnčar River basins of Montenegro.

Sub-component 2.2: Hydrological and optimization interventions. The on-going GEF-SCCF-financed Drina River Basin Management project as well as the ESMAP technical assistance, are conducting studies that will identify the additional actions needed for flood protection, bank stabilization, drainage and river training works, and reservoir management in the Drina Corridor. This sub-component will finance selected priority investments in line with the project development objective including any further studies that may be needed.

Component 3: Enabling regional economic integration, institutional strengthening and program management

Sub-component 3.1: Project preparation. This sub-component will finance preparation of project documentation for phase II of the program, including environmental and social safeguard assessments.

Sub-component 3.2: Studies and policy dialogue to foster regional economic integration. This sub-component will finance policy dialogue, consultations, and the preparation of plans and studies to strengthen the nexus between water services, (environmental protection, flood risk reduction and improved connectivity), job creation, economic growth and the enhancement of economic integration through trade and investments along the Sava and Drina Corridor. An advocacy and communication campaign will be prepared and implemented to promote regional integration. A study on the alluvial aquifers in the Sava Basin will improve the understanding of ground water resources and their environmental status.

Sub-component 3.3: Planning and development of tourism in the Sava-Drina Corridor. Master Plan will be financed to define the strategy to develop and strengthen eco-tourism and enhance access for tourists in the region. Branding of the pristine Drina sections will also be considered for tourism development.

Sub-component 3.4: Institutional strengthening and project management for regional activities. This sub-component will finance activities to increase institutional capacity and intersectoral coordination in the participating countries to ensure more efficient decision making and program management at regional level.

In Serbia, SDIP will support rehabilitation and stabilization of Sava River dykes, flood protection measures along the Drina River and its tributaries, modernization and capacity expansion at the port of Sremska Mitrovica, and dredging, river training, and navigability enhancing works alongside the berths of the port and in the main fairway to/from the port. The mission received and is reviewing design documentation for some subprojects such as, Šabac; Progar-Kupinovo; Klenak, Popova Bara; and this Sub-project: Jarak. Also, the designs for reconstruction and upgrading of dykes at Kolubara and New Belgrade are underway and will be completed by March 2020, including the safeguard assessments and tender documentation. The procurement process for the preparation of preliminary engineering design, feasibility study, environmental impact assessment, and other preparation documentation for the navigation and port-related subprojects is ongoing and the consultants are being mobilized. So far two Sub-Projects have been identified as mature, the Flood Protection Works On the left River Bank of Sava in Popova Bara and Jarak (this Sub-project).

1.2 Sub-project description

This Sub-project "Jarak" defines technical solutions and necessary construction works for the rehabilitation of the left bank of the Sava River in the area between settlements of Jarak and Hrtkovci, from rkm 121+277 to rkm 123+350 of river Sava, in order to prevent further erosion of the left bank due to the flow of the river in the river bend, weak resilience of soil on the left bank and narrowed riverbed.

The rehabilitation of the shoreline is planned by facilitating a construction of a river bank on the slopes of the coast, above which a geo-cover is placed as a protection of the upper slope, while a geocomposite material 5 meters long is placed below the bank. At the very bottom of the shoreline, a foot is built, which plays a role in ensuring the slope is stable. From the middle of the river to the shore two layers of gravel will be overlaid. The value of the works is without value added tax is assessed at 976.018.773,50 RSD (8.306.542 EUR¹) or 1.171.222.528,20 with value added tax.



Figure 2 - Similar construction works with geocomposite covering a river bank

The scope of the Sub-project targets the left bank of Sava River, between settlements of Jarak and Hrtkovci, total length of 2073 meters. The entire area, for easier visual identification, is shown on the map below.

¹ Middle exchange rate on October 14, 2019: 1 EUR = 117,5 RSD



Figure 3 - Map of the Sub-project area

1.3 Sub-project area description and why land must be acquired, local context and key demographics

The current state of the coast requires urgent rehabilitation work on the protection of the left bank in order to stop the eroding and collapsing of the coast, and flood protection. During the 2014 floods, Sava River stream caused severe floods, also affecting left bank of Sava river, due to river bend, southern areas of the village Jarak, northern areas of village Hrtkovci and the state owned land in between. This Sub-project determines technical solutions and necessary works on the rehabilitation of the river coast between Jarak and Hrtkovci, on the left bank of the Sava River from rkm 121+277 to rkm 123+350 in order to

prevent further collapsing of the left bank due to river flow in the curve and poor resistance of the left bank, to rehabilitate existing damage and permanently stop the erosion process of the river shore. Targeted flood protection aims to reduce risk of potential losses to private and public property; including public infrastructure, agricultural and livestock production, as well as family household assets by construction of flood protection infrastructure.

The following are some of the expected benefits from the proposed reconstruction of the left bank of the river Sava and flood control in the context of implementation of the Sub-project:

- to stop further erosion of the soil at the left river bank in the Sub-project designated area;
- upgrading of embankment from the 1:25 year flood to the 1:100 year flood;
- to avoid damages of agriculture production on land likely to suffer frequent floods;
- to avoid damages of assets (private houses; apartment houses; industrial facilities; roads, electricity, schools, kindergartens, health facilities and other public buildings);
- to avoid losses of business due to uninterrupted production, provision of services, interrupted communications, traffic disruption, etc;
- to avoid human health costs due to reduction of pollution in the water supply systems, reduced water borne diseases, and reduced risks of human life losses;
- to increase recreation benefits including potential for tourism development;
- to induce indirect economic development effects.

The Sub-project will require permanent and temporary acquisition of private land owned by one person. Namely, the land parcel (3617/2) in the total area of 3099 m² will be permanently acquired while land parcel (3616/2) in the total area 167 m² will be temporarily required. Both parcels are owned by the same person and currently in the possession by PWC "Vode Vojvodina" by virtue of a lease agreement signed with the owner in 2017 in order to implement the Detailed Regulation Plan which is a regular maintenance plan for protection against flood risk and is not directly related to the project. No loss of assets has occurred in relation to this temporary occupation of land. A more extensive overview of the properties is presented in the Chapter 3 Potential Sub-project impacts of this RP.

Hrtkovci is a small village located in the Sremski district of the autonomous province of Vojvodina. As of the 2011² Census, the village of Hrtkovci is defined as rural or "other" settlement and has 3,036 inhabitants, whereas both genders represent exactly 50% of all population or 1,518 inhabitants. The average age is 40,2 years (38,5 in men and 42,0 in women), which is lower than the national and municipality average. There are 1,171 registered households in Hrtkovci with an average number of 2,39 members per household. The population disaggregated by ethnicity identify the majority to be Serbs (69,89%), followed by Hungarians, Croats, Romas, Ruthenians, Slovaks, Montenegrins, Germans and others and a number of 2,3% of undisclosed. Two main indicators of educational structure of the population, educational attainment and literacy, present the level of population education, also involving the achieved level of socio-economic development in general and was superficially explored to determine the adequate communication tool and method in the course of engagement of the PAPs in general. In the population aged 15 and over by computer literacy, LM Ruma in its rural communities has close to 20% computer literate persons ratio, 14% can be considered partially computer literate, while 66% are computer illiterate persons and that needs to be considered when choosing method of disclosure important Project documents, public announcements regarding Project, construction information etc. There is slightly more computer literate amongst male population, but the difference is not statistically significant. In terms of education nearly 4,5% of all population Ruma rural population, including Hrtkovci, doesn't have any kind of education (1,7% male and 7,2% female), 18.45% started but didn't finish elementary education (usually only four instead of eight years education - 14.28% male and female 22.66%) and 27.40% finished only primary school (27.83%

² Source: for all demographic information the source was the last published population census from year 2011, Serbian Statistical Institute: <https://www.stat.gov.rs/>

male and 26.95% female). High school education is represented in 43.86% of population (mostly vocational schools, 50.51% males and 37.13% females) and only around 5% of population has some sort of high or higher education. The unemployment rate is at reasonable 9% of all population, but more than 50% of all population is considered economically inactive (retired, children, house-persons, people not looking for a job etc.)

Considering these demographic data, exploring the impacted universe of PAPs, during Socio-economic survey, attention was particularly paid to vulnerable individuals of following virtues:

- persons living below poverty line,
- elderly agricultural households,
- illiterate persons,
- Roma ethnic minority persons.

1.4 Scope and work for RP preparation

In accordance with ESS5, the scope of requirements and level of detail of the RP vary with the magnitude and complexity of resettlement impacts. In the prior Social analysis of the Sub-project, conducted in accordance with the SDI Project RPF, up-to-date and reliable information were gathered about the proposed Sub-project and its potential impacts on the displaced persons, appropriate and feasible mitigation measures were envisaged to tackle potential impacts and legal and institutional arrangements required for effective implementation of resettlement measures are set and all described and presented in this RP.

It should be noted that rehabilitation of the left Sava river bank in the area of Hrtkovci village (in Figure 3 shown as "Area of impact") was a subject of a preceding Flood Emergency Recovery Project (FERP) sub-project "Gomolava", but as an "Associated Facility" in term of standards and regulations of the WB OP 4.12 (and now ESS5). It was part of the Package 5 sub-component (from rkm 121 + 112 to rkm 121 + 277, L = 165m) that was supposed to be another RS Government funded section in the total length of 165 m that was planned to have minor social impacts. Social impacts of that Package 5 Associated Facility of the Gomolava sub-project was described in ARAP which was prepared and finalized in August 2018. However, the Package 5, as an Associated Facility of the Gomolava sub-project was never executed, but is now integrated as part of this, new Sub-project Jarak of the SDIP. The scope of social impacts of that FERP sub-project Package 5 had anticipated same social impacts as it is identified in this Sub-project Jarak, but as this is a new Sub-project, and it will have minor resettlement impacts, the ESS5 is relevant and a new RP is being prepared as required by the ESS5. The findings, screenings, consultations, surveys etc. prepared for the ARAP Gomolava is respectively included in this RP.

Impacts are only to two agricultural land parcels, not used for agriculture processing. As already explained in the previous Chapter of this RP, Sub-project will be vastly beneficial to the community. The Sub-project implementation will not cause physical displacement relocation and will cause minor land acquisition. The detailed description of impacts are given in the appropriate Chapter.

The scope of work during the RP preparation includes:

- Screening of project area,
- Survey of projected affected area, land and property there on;
- Walk through the project area i.e. field verification;
- Census of the PAPs including persons and their land, assets and property thereon;
- Socioeconomic assessment of the PAPs;
- Identification of land, assets and properties likely to be affected;

- Comparison of rules on valuation and eligibility of the land and assets and property thereon to be acquired;
- Public consultations and disclosure of the RP with affected Project Affected Persons (PAPs), community and stakeholders (to be held)
- Analysis of the relevant legal framework;
- Analysis of institutional framework covering the identification of agencies responsible for process of resettlement, delivery of compensation, other resettlement assistance and mitigation measures, monitoring etc.
- Establishment of adequate GM (to be established).

1.5 Principles and objectives of the RP

Principles guiding involuntary resettlement are defined by the ESS5 are adopted and embedded in this RP. However, not applicable principles guiding involuntary resettlement in this Sub-project are omitted:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives. Although taken into account in this RP, minimization of impacts is impossible due to Sub-project characteristics and objectives;
- To avoid forced eviction³;
- 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 conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the Sub-project, as the nature of the Sub-project may warrant. This principle is fully applied as impacted households are, in general, one most benefiting from the Sub-project, besides the general affected community of Martinci;
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

This RP and its detailed provision, is prepared according to ESS5 and SDIP RPF, in view of national laws and regulations of Republic of Serbia. In general, this RP aims to assess the impacts, describe compensation and other resettlement assistance measures, if possible set out actions on how to avoid and mitigate negative impacts due to loss of private land or assets, provide prompt and effective compensation for residual impacts to affected people, if any and include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes.

The RPF has outlined the key land acquisition and resettlement principles and objectives to be followed, the organizational arrangements and design criteria to be applied in order to ensure an adequate management of land acquisition and restriction of land use required for the Project. This RP specifies following objectives to this Sub-project resettlement plan:

- Provide legal framework to be followed by description of national RS laws of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, applicable legal and administrative procedures, regulations relating to the institutions

³ Forced eviction, as defined in the ESS5, is against the national RS laws as well.

responsible for implementing resettlement activities and identify gaps between national RS laws and ESS5, and the mechanisms to bridge such gaps;

- Describe Sub-project specific impacts, including activities give rise to impacts, zones of impact, scope and scale, restrictions on use (i.e. temporary occupancy of land for construction purpose, heavy construction machinery passing over private property etc.) and the mechanisms established to minimize displacement, to the extent possible, during project implementation;
- Provides baseline social-economic survey of affected persons and asset information;
- Describes specific compensation rates, standards, eligibility as per ESS5 and compensation strategies adopted for involuntary resettlement impacts caused by this Sub-project;
- Describes institutional responsibility for implementation and procedures for grievance redress adopted in the GM;
- Provide detailed procedures to be followed by Directorate of Water Management (DWM) of MoAFWM (PIU), PWC “Vode Vojvodina”, Municipality of Ruma and Local Community Centre at Hrtkovci in respect to consultation and disclosure of resettlement instruments and other measures and describe consultations requirements with affected people about acceptable alternatives and mitigation measures during Sub-project implementation;
- Describe Institutional framework regarding resettlement implementation, including capacity evaluation and provisions for adapting resettlement implementation in response to unanticipated changes in Sub project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes, and
- Provides a tentative implementation action timetable and budget;
- Implementation and monitoring arrangements of the Sub-project; and
- Resettlement impacts monitoring, evaluation and reporting procedures during different phases of the Sub-project, and Completion reporting on its finish.

1.6 Study methodology and limitations

The preparation of this RP was through a combination of desk review of secondary data and field study. The desk study involved review of project documents including available maps for the Sub-project sites, cadastral records, Municipal database on PAPs and their assets and preliminary technical designs. The desk study was supplemented with a survey of the project sites to establish the exact impact of the proposed subprojects in terms of affected property. The field survey consisted of a asset census and socio-economic survey of identified PAP; social assessment of the Sub-project sites along the corridor of impact along the Sava river left bank at village of Hrtkovci and Jarak. The Census was prepared on the basis of data available through the Cadastral Register and the database of the Municipality of Ruma and individual interview. Secondary data were used in addition to generated primary data obtained through the PAP and interviews with government officials and non-government officials about PAP and their assets. During analysis and interpretation of the gathered data equal weight was given to quantitative and qualitative aspects so that it reflects a balanced reality of the current situation of the PAP. The data generated shall serve as baseline conditions against which the living standards shall be compared to during the follow up survey in the Completion Report.

However, it should be noted that the Sub-project is in its concept design phase and that the main construction design has not been prepared. However, it should be noted that the Sub-project is in its concept design phase and that the main construction design and Elaborate of expropriation is yet to be prepared. Therefore, this RP is based on the available data according to the concept designs and will be revised when more detailed data becomes available. Therefore, some information may be lacking from this

first draft and it will be amended in the later stages, until the time of the Public consultations on this RP and final RP version disclosure.

2. Legal framework

2.1 The national RS policy on involuntary resettlement

The national RS policy is embodied in the only law that regulates this subject - The Law on Expropriation⁴ (passed in 1995 and enacted on January 1, 1996, amended in March 2001, March 2009, 2013 by the CC ruling, and in 2016 – with the authentic interpretation) enables government institutions to acquire property for projects that are deemed to be of public interest, while protecting the interests of all persons with legal title, whose assets are to be expropriated. The Law on expropriation does not use the term "involuntary resettlement", but instead uses the term "expropriation" and is based on the Governments eminent domain power. The law also enshrines the principle of compensation at "market price" of the property instead of the "replacement cost" used in ESS5.

2.1.1 Key features of the Law on Expropriation in regard to the Sub-project

The most important features of the Law on Expropriation affecting the Sub-project are:

- Immovable assets (defined as land, buildings and other structures including perennial plants, crops, logging forest etc) can be expropriated only once the public interest is declared (not been declared yet in this Sub-project).
- As the potential Beneficiary of Expropriation (BoE) the law recognizes the Republic of Serbia, autonomous province Vojvodina, cities, the city of Belgrade, municipalities, public funds, public companies, companies that are established by public companies, as well as for companies with majority state capital founded by the above-mentioned state institutions. Which state institution will have a role of BoE is a *pro forma* issue in this Sub-project and in this case BoE will be PWMC Vode Vojvodine.
- Expropriation can be either complete or incomplete. Complete expropriation allows the BoE to obtain ownership over the expropriated property, while the ownership by the owner and other rights cease to exist. Incomplete expropriation provides the BoE with specific easement rights on the land and structures, as well as the lease of the land for a definite period of time (not longer than three years in both cases). At the end of the easement or lease period full ownership rights over property are returned to the owner, and must be restored to condition prior to expropriation. Cases of complete expropriation will be land acquisition of certain fraction of privately owned land plots, as shown in the appropriate Chapter of this RP. Incomplete expropriation will be if the right of passage or lease is established on private land for construction purposes.
- Owners of immovable property partially expropriated are entitled to request expropriation of the remaining property and receive corresponding compensation, in case when the expropriation has deteriorated their economic situation, or the remaining part of the property has become unviable.
- As a general rule, compensation is cash based, unless the Law stipulates otherwise. When agricultural land is subject to expropriation for construction of linear infrastructure facilities (roads, highways, pipelines, etc.), suitable agricultural land of the same type and quality, or the

⁴ https://www.paragraf.rs/propisi/zakon_o_eksproprijaciji.html, last accessed October 15, 2019

corresponding value in the area or its surroundings shall be offered as a primary type of compensation. If such land is not available, the compensation shall then be offered cash based. Here, the intention of the Law is to avoid large scale (Highway construction) impacts on agricultural production and processors.

- Taking possession of the expropriated property is not allowed prior to the day the decision on compensation becomes legally valid, or before the date of conclusion of an agreement on compensation for expropriated property, unless the Law stipulates otherwise. There are exceptional cases allowing the BoE to take possession of the expropriated property immediately upon the final decision on expropriation (in cases of urgent works preventing natural disasters or to prevent large damages or loss), provided that the BoE has defined the basis for compensation under the provisions of the Law.
- Persons affected by expropriation have right to appeal during the complete process. Appeals can be issued against all decision of administrative authority to the higher, second instance authority and to the Judicial system, to the competent municipal court. This process is guided by the Law on Extra-Judicial proceedings.

2.1.2 Expropriation process

It is intended to ensure simple, efficient process, reducing as far as possible the need for a lengthy judicial process to facilitate necessary expropriation. Under normal circumstances, the entire process of acquisition can be completed within six months.

The process of expropriation begins after establishment of public interest for projects that bring greater benefit for the public. The Law on Expropriation requires the BoE to justify the need for expropriation and to demonstrate that the scheme cannot occur without the proposed expropriation. This is a provision of the Law that requires of the BoE and the project to search for alternative design and solutions in order to avoid or minimize unavoidable expropriation impacts. A condition precedent to start expropriation is evidence that the required funds have been secured and made available. It is necessary for the BoE to provide a bank guarantee for the assessed fair value of the property to be expropriated or to make adequate appropriations within the budget (in case of state BoE).

The process starts by submission of expropriation request to the relevant administrative authority (Municipality administration where the property is located) by the BoE. The request, amongst other data, must contain exact specification of owners and properties for which expropriation is proposed, and evidence on adequate funds available for compensation either through secured funds within the budget, or a bank guarantee, securing the payment of compensation, in accordance with the regulations governing public finances. In the case of this Sub-project, the expropriation process will formally begin when Vode Vojvodine submit expropriation request to the LM Sremska Mitrovica - department for property affairs.

Once the proposal has been submitted with supporting documentation individual invitations to hearings on expropriation are sent to every owner. The invitation specifies the purpose, time and date of hearing proposed and provides the PAPs with a list of documents to be made available for presentation and discussion at the agreed time. If all conditions are met, after the hearing with the individual owner of immovable property has been held, an Expropriation decision is issued. Decisions are issued individually for every property expropriated, *vis-a-vis* owners (or co-owners) of the property.

2.1.3. Valuation stage of the expropriation process

At the valuation stage, the BoE contacts the Tax Administration office (local municipality office but under MoF authority) to assess the value for land (all types of land, agricultural, urban, barren etc.) at market price. If impacts to agricultural land occur for construction of linear infrastructure, the BoE contacts

the MoAFWM, which provides an assessment of the availability of comparable agricultural land. In addition, the BoE engages, at its own expense, an accredited expert(s) to assess the value of other property: structures, addition to land, agricultural output, businesses etc. that can be subject to expropriation and/or can influence the value of compensation offer. At the request of the PAP, they can be present during the valuation process.

The BoE shall submit written compensation offers within 15 days of the legal validity of expropriation decision based on evaluation of assets made by proper authority. The municipal authority will without delay supply the owner with a copy of the offer and will collect information that may be of importance for the compensation from administrative and other institutions and organizations. The compensation agreement cannot be in contradiction to the Law on Expropriation provisions.

The Beneficiary of expropriation is not required to prepare a socio-economic study or a baseline census with regard to the PAPs.

In the case of privately owned agricultural land, if comparable land of the same type and quality, or the appropriate value, in the same area or vicinity (Article 15 of the Expropriation Law) can be identified, it is offered to the project affected person with formal title. The comparability of land is determined on the basis of an assessment of the available public land, by an accredited expert hired either by the Beneficiary of Expropriation, or the Ministry of Agriculture, Forestry and Water Management (MoAFWM). In case of disagreement on the comparability of the land offered, a different accredited expert would be hired by the local municipality to determine the comparability of the land offered. Further disagreement would result in the project affected person resorting to the judicial process, where a decision would be made on the comparability of the land, or the payment of the assessed fair value in monetary terms. Where comparable land cannot be identified, the project-affected person with legal title is offered the assessed fair value as determined by the Tax Administration. If the project affected person wishes to challenge the assessment of “fair value” they can resort to the judicial process.

Once the expropriation decision cannot be disputed by legal remedies (legal validity) it becomes legally binding and the negotiations on the compensation is ready to commence. The Agreement between BoE and the property owner has to include the timing and rate at which cash compensation will be paid or in-kind compensation provided. If no agreement on compensation is reached within 2 months of the validity of the Decision on Expropriation (or less if the Municipal Administration decides as such), the Municipal Administration submits the case file together with relevant documents to the competent Court, at the territory of which the expropriated real property is located, for the purpose of determining the compensation. The competent court *ex officio* decides in non-contentious proceedings on the amount of compensation for the expropriated property. This process is, as mentioned, guided by the Law on Extra-Judicial proceedings.

2.1.4 Eligibility by Law

Owners of any land or structure with a formal title are entitled to compensation. If the owner has no building permit for the constructed permanent structure on own land (that can be legalized), compensation will be paid under the Law on Fundamentals of Property Relations (1980, applicable from 1st September 1980, amended 1990, 1996 and 2005) at the investment cost– as determined by an accredited expert to assess the value of the materials needed for replacement. For the PAPs, without formal title, there are no provisions to pay compensation currently under the Law on Expropriation. Other immovable property (agricultural goods, investment on land made, business etc.) are investment based eligible for compensation (i.e. formal owner of the agricultural land is presumed to be owner of the crops or plants on land). In other cases, informal owners would have to prove their ownership. These and other situations of eligibility have been explored in the RPFs Entitlement matrix, in accordance with the ESS5, which will be adopted by this Sub-project.

2.1.5 Information and dissemination requirements

The Law on expropriation does not require *per se* either public dissemination nor consultation of information on the area delineated, nor systematic and continuous dissemination of information regarding the project. Nevertheless, it requires public disclosure of the determination of Public interest and the Municipal authority to invite individually every affected person with formal legal rights to a meeting to present any facts which may be relevant for expropriation. It additionally requires timely disclosure and information of every decision within the process flowchart. This dissemination has statutory limits wherever a legal remedy is provided.

2.1.6 Other applicable laws and regulation influencing involuntary resettlement

Besides the Law on Expropriation, the following comprise the list of legal documents, policies and regulatory acts and frameworks dealing with expropriation and resettlement and other social impacts associated or influencing some aspects of involuntary resettlement or the Sub-project:

- Law on Fundamentals of Property Relations (adopted in 1980, amended 1990, 1996 and 2005) - issues like informal ownership, possession, joint spouses ownership, ways of acquiring ownership etc.
- Law of Planning and Construction (adopted and revised in 2009, and amended in 2011, 2013 and 2014) - rules of planning, public consultation on planning, rules of construction etc.
- Law on State Survey and Cadastre (adopted in 2009, amended in 2010, 2013, 2015, 2017 and 2018) - ownership information, property records, plot survey etc.
- Law on waters (adopted in 2010 amended in 2012 and 2016) - ownership on surface and underground, land under water and watersides, protection for floods, water management etc.
- The Law on Extra-Judicial Proceedings (adopted 1982 amended in 1988, 1995, 2005, 2012, 2013, 2014 and 2015 - rules by which courts decide on expropriation and compensation, family and property-related matters etc.
- The Law on Administrative procedures (adopted in 2016) - rules and procedures to be applied by government authorities when deciding on rights, obligations or legal interests of individuals, legal persons or other parties, including in the process of expropriation.
- Building legalization law (adopted in 2015 and amended in 2018) - conditions, procedure and manner for legalizing buildings, parts of buildings, auxiliary buildings and other buildings constructed without a building or construction permit etc.

2.2 WB standards on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5)

All WB financed projects involving Land Acquisition, Restrictions on Land Use and Involuntary Resettlement involuntary resettlement are subject to ESS5. The applicability of ESS5 is established during the environmental and social assessment described in ESS1.

The policy describes the procedures and instruments for mitigating negative economic and social issues that may arise. ESS5 is relevant in all cases when land acquisition or restrictions on land use that 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 overall objectives of ESS5 are the following:

- 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.

2.3 Gap analysis

The objectives of ESS5 are clear in their aim to avoid involuntary resettlement caused by land acquisition measures wherever feasible, and if this is 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 Serbia 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 includes decrease of value for structures by depreciation and it does not recognize informal users, occupiers and settlements. It also does not require a project specific grievance mechanism, a social impact assessment, gender disaggregated data, has a limited public consultation process and no assistance to vulnerable persons or groups are provided.

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 ESS5 requirements. However, only gaps relevant for impacts or situation that influence involuntary resettlement impacts under this Sub-project are presented:

Table 1 - Gap analysis

Subject	National legislation	WB ESS5 and good international resettlement standards	Gaps and measures for bridging the gaps
Resettlement instruments, census and social impact assessment	The only documents prepared are part of construction plans, the Expropriation study as an inventory of land impacted and formal owners without tackling socio-economic issues.	Resettlement Plan is prepared proportionate to the risks and impacts associated with the Sub-project. Where the likely nature or magnitude of the land acquisition or restrictions on land use is unknown, RPF is prepared. Census and socioeconomic survey must be conducted to identify PAPs, their demographic and socioeconomic characteristics, inventory of assets affected, magnitude of losses and extent of displacement, information on vulnerable groups or persons and additional studies the Bank may deem relevant.	RPF, this RP and other site-specific RPs, if necessary, will be developed per ESS5, in addition to national legal requirements. Census will be conducted to identify persons who will be affected by the project and assess their characteristics, including standard of living, level of vulnerability, establishing baseline conditions for monitoring and evaluation purposes, and to set a cut-off date.
Public consultations on resettlement instruments	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.	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 and throughout all phases of the Project.	National legislation does not require public consultation with affected persons and communities at the extent and reach of those envisaged by ESS. The PIU shall disclose RPF and RPs (if applicable) to PAPs and stakeholders and conduct consultation meetings as described in this RPF throughout all phases of the Project.
Cut-off date for eligibility and census	The RS Expropriation Law stipulates that after the date of submission of the proposal for expropriation by the expropriation beneficiary to the relevant municipality, all investments made by owners after receiving information about the Expropriation proposal will not be compensated, except the necessary expenses.	Normally, the cut-off date is when census begins but could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.	The cut-off will be publicly announced and published by the BoE in local newspapers, informing all owners and users of the initiation of the expropriation process, the cut-off date and the contact persons who may be contacted by PAPs for further information. This information will include posted warnings that persons settling in the project area after the cut-off date may be subject to removal.

Subject	National legislation	WB ESS5 and good international resettlement standards	Gaps and measures for bridging the gaps
Valuation methodology for compensation for property	<p>Compensation for loss of properties and assets should be at least equal to the market price.</p> <p>Depreciation are deducted from compensation (or included by decreasing the market price value appraisal). The Expropriation Law does not specifically mention compensation for the costs of any registration fees and transfer taxes.</p>	<p>Compensation should be equal to full replacement cost without depreciation.</p>	<p>Compensation and assistance to PAPs will be at least equal to replacement value as provided in the entitlement matrix of the RPF. In determining the replacement cost of the affected asset, the cost of market value plus taxes and fees, if any, will be considered. In case of valuing the cost of affected structures, the depreciation cost of structures will not be considered and the estimation of costs will be assessed on how much it will cost for building a new one of the same qualities. The valuation of affected structures will also consider value of time invested in construction and applicable taxes, if any.</p>
Taking possession of land and related assets	<p>The expropriated land and related assets can be taken into possession when the agreement on compensation is signed or the decision on compensation, when determined by the judicial authorities becomes legally binding. However, if BoE can prove urgency needs or damages if possession is not allowed, administrative authority in charge of expropriation can allow taking possession prior to compensation payment, which in practice happens often.</p>	<p>Taking possession of assets only after full payment of compensation is a rule. In certain cases there may be significant difficulties related to the payment of compensation to particular affected persons, for example, where repeated efforts to contact absentee owners have failed, where project-affected persons have rejected compensation that has been offered to them in accordance with the approved plan, or where competing claims to the ownership of lands or assets are subject to lengthy legal proceedings, Borrower may be allowed to take possession of the property but only with prior consent of the WB and after showing adequate funds has been placed in the escrow account.</p>	<p>Taking of land and related assets after payment of compensation shall apply as a rule. If the offer is rejected, the land and related assets can be taken once the funds equal to the offered amount plus 10% have been secured and earmarked in a designated account, and with prior approval of WB, and the MoF has endorsed such taking by rendering case to case based decisions in compliance with the Law.</p>

Subject	National legislation	WB ESS5 and good international resettlement standards	Gaps and measures for bridging the gaps
Grievance Mechanism (GM)	There is no requirement to have project specific grievance mechanism, apart from the institutional one.	The Borrower will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion.	The PIU shall establish a Project Grievance Mechanism as described in the RPF scaled to the risks and adverse impacts of the Sub-project. The Municipality of Ruma will establish an independent LGD as described in the Project SEP. The members will be the PIU representative, municipality representative (delegated by the municipality), project affected persons representative delegated by the Project Affected Persons community during public consultations.
Monitoring Evaluation	& No specific monitoring procedures are required by RS laws to be implemented by the BoE.	The Borrower will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of this ESS. The extent of monitoring activities will be proportionate to the project's risks and impacts. For all projects with significant involuntary resettlement impacts, the Borrower will retain competent resettlement professionals to monitor the implementation of resettlement plans, design corrective actions as necessary, provide advice on compliance with this ESS and produce periodic monitoring reports.	The PIU will be responsible for monitoring in line with the requirements set out in the ESS, the RPF and this RP. All monitoring and evaluation measures must be demonstrated and documented to the satisfaction of the WB, and will be recorded in the internal periodical (monthly or quarterly) project progress report. Affected persons will be consulted during the monitoring process as described in the Chapter of this RPF about the SEL.

3. Potential Sub-project impacts

3.1 Minimization of impacts

An alternative route for the Sub-project could not have been explored and the impact area itself could not have been avoided due to the nature of the Sub-project, since the alignment is set as it follows the position and the eroded and exposed coast of the river. It has been determined that Sub-project design induces minimum negative impact to PAPs and the community, as planned works will evoke only cases of partial plot and minor land acquisition, benefiting the whole community of Martinci, but foremost the impacted owners closest to the river and most susceptible to flooding risks. So, no further mitigation measures are necessary. Nevertheless, PIU will have open communication with stakeholders and monitor the situation in the community during Sub-project implementation in order to promptly discern any undetermined impact and apply mitigation measures in accordance with RPF and this RP.

3.2 Overview of Sub-project impacts

3.2.1 Affected land to be acquired by the Sub-project

Implementation the Jarak Sub-project on the Hrtkovci part of the river Sava will require permanent land acquisition of one privately owned land parcel 3617/2, in the total area of 3.099 m². This land has been leased together with the parcel 3616/2 (this land was temporarily occupied during construction in 2017 to carry out works under the regular maintenance plan for protection against floods risks). However only one parcel i.e. 3617/2 will be permanently needed for the Sub-project construction works while the other one will be returned to the owner after completion of works. The land will be reinstated as needed. The ownership is registered as sole ownership but a usufruct right over $\frac{3}{4}$ of the land is registered in the name of the owner's mother. Both of them are members of the same household. Such titles are usual in the civil law of Serbia and in practice and are often a result of transfer of legal title to assets *inter vivos* i.e. transfer of title between living relatives. Besides this privately-owned parcel, other parcels of public lands, located on the left Sava river bank, will be permanently needed as well for execution of the Sub-project as shown in Table 2. below.

Table 2 - Impacted land list

N°	Cadastral municipality	Plot number	Total area m ²	Owner
1	Hrtkovci	3617/2	3.099	Private property
2	Hrtkovci	4387	900	RS ownership - use PWMC Vode Vojvodine
3	Hrtkovci	4507/1	598.150	RS ownership - use PWMC Vode Vojvodine
4	Hrtkovci	4508	1.255.592	RS ownership - use PWMC Vode Vojvodine
5	Jarak	1371/16	4.258	RS ownership - use PWMC Vode Vojvodine
6	Jarak	1549/1	70.324	RS ownership

N°	Cadastral municipality	Plot number	Total area m ²	Owner
7	Jarak	2593	13.297	RS ownership - use PWMC Vode Vojvodine
8	Jarak	2641	6.970	RS ownership - use PWMC Vode Vojvodine
9	Jarak	2642	4.309	RS ownership - use PWMC Vode Vojvodine
10	Jarak	2643	7.646	RS ownership - use PWMC Vode Vojvodine
11	Jarak	2653/2	32.242	RS ownership - use PUC "Vojvodina forests"
12	Jarak	2665	1.293,102	RS ownership - use PWMC Vode Vojvodine

The analysis of the census inventory and walk through the project area (during preparation of the previous ARAP, as mentioned) has shown that there are no agricultural or other structures erected on private property, that the privately owned agricultural land is not being cultivated and that there are no crops, perennial plants, trees etc. Also, there are no formal or informal users of the publicly owned land, no privately (or publicly) owned structures (regardless of type of ownership - formal or informal), no agricultural production taking place, no crops or plants planted, and no public amenities located on the publicly owned land that will be affected by the Sub-project on the territory of the LM of Ruma.

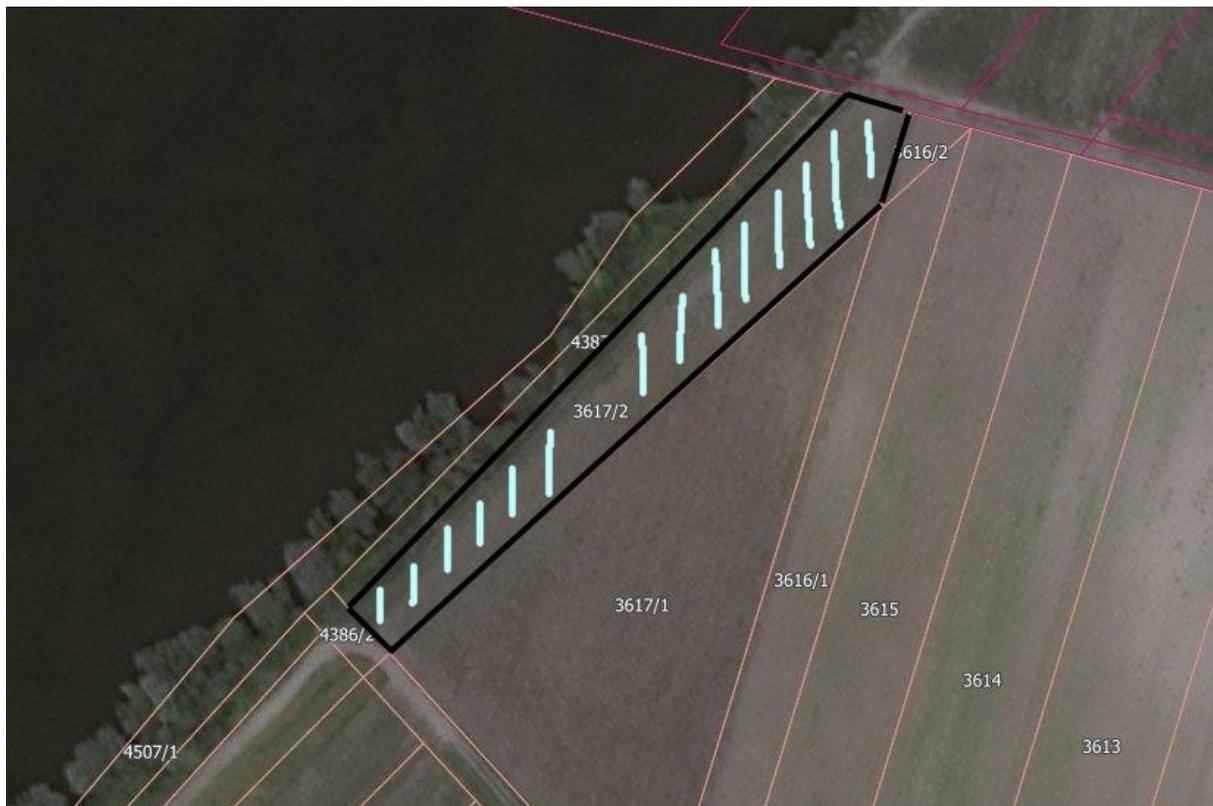


Figure 4 - Aerial photo of the impacted private property

As briefly explained before, two privately owned parcel (cadastre parcel number 3617/2 and 3616/2 - small triangle parcel above) have been leased to Public Water Management Company “Vode Vojvodina” on July 14, 2017, for a yearly rent of 84, 32 EUR, in order to implement works under Detailed Regulation Plan which is a regular maintenance plan for protection against flood risk and is not directly related to the Sub-project (nor to the above mentioned FERP Gomolava Sub-project). One land plot, 3617/2, will be acquired while another, 3616/2, will only be temporarily occupied during construction and returned to the owner after the Sub-project has been implemented. The rent is being dully paid. The lease agreement is provided in this RP in Annex 4.

The area of land to be permanently impacted is a small portion of the land that is owned by this owner and represents approximately 30% of land to be acquired in the total land holding. The affected land owner draws livelihood from employment generated income from non-agricultural activities he carries out and the agricultural production related to the other land owned by the same owner is considered as subsistence. Agriculture is used for production for own consumption, but the affected plot has not been used for agriculture for a while because of constant flooding. Figure 4 depicts the land parcel affected by permanent land acquisition (light purple on the left-hand side) vs. the remaining land holding of the same owner at this location (parcels 3617/1 and 3616/1)

The lease agreement was a result of informed negotiations based on a willing lessor - willing lessee basis. The rent achieved can be assessed as the average market price of lease for 1 m² of arable agricultural land of 3rd class.

It should be noted that confidential information about individual persons and properties will not be publicly disclosed and all persons will be assigned with an ID number for purposes of identification in the publicly disclosed document. The names are given now only to DfWM and WB discretion.

The land to be acquired by the Sub-project will be compensated to their owner at replacement cost, as per Entitlement matrix provided by the RPF and this RP. The owner will be presented with a choice between alternative land or cash compensation at replacement cost, in accordance with ESS5.

3.2.2 Impacts caused by temporary occupancy of land

Concept design show that apart of land acquisition, the same parcel owner will have to suffer additional impacts by temporary occupancy of land for construction purposes, as mentioned above. However, the land is already leased to the BoE on the basis described and will be kept until construction works are done.

In case of potential impacts on additional When temporary land access for construction related purposes is required, PIU will ensure (through adequate provisions in the Contract for Construction works) the following activities are in place:

- ensure the Contractor enters into lease agreements with the owners for the duration of construction;
- the land will be reinstated at the end of construction to its previous state, at a minimum pre-construction conditions.

The carry out an exit inspection with the landowner to ensure that the land has been left in a suitable state whereby all previous activities may be resumed on the land. If the inspection deems that reinstatement is satisfactory, then a Land exit agreement will be signed by the Contractor representatives and the landowner. This agreement will confirm that the landowner is satisfied with the quality of reinstatement. Any claim arising from potentially unsatisfactory reinstatement, should be managed through the contractual provisions and, if the case may be, through the grievance mechanism. PIU will monitor such process. All damages made during construction on other assets will be compensated at full

replacement cost by the Contractor, which will be part of the obligation of the provisions in the Contract for Construction works and of Lease agreements and Exit agreements.

3.3 Census/inventory of affected assets

The Census/Inventory of PAP, household and asset is being developed in order to gather and analyse data and information required to identify all categories of impacts, the PAP directly affected by loss of assets caused by the implementation of the Sub-project.

The Census will contain data on the following:

- (i) Location and Cadastral Municipality,
- (ii) Land plot number,
- (iii) Type of impact,
- (iv) Name of PAP (owner or user),
- (vii) Type of asset on land affected,
- (viii) Compensation assessed,
- (ix) Other information relevant for individual case.

To comply with the extent of protection of personal data provided by the Protection of privacy and individual data Act of the Republic of Serbia⁵ the detailed excel file is kept as a separate file and at the PIU data base, available upon request with justified interest.

4. Socio-economic survey

4.1 Introduction, information about the community and its perception of the Sub-project

The Socio-economic survey was conducted with the support of the Municipality of Ruma during April 2018 for the previous FERP sub-project Gomolava, as mentioned. The Socio-economic survey was conducted by direct visit to the owner, facilitating the full inventory of persons and assets to be captured as well as the baseline conditions to the most reasonable expected extent. The aim was to solicit the opinions of the PAP about the Project itself and its impacts, as well as to obtain specific data on current livelihoods and living conditions of PAP as well as to glance at the community perspective on flood protection plans. The survey served to additionally present the details of the Sub-project with relevant maps where all spots with mitigation measures were pinned.

The dataset gathered during the Socio-economic Survey provides a baseline of detailed socio, economic, household demographic and other relevant data for the Project Affected Person (see Questionnaire template in Annex 1).

⁵ "Official Gazette RS", No. 97/2008, 104/2009 – other law, 68/2012 – Decision of the CC 107/2012)

Confidential information about individual persons and properties will not be publicly disclosed and all persons have been assigned with an ID number for purposes of identification in the publicly disclosed document.

The community is very devoted to the success of the Project since the floods are very common and patterned occurrences especially endangering those living at the very banks of the river. The constant fear during the heavy rains and snow melts has boosted the support of the community. community in Hrtkovci looks forward to successful completion of this Sub-project.

4.2 Demographic features of the household

The interview in the affected household was conducted with the head of household, male, age 45. There are four other members of the household, with three generations living together (mother of the PAP, wife and two children). Household features are presented below.

Table 3 - Demographic features of the affected households

Name	Year of birth	Gender	Education
Owner	1972.	Male	Vocational high school
Wife	1975	Female	Higher vocational education
Child	2000	Male	Student
Child	1998	Female	Student
Child	1949	Female	Elementary school

4.3 Sources of Livelihood and monthly income

It has been determined that two persons (husband and wife) in the Project Affected Household are employed, generating monthly income over 70.000 RSD (equivalent of 595 EUR per month). There is some minor agricultural activity (not on the affected property) and the PAP and its household is engaged only in subsistence agricultural production but not on the affected land. No credit or additional informal income has been reported. When asked to self-assess their economic situation and financial status the answer was that they are neither satisfied not dissatisfied. This perception is easily explained by the reported incomes. The affected land is not used by the land owner or by the lessor PWMC Vode Vojvodine for any productive purposes including for construction.

The land to be acquired represents around 30% of the entire land holding owned by this owner. However, the affected land owner draws all his livelihood form other land and other non-agricultural activities he and his household member carry out and the incomes are generated by permanent employment and pension which source of livelihood will not be affected by this acquisition.

4.4 Place of residence

The respondent reported their place of residence to be village of Hrtkovci.

4.5 Vulnerability

The Study didn't identify that PAPs can be considered part of any vulnerable group. The impacts of the Sub-project land acquisition are small and unrelated to livelihoods. Thus, they do not pose further impoverishment or marginalization threats on any person(s) that could be in the further process identified as vulnerable.

5. Resettlement compensation strategies

5.1 Key principles

The RPF committed key principles which are incorporated into this RP. The principles for the impacts identified in this Sub-project could be briefly summarized as follows:

- Resettlement compensation strategy will be managed in accordance with Serbia national laws, ESS5, accepted international good practices, and the RPF. Where gaps exist between them, more stringent provisions will be applied. As a fundamental rule, under this RPF, during the Project's implementation, policy that is most beneficial to the PAPs will always prevail.
- PAPs will be assisted 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 Sub-project implementation, whichever is higher.
- Negotiated settlements with PAPs are encouraged with the goal to help avoid administrative or judicial delays, and to the extent possible to reduce the impacts on affected persons. Therefore, the BoE and PIU will extend extra effort in attempt to reach settlement agreement with the PAPs as part of the expropriation process.
- Additional special support will be provided to vulnerable groups and/or individuals affected by the Sub-project, if any.
- The Sub-project will ensure a gender sensitive approach by inclusion of women, part of affected households. The documentation for ownership or occupancy, such as title deeds and lease agreements (including the bank accounts established for payment of compensation), will be issued in the names of both spouses, if the expropriated assets are part of marital property of both spouses.
- Affected People will be compensated for their losses at replacement cost to allow restoration at pre-displacement level.
- The RP implementation and outcomes in resettlement compensation will be monitored and evaluated by the PIU.

5.2 The cut-off date

The date of the invitation for Public consultation on this RP will be considered and announced as the cut-off date. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) constructed after the cut-off date will not be compensated.

The cut-off date is estimated to be in March 2020. The reason for the delay in announcing it goes to the benefit of the affected persons. The steep embankment is very prone to erosion and every year, people need to re-invest to protect their property and assets, commensurate to the water level that year. If the cut-off date would be announced this early, it would make the people in-eligible for any compensation of rightful investments done this year.

5.3 Eligibility and entitlements

The unit of entitlement is any individual eligible to receive compensation or rehabilitation benefits. Determination of unit of entitlement is in lieu with developing and identifying the Census and inventory of all assets impacted by the Sub-project to allow full compensation in line with the Entitlement Matrix of the RPF. All PAPs identified prior to the cut-off date shall be entitled to compensation, according to the compensation principles of the Law on expropriation, Law on fundamental property rights, RPF and ESS5 whereas the more stringent in requirements shall prevail.

Project Affected Persons are defined to include the following categories:

- PAPs with formal title ownership on the land, that lose all or part of their land;
- PAPs with formal title ownership, who have immovable property with or without building permissions on the land to be expropriated;
- PAPs with formal title over businesses that are affected by the loss of all or part of the land on which businesses are located;
- Project affected persons with formal title over animal husbandries and agricultural processors that are affected by the loss of all or part of the land on which they are based;
- Project affected persons with formal title of tenancy on private or public land;
- Project affected persons with formal title over land that will be needed during construction on a temporary basis;
- Project affected persons without formal title on affected land or businesses but their livelihoods are directly dependent on the affected land or businesses (e.g., those working on affected agricultural land or working in the affected businesses);
- Project affected persons without formal title of ownership or use but who have established usage of public or private land by investing in immovable objects, crops, woods, trees, fruit bearing trees, vineyards, the age of crops, and the time needed to reproduce them;
- Persons without any formal or recognisable legal right to the property they are occupying prior to the Cut-off date; and
- Any affected community facilities will also be reconstructed or necessary support will be provided.

The entitlements for different categories of impact and PAPs shall be as per the Entitlement Matrix as adopted in the RPF for the SDI Project. Here, entitlement matrix is shown for impact categories relevant for the identified impacts only:

Table 4 - Sub-project referent Entitlement matrix

Type of loss	Person with rights	Compensation policy
Economic displacement		
Land		
Agricultural land regardless to severity of loss (whether partial or complete loss)	Owner with formal property title (including owner with legally recognisable claim)	Replacement land of equal or higher value and similar productivity in direct proximity or in the surroundings of the expropriated land together with all costs of resettlement and administrative fees needed for transfer of ownership rights, if any. Or, Cash compensation at replacement costs; + Transitional allowance and assistance, if needed.
Unviable land, agricultural or construction	Property owners, or users of publicly/state owned construction land	In case the remaining area of land is not viable, it can be expropriated upon PAPs request and compensated according to type of property
PLANTS AND STRUCTURES ON AGRICULTURAL LAND (but not houses)		
Other resettlement situations		
Impacts caused by temporary occupancy of land and any damages to the property	Property owner (including owner with legally recognisable claim)	Market price of lease for duration of the occupancy. The land must be returned to original condition. Improved quality of the land due to top soiling work should not be removed, except if agreed differently with PAP. + Replacement cost in accordance with this matrix for affected crops, orchards, nurseries etc. + Compensation for any damages to the property evaluated at replacement costs.
Undetermined impact	Owner or formal beneficiary	Any undetermined impact will be mitigated in accordance with principles and aims of this RPF

5.4 Valuation

The process to be followed during valuation of assets requires that at the valuation stage, the Beneficiary of Expropriation, which is Municipality of Ruma in the particular case of this RP, will require the

Tax Administration office to provide the assessment of the value for the impacted land. In the case of agricultural land, the Municipality of Ruma will contact the MoAFWM to provide comparable replacement agricultural land for land swap if available and if the owner opts for land swap, as previously described. In addition, the Municipality of Ruma can hire, at its own expense an accredited expert(s) to assess the value of the land. The valuation shall be based on the replacement value. Once the valuation is completed, the Municipality of Ruma will offer compensation based on the assessment to the PAP. If the PAP does not accept the compensation offered they will be able to resort to the court, following the standard procedures set forth by Serbian law. The ruling of the court will determine who pays the cost of litigation which by virtue of the Law is the BoE. The process of valuation will be guided and monitored by the PIU.

6. Grievance mechanism

6.1 Organizational arrangements for GM management

The RPF has outlined the basic requirements for GM and management of its activities. After dully consideration, the GM will be tailored to fit the purpose and mirror the local needs, nature of the Sub-project, purpose of the affected area, local customs, habits and expectations of the community. There are several complementary mechanisms in place (e.g. the Property department of Municipality of Ruma, The Engineer on Site (when appointed) and the PWMC), an official and formal LGD and CFD will be established as a forum for grievances and comments in relation to expropriation, temporary impact to any kind of property, damages in relation to execution of the works. The information about the GM will be publicly disclosed and available on the notice board in LM of Ruma and Local Community Centre in Hrtkovci.

The LGD in case of this Sub-project shall be a body of three members. This is deemed to be sufficient capacity to deal with grievances. One of the members is a representative of PAPs one a local official from the LM Ruma (not directly involved in the process of expropriation to ensure full impartiality) and the third member is a representative of the PIU. The LGD will meet as necessary, depending on the range and nature of grievances. The LGD is responsible for receiving and responding to grievances/comments of the following two groups:

- Persons directly affected by the Project including land acquisition impacts & rights to be exercised over occupied land.
- Residents living in the Sub-Project area who are interested in and/or affected by the Sub-project.

The LGD work will be supported by the PIU and the LM of Ruma.

The PIU/DfW in cooperation with the Local Community Centre will distribute Grievance Brochures to inform about the GM, its function, the contact persons and the procedures to submit a complaint in the affected areas and made Information on the LGD available at:

- the notice board and website of Municipality of Ruma (<http://www.ruma.rs/>), and the notice board of local office at Hrtkovci (in village centre); and
- on the Construction Site in the Camp of the Engineer,

To allow easy access to the LGD a printout of the grievance recording form will be available at the Municipality of Ruma and at local office at Hrtkovci, and for download on the website of the Municipality of Ruma and of the PIU. The grievance recording form template is presented in Annex 2 to this RP.

6.2 Grievance procedure

The grievance procedure is designed to be effective, easy, understandable and without costs to the complainant, and fully described in the Project RPF. Any grievance can be brought to the attention of the GM personally or by telephone, or in writing by filling in the grievance form (by post, fax or personal delivery to either of the addresses/numbers given below:

Municipality of Ruma
Local Grievance Desk
Glavna 155,
Ruma
Phone Number: +381 22478314

Project Implementation Unit

Dr. Ivan Ribara 149

Phone Number:+381 116163600

If the grievance collection points change, this will be announced and reflected through an updated RAP and in relevant public spaces.

All grievances will be recorded in the Grievance Log register and assigned with a number, and acknowledged within 3 working days. The Grievance Log register will have all necessary elements to disaggregate the grievance by gender of the person logging it as well as by type of grievance. Each grievance will be recorded in the register with the following information:

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

The LGD will make all reasonable efforts to address the complaint upon the acknowledgement of grievance. If the grievance/complaint is vague and not clear enough, the LGD is obliged to help and provide counsel and even help in redrafting the submission, in order for the grievance/complaint to become clear, for purposes of an informed decision by the LGD, in the best interests of persons affected by the Project. If the LGD is not able to address the issues raised by immediate corrective action, a long-term corrective action will be identified. The decision of the LGD shall give a clear assessment on the grievance/complaint, clear ruling and recommendations for fair remedy and propose measures to modify future conduct that caused the grievance as well as proposed measures to compensate if mitigation measures cannot remedy the harm or injury. The decision shall be in writing and shall be delivered to the person who filed the grievance as well as to any other person or entity to which the recommendation and measures shall apply or is under obligation by Law. The person who filed the grievance can express his/her personal satisfaction to the outcome of the grievance resolution procedure.

The complainant will be informed about the proposed corrective action and follow-up of corrective action within 7 working days upon the acknowledgement of grievance.

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

The independent grievance commission has the possibility to hire, with costs covered by the Beneficiary of Expropriation, an accredited expert to review and assess the comparability of offered agricultural land. If the independent grievance commission determines that the offered agricultural land is not of comparable value, they can request the Beneficiary of Expropriation to pay the assessed fair value, as determined by the Taxation Administration. If after mediation, the project affected person, offered comparable agricultural land or assessed fair value for immovable property, disputes either the comparability or the assessment of fair value, they are free to enter the judicial process in a manner consistent with the current Law on Expropriation.

At all times, complainants may seek other legal remedies in accordance with the legal framework of Republic of Serbia at any time.

The LGD will publish, and provide the GM with copies, one intermediate report on the number and type of grievances received, comments addressed and closed-out, disaggregated by gender and type of grievances/comments two months after establishment, another intermediate report during construction works and one final report after completion of works.

7. Consultation and participation

7.1 Public consultation principles

The PIU will establish an ongoing relationship with affected community, through SSS and other specialist, from as early as possible in the Sub-project planning process, and throughout the life of the Sub-project. The engagement process will ensure their meaningful consultation in order to facilitate a common understanding of the nature and duration of the impacts; informed participation on matters that affect them directly; proposed mitigation measures; the sharing of development benefits and opportunities; and implementation issues. Individual meetings may be held with PAPs regarding specific cases, including upon request by PAPs.

The PIU will disclose sub-project information to allow the affected community and other stakeholders to understand the risks and impacts of the Sub-project, and potential opportunities. The Borrower will provide the community and hold meaningful consultation with access to the following information:

- The purpose, nature and scale of the project; (done on October 16, 2019)
- The duration of proposed project activities;
- Potential risks and impacts of the Sub-project on local community;
- The proposed stakeholder engagement process highlighting the ways in which stakeholders can participate;
- The time and venue of any proposed public consultation meetings, and the process by which meetings will be notified, summarized, and reported; and
- The process and means by which grievances can be raised and will be addressed. (described in Chapter 6 of this RP)

The information will be disclosed in relevant in local language and in a manner that is accessible and culturally appropriate.

The PIU will undertake a process of meaningful consultation in a manner that provides the public and other stakeholders with opportunities to express their views on project risks, impacts, and mitigation measures, and allow the PIU to consider and respond to them. Meaningful consultation will be carried out

on an ongoing basis as the nature of issues, impacts and opportunities evolves. Meaningful consultation is a two-way process.

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

7.2 Disclosure and public participation requirements during preparation of draft RP and final RP

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

- announcements in the local daily media,
- the website of <http://www.ruma.rs>
- notice board of Local Community Centre of Hrtkovci

This RP draft will be disclosed in Serbian and English on the above-mentioned websites, as well as made available as printed copies at the premises of Municipality of Ruma, Local Community Centre of Hrtkovci and the premises of the PIU.

The draft RP will be published in Serbian and English language on the website of the MoAFWM and of DfWM and at the website of the PWMC "Vode Vojvodina". The invitation to the public consultation will be published in a newspaper with national coverage, in local media and announced on notice boards of LM Ruma and Local Community Centre of Hrtkovci. The invitation will include information on where the public consultation will be held, where the draft RP can be accessed, what other topics will be discussed, post, email address and phone number when questions can be asked or comments given to any of the proposed subject, including comments on this RP.

The public consultation will not be held at least 14 days before the RP draft has been published, so interested parties can send questions in writing (e-mail or letter) or by phone call on numbers established for this purpose or ask question by e-mail received regarding any other proposed topic for consultation.

During the public consultation all stakeholders will be able to raise their concerns views and express opinion either orally or in writing. During the meeting, information to the project affected persons about the project will be presented, including the anticipated impact on assets property with maps, their entitlement based on this RP (a brochure with copy of the entitlement matrix and salient features of the RPF and RP will be made available to participants. A separate brochure will be distributed in respect of the role of the GM and LGD as part of grievance redress. Stakeholders unable to attend the meeting will be able to raise their concerns, views and express opinion in writing.

7.3 Previous public consultations held

As previously explained, the ARAP of FERP sub-project Gomolava (in its Package 5 implementing same construction works and resulting in same impacts) was disclosed in Serbian and English language on the website of the MoAFWM, on the website of DfWM (PIU in both sub-projects) and on the website of the PWC "Vode Vojvodina" on May 8, 2018. The invitation to the public consultation was published on May 9,

2018 in the newspaper “POLITIKA” with national coverage. The announcement is presented in Annex 3 of this RP.

During the public consultation all stakeholders were able to raise their concerns views and express opinion either orally or in writing. During the meeting, information to the project affected persons about the project were presented, including the anticipated impact on assets property with maps, their entitlement based on the ARAP in question. A brochure with a copy of the entitlement matrix and salient features of the RPF and ARAP were made available to participants. A separate brochure was distributed in respect of the role of the grievance commission. The invitation had included information on where the public consultation will be held, where the draft ARAP in full can be accessed. Stakeholders unable to attend the meeting were invited to raise their concerns, views and express opinion in writing.

The public consultation was held on May 21, 2018 at the premises of the Planning Institute in Ruma

The presentation was delivered by the PIUs external Social Safeguard consultant in the form of a power point presentation and printed hand-outs of the printed Entitlement Matrix distributed to participants. The ARAP was printed and copies made available to participants for this occasion in addition to the hard copies already made available ahead of the consultation

The public consultation was attended by 12 participants equally represented by women and men, including 2 members of the FER Project team. Given the very limited impact to land and assets attached thereto, it has been concluded that no additional effort was needed to be put into re-consultation activities. (refer to Annex 3 – Attendance sheet and Pictures taken during the public consultation meeting).

8. Institutional arrangements and implementation

8.1 Responsibilities for implementation

This RP will be implemented by the DfWM of MoAFWM, which serves as the Project Implementation Unit (PIU) as described in more details further through the document. The PIU has consistent experience in implementation of World Bank funded projects and has built a positive track record in safeguards monitoring and compliance throughout the implementation of Flood Emergency Recover Project. Based on national laws and regulation, responsibility to manage water structures and water land on the territory of Autonomous Province Vojvodina (where this Sub-project is located) is assigned to PWMC Vode Vojvodine. The PIU will monitor the overall implementation of the Sub-project, cooperate with the Municipality of Ruma, Local Community Centre in Hrtkovci and with the Contractor that will be awarded with the contract the construction works. Other organizations and parties involved in the process of expropriation are the Ministry of Finance, Tax Administration, and accredited experts.

The table below provides an overview of the responsibilities and arrangements for implementing the requirements of this RP:

Table 5 - Implementing responsibilities and arrangements

Task	Responsible Entity
------	--------------------

Disclosure of information and documents to all PAPs and communities, and organization of at least three public meetings at commencement, mid-term and Project completion	PIU
Keeping records of consultation activities	PIU
Direct communication with and, if needed, visits to owners and occupants	PIU
Valuation of property to be acquired	Municipality of Ruma Tax administration office and Accredited experts
Expropriation of property	Municipality of Ruma
Monitoring and reporting with respect to land acquisition	PIU
Monitoring and reporting with respect to temporary land occupation carried out during construction	PIU/Beneficiary of Expropriation, Municipality of Ruma, Contractor
Grievance management	PIU/LGD/Contractor
Completion Report	PIU
Operation and overall management of rivers and canals	PWMC Vode Vojvodina

8.2 Institutional capacities

The implementation of the provisions and obligations under this RP shall be by the MoAFWM which assigned responsibility for implementation to DfWM. The DfWM already has an established PIU for a World Bank financed Irrigation and Drainage Rehabilitation Project which closed on March 31, 2013 and the mentioned FER Project. During preparation of investments and implementation of works, the PIU will work in close coordination with the relevant PWMC Vode Vojvodine, as well as with the Municipality of Ruma and Local Community Centre at Hrtkovci.

The staff assigned for implementation of this RP and the Jarak Sub-project is deemed to be sufficient to carry out all tasks related to ARAP implementation.

The organization of the PIU is presented in the hierarchy chart below:

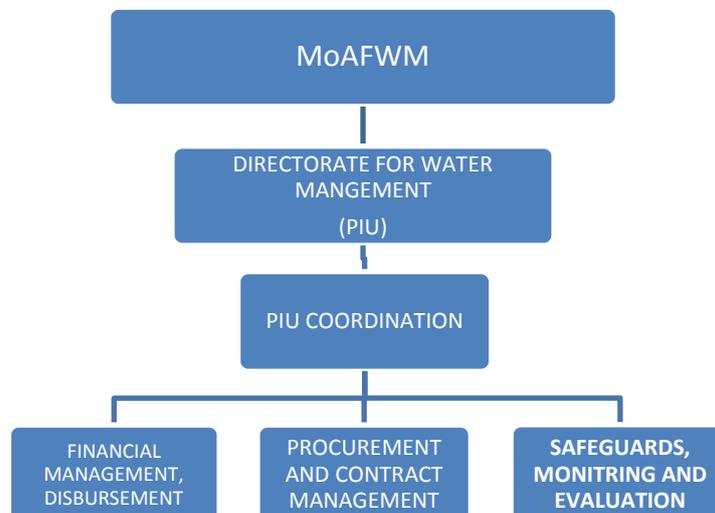


Figure 5 - Organizational chart of the PIU on Popova Bara Sub-project

8.3 Implementation schedule

Table 6 - Tentative implementation schedule for RP Popova Bara

	Activity	Responsibility	2019		2020			2021
			November	December	February	April	May	May
1.	Disclosure of RP draft	PIU	30					
2.	Public consultative meeting	PIU		16				
3.	Disclosure of final ARAP	PIU/Municipality of Ruma			15			
4.	Valuation of assets	Tax administration				30		
5.	Compensation payment	Beneficiary of expropriation					15	
6.	Establishing LGD	Local Community Centre/PIU				1		
7.	Completion report	PIU						31

9. Monitoring, evaluation and reporting

9.1 Internal monitoring and adaptive management

Monitoring of the land acquisition and resettlement process will be conducted by the PIU during the complete Sub-project life cycle, in order to:

- ascertain whether activities are in progress as per schedule and the timelines are being met;
- assess whether the compensation / rehabilitation measures are sufficient;
- identify any unanticipated changes in Sub-project conditions that influence resettlement, or unanticipated obstacles to achieving satisfactory resettlement outcomes;
- identify any potential issues (including monitoring of grievance management in terms of recording and responding to grievances within the specified timeframe); and
- identify methods to mitigate any identified issues.

In addition, the construction work supervision consultant will have a duty and obligation to monitor implementation of social requirements during construction. The following shall be their duties:

- Supervision of the contractors in performance of their obligations and RP implementation;
- Preparation and submission to the Employer of regular reports on implementation of measures for social monitoring;

- Provision of service to the local community through receipt of feedback and proposals;
- Suspension of works causing a high level of noise in periods when such noise is not allowed, or inadequate protection of local population and environment against dust and pollution is provided.

The notice board on construction sites will include clearly visible information on contact persons on behalf of the supervision, as well as working hours for contacts with the public. All complaints, praises, proposals received by the supervision contractor, would be forwarded together with the Supervisor's opinion to the PIU for further action. The idea is that every reaction of the local population is provided with a timely response, while a unified record of the correspondence with the local population will be presented in regular reports to the WB. It is very important that local population shall be fully aware of complaint possibility and that mechanism for submission of complaints is very simple.

If unanticipated changes in Sub-project conditions that influence resettlement, or unanticipated obstacles to achieving satisfactory resettlement outcomes are identified either by the PIU internal monitoring, the SSS or the Supervision, the PIU and the SSS will promptly gather all information about the unanticipated changes and obstacles. In that course, on-site visits, interviews with the PAPs or/and other stakeholders and institutions involved, creation of studies and other documents will be conducted. After the case is clear, in accordance with the obstacles characteristics, PIU will design measures to overcome and/or mitigate obstacles identified, in line with ESS5, the RPF and this RP adopted principles. PIU will inform the WB without delay of any such changes and obstacles, and if needed ask permission for implementation of measures to overcome the new conditions.

At the final stages of the works execution, the supervisor will distribute a questionnaires to affected community and local population in order to assess the level of content. The questionnaires would be sent to the mailboxes and filled out questionnaires could be delivered in person to the supervisor's representative or sent them by regular post to the PIU address.

Experience gained during the realization of the different infrastructure rehabilitation projects in Serbia, funded by WB Loans, significantly contributed to preparation of bases for social monitoring and assessment subsequent mitigation of impacts produced by the project on local community. Related to positive practice, PIU representative will perform regular controls of measures taken by the contractor and supervision, and control will be performed during the complete life of the Sub-project.

9.2 Evaluation

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

Hereby indicators to be used for monitoring of implementation of this RP are designed and shall include *inter alia*:

- Number of PAPs by categories;
- Number of public meetings with affected persons;
- Number and percentage of negotiated settlements signed;
- Area in m² expropriated;
- Number of completed land acquisition cases compared to expected total number;
- Number of PAPs compensated compared to the expected total, disaggregated by types and reason for compensation;

- Amount of compensation paid compared to the expected total;
- Number of temporary occupied private property land plots by the contractor for construction;
- Comparison of data on livelihood of affected persons before and after the Sub-project;
- Number and type of grievances received by the GM related to land acquisition (number of grievances submitted, number and percentage of grievances resolved within the specified timeframe, number and percentage of people satisfied with the outcome, i.e. the response provided to their grievances/comments, all disaggregated by gender of complainant), and number of legal actions initiated in relation to land acquisition);
- Number of grievances received by the GM related to construction works;
- Number of engaged local workmanship for the purpose of the works execution (person-month and number of actually employed persons disaggregated by gender);
- Number of contracts concluded by the contractor in local community (e.g. for accommodation of workers, lease of lots for storage of materials, etc.)

The PIU shall produce Monthly reports and send quarterly/semi-annual updates to the World Bank.

9.3 Completion report

The DfW/PIU will monitor the implementation of the resettlement, relocation and in-kind compensation processes, both through internal, official institutional arrangements, as well as by an independent, external consultant, to be appointed by implementing entity. The external monitoring and evaluation consultant will be appointed prior to construction starting on any Sub-project and will have obligation of reporting on semi-annual bases.

Based on the semi-annual report the PIU shall do an in-house completion report to summarize the implementation of the RP. The report should verify that all physical inputs committed in the RP have been delivered and all services provided. The socioeconomic status of the affected population should be measured against the baseline conditions of the population before displacement, as established through the census and socioeconomic studies. The internal completion report is considered appropriate in comparison to the extent of impact.

10. Costs and budget for resettlement

The Budget will envisage earmarked proceeds for land acquisition. As per national requirements the costs of clearance of land will be financed by the Beneficiary of expropriation i.e. PWMC Vode Vojvodine. The resources required for losses of assets must be secured and allocated in the in the PWMC budget for the year 2020. It is expected that the cost of implementation of this RP to be around 3.000.000 RSD which includes cash compensation at replacement cost and transitional allowance and livelihood restoration assistance, if needed.

The current RAP contains a list of affected owners and the total land area. At this stage, detailed technical designs showing exact impact on each parcel of land and assets (fences, trees etc.) is not available. Hence it is not possible to identify the exact dollar expense per individual household. This information will be incorporated into an updated RAP once the design is detailed and detailed budgets identified.

Annex 1 - Socio-economic questionnaire

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

Survey date: 16.10.2019

Municipality: Sremska Mitrovica

Location: Martinci

Address:

Cadastral plot reference:

Whole plot affected: YES / NO

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

1. GENERAL INFORMATION ON THE RESPONDENT

1.1. Respondent's name and surname:

1.2. Place of living:

1.3. Owner or user of land plot:

1.4. Ethnic group:

1.5. Phone number:

2. GENERAL INFORMATION ON AFFECTED PROPERTY (PLOT)

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

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

3. OWNERSHIP ISSUES

3.1. Owner: Yes No

3.2. User: Yes No

3.3. Ownership details		
With fully registered title		
Legalization in progress		What stage is the legalization process in:
Formal lease of public property		Owner

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

Tick applicable box

4. AGRICULTURAL ACTIVITIES

4.1. Perennial / annual species:

4.2. If perennial: Year of plantation: _____

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

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

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

4.5. Of which farmed this year: _____ hectares

5. AGRICULTURAL ACTIVITIES

5.1. Do you sell crops

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

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

5.4. Did you have any plans with affected part of the land plot? YES / NO

5.5. If yes, what would you like to do with affected part of the land plot? _____

6. GENERAL INFORMATION ON AFFECTED HOUSEHOLD MEMBERS

6.1. Information on household members

	Name and surname	Relationship with Head of Household	Year of Birth	Gender		Occupation	Education (degree or vocational education)
				M	F		
1				M	F		
2				M	F		
3				M	F		
4				M	F		
5				M	F		

7. SOCIO-ECONOMIC DETAILS ABOUT THE AFFECTED HOUSEHOLD

VULNERABILITY

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

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

7.1. Total household income

Which of the following categories does the average total monthly income of your whole household fall in:	
Less than 10, 000 RSD	
Between 10.000 and 40, 000RSD	
Between 40,000 and 70,000 RSD	
More than 70,000 RSD	

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

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

Tick appropriate box

7.2 Total Monthly expenditure and categories

Which of the following categories does the average total monthly spending of your whole household fall in:	
Less than 10, 000 RSD	
Between 10.000 and 40, 000RSD	
Between 40,000 and 70,000 RSD	
More than 70,000 RSD	

Amongst the following, what are your main expenditure categories or assign a relevant range or amount	
Food and non-alcoholic beverages	
Housing related expenses (rent, water, electricity, gas, fuels, etc.)	
Food	
Furniture, household equipment and routine maintenance of the house	
Health	
Education	
Leisure and recreation	

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

Tick appropriate box

7.2. Are you satisfied with your economic situation?

Highly satisfied	
Satisfied	
Neither satisfied nor dissatisfied	
Dissatisfied	
Highly dissatisfied	

Tick applicable box

Anything you wish to add not covered? -----

THANK YOU!

Annex 2 - Grievance registration form

Reference No: _____

Full Name _____

Note: you can remain anonymous if you prefer, or request not to disclose your identity to the third parties without your consent. In case of anonymous grievances, the decision will be disclosed at the Projects website www.minpolj.rs and Municipality site: <http://www.sremskamitrovica.rs/>

First name _____

Last name _____

I wish to raise my grievance anonymously

I request not to disclose my identity without my consent Contact Information Please mark how you wish to be contacted (mail, telephone, e-mail).

By Post: Please provide mailing address:

By Telephone: _____

By E-mail _____

I will follow up o the resolution at the website as I want to remain anonymous

Preferred Language for communication Serbian Other (*indicate*)

Description of Incident or Grievance (*What happened? Where did it happen? Who did it happen to? What is the result of the problem? Date of Incident/ Grievance*)

One-time incident/grievance (date _____)

Happened more than once (how many times? _____)

On-going (currently experiencing problem) What would you like to see happen to resolve the problem?

Signature: _____ Date: _____

Please return this form to: Municipality of Sremska Mitrovica

Annex 3 - Documentation from public consultation



Republic of Serbia
**MINISTRY OF AGRICULTURE,
 FORESTRY AND WATER MANAGEMENT**
 Directorate for Water
 404-02-252/2018-07
 Belgrade

In accordance with the World Bank Operational Policy (OP 4.12):
 The Ministry of Ministry of Agriculture, Forestry and Water Management,
 Directorate for Water Management, issues an invitation for

PUBLIC CONSULTATIONS

on the

ABBREVIATED RESETTLEMENT ACTION PLAN FOR (ARAP)

For the rehabilitation of the river bank in the Gomolava region
 - the left bank of the Sava River in Hrvkovi section:
 km 120+707 to km 121+277 (L= 570 m)

To be held
 on **May 21, 2018 at 10:00 am (Local time)**
 at the premises of the Public Urban Planning Company „Plan“
 27. oktobra 7a, 22400 Ruma

The document subject to the consultation is made available in hard copies at the following addresses:

- at the premises of the Ministry of Agriculture, Forestry and Water Management, Belgrade, PU premises, Dr Ivana Ribara 143/1, 3rree, Belgrade on working days from 11:00 AM to 4:00 PM (local time), within 14 days from the date of public announcement of this invitation;
- at the web site of the Ministry of Agriculture, Forestry and Water Management: www.rivode.gov.rs
- at the premises of the Public Urban Planning Company "Plan", 27. oktobra 7a, 22400 Ruma, during work ing hours;

Questions and concerns in respect to the provisions of the documents can be submitted in writing to the following address below as well as by e-mail and be submitted and stated directly during the consultation.

If you need any additional information, please contact:
 Floods Emergency and Recovery Project (FERP)
 Dr Mona Ribara 143/1, Street
 11000 Belgrade, Serbia
 Tel: +381(0)11-6193-600
 E-mail: fer.project@watn.com

11804392-2

**ТЕЛЕФОН
ПРОДАЈЕ ОГРАСА**

ПОСЛОВНИ ОГРАСИ

ПОПЛИНИЈА

Регион Војвођина Регион ГИП

☎ 030/345 330-150 ☎ 030/345 330-150

☎ 030/345 330-150 ☎ 030/345 330-150

МАЛИ ОГРАСИ, ПОТУЉЕ, ПАМЕНИ

☎ 030/345 330-150 ☎ 030/345 330-150

– Институт за водопротек студија
 вап гавз али интересине де је поц
 ну, госту ик са ибор Вароса у
 нау алекса истраживач истражи
 Иницијативе исе надали се у сав
 Иницијативе исе надали се у сав
 на 11 и даје се на увид јавности.
 11804397-

– Иницијатива за нове истражи
 је, Ир Нисон Пашића 11, Београ
 обавештава заинтересоване да
 покрену консултације за избор у ме
 но звање научни сарадник кате
 дри др Милоша Пешића, Наводи
 Иницијатива износи се у савр јавно
 Иницијатива за нове истражи студи
 и доклати је јавности у року од 3
 дана од дана објављивања.
 118041271

– Рударско-геолошки факултет
 Универзитета у Београду обавешта
 ав јавност да се Иницијатива Рудар
 Комисија за истраживање геолошко
 се кавор у научно засне истражи о
 радник др др Милоше Пуле, дани
 вник геолошко, стална истражи је
 ности у пројекцији геолошко
 Факултет, Београд, др. Ђушића 6
 7. месеца 30 дана од дана обј
 ављивања овог обавештења.
 11804422-1

Figure 6 - Invitation to public consultations 2018

SPISAK PRISUTNIH NA JAVNIM KONSULTACIJAMA

Predmet JAVNIH KONSULTACIJA PLAN UPRAVLJANJA ZAŠTITOM ŽIVOTNE SREDE (Environmental Management Plan – EMP) I SOCIJALNI UTICAJI PROJEKTA <i>FERP Projekt hitne sanacije od poplava</i> <i>Sanacija rečne obale u zoni Gornjara, Iva obale reke Sava u Hrvatskoj, rkm 126-707 do 121-277-01, s 370m</i>		Mesto održavanja JAVNIH KONSULTACIJA Ruma, JUP „Plan“, 27. Oktobra 7a	
		Datum javnih konsultacija 21. maj 2018.	
R.N.	Ime i prezime	Organizacija / adresa	Telefon, faks, E-mail
1	Milica Pavlović	JUP „PLAN“ RUMA 12.04.18	065/10 40 015 milica.pavlovic@masrma.rs
2	Nina Valjic	FERP PIV	065/107-8303 nvaljicna@gmail.com
3	Marija IEC	JUP „PLAN“ RUMA	065/108 2424 marijajec@masrma.rs
4	Igor Radovic	FERP PIV	065/191 395 igor.radovic@masrma.rs
5	Uroš Bekić	OPŠTINA RUMA OPŠTINSKA UPRAVA	065/108 2424 urosbekic@masrma.rs
6	Jelena Nalčević	OPŠTINA RUMA OPŠTINSKA UPRAVA OD OJENACIJA, 5	065/108 2424 jelena.nalcevic@masrma.rs
7	Kristina Spodaj	OPŠTINA RUMA OPŠTINSKA UPRAVA OD OJENACIJA, 5	065/108 2424 kristina.spodaj@masrma.rs

strana 1

Predmet JAVNIH KONSULTACIJA PLAN UPRAVLJANJA ZAŠTITOM ŽIVOTNE SREDE (Environmental Management Plan – EMP) I SOCIJALNI UTICAJI PROJEKTA <i>FERP Projekt hitne sanacije od poplava</i> <i>Sanacija rečne obale u zoni Gornjara, Iva obale reke Sava u Hrvatskoj, rkm 126-707 do 121-277-01, s 370m</i>		Mesto održavanja JAVNIH KONSULTACIJA Ruma, JUP „Plan“, 27. Oktobra 7a	
		Datum javnih konsultacija 21. maj 2018.	
R.N.	Ime i prezime	Organizacija / adresa	Telefon, faks, E-mail
8	DRAGAN FILIPOVIĆ	JUP „PLAN“ RUMA	065/10 40 015 dragan.filipovic@masrma.rs
9	TANA KOBANEVA	JUP „PLAN“ RUMA	065/108 2424 tana.kobaneva@masrma.rs
10	Milica Veselić	JUP „Plan“ Ruma	065 146 285
11	SOĐAR BEČIĆ	JUP „Igor Radović“	065/3509555 sođar.bečić@masrma.rs
12	Zorana Hadis	JUP „Igor Radović“	065 352721 zorana.hadis@masrma.rs
13			
14			
15			
16			

strana 2

Figure 7 - Public consultation 2018 attendance sheet



Figure 8 - Photos from 2018 public consultations

Annex 4 - Lease agreement



Acrobat
Document.pdf