

SAVA AND DRINA RIVER CORRIDORS INTEGRATED DEVELOPMENT PROJECT (SDIP)

Resettlement Action Plan
(RAP)

Sub-Project Novi Pazar – Raška River Training works

Republic of Serbia
Ministry of Agriculture, Forestry and Water Management (MAFWM)
Directorate for Water Management (DfW)
Project Implementation Unit (PIU)

Draft for public consultations

June 2024

ABBREVIATIONS AND ACRONYMS

BoE	Beneficiary of Expropriation
CC	Constitution Court of Serbia
CFD	Central Feedback Desk
CM	Cadastre Municipality
DfW	Directorate for Water
ESS	Environmental and Social Standards of World Bank
ESS5	ESS on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement
GM	Grievance Mechanism
GRS	Grievance Redress Service
LM	Local Municipalities
LGD	Local Grievance Desk(s)
MAFWM	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
RPF	Resettlement Policy Framework
RAP	Resettlement Action Plan (this document)
RS	Republic of Serbia
RSD	Serbian currency – Serbian Dinar
SEP	Stakeholder Engagement Plan
SDIP	Sava and Drina river corridors integrated development project (this Project)
WB	World Bank

LIST OF DEFINITIONS/GLOSSARY

Cut-off date	Date set by this RAP. 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. The date when the PAPs are informed in writing of the submitted expropriation proposal will serve as the Cut-off date. Information in writing will be provided together with the proposal. Any investment made after the cut-off date will not be compensated except where it can be demonstrated that such post-cut-off date improvements were needed to maintain the livelihoods of the affected person during the period between the cut-off date and displacement. The purpose of the cut off-date and its intention has been presented during the survey.
Eligibility	In the context of this RAP the right to be compensated for losses as defined under the RAP
Entitlement	Compensation and other forms of assistance that persons affected by involuntary land acquisition impacts have the right to receive in accordance with this RAP in the respective eligibility category.
Expropriation	Refers to a dispossession or a limitation of ownership rights on a property with compensation not less than the market value of the property by use of 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.

Minor resettlement impacts	To categorise resettlement as minor resettlement impacts all of the following conditions have to be met: all of the PAPs lose less than 10 percent of their land, regardless of the number of PAPs (b) the remaining part of their land is economically viable; and (c) they have no need for physical relocation.
Project Affected Person (PAP)	PAP is any person who, as a result of the implementation of the (sub)-project suffers impacts stemming from involuntary land acquisition, resettlement or restriction to right on land or access to assets
Replacement cost	Replacement cost is defined as a method of valuation yielding compensation sufficient to replace assets, increased for 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, as increased for 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. 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.
SDIP Resettlement Policy Framework (RPF).	The SDIP RPF is a Project level document developed, adopted, disclosed and consulted on in December 2019 setting forth resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation. It contains clear definitions of conditions under which the resettlement will be planned and implemented. The document defines issues like entitlements, principles of compensation, grievance processes and other legal procedures. A framework document is adequate for projects with subprojects or multiple components that cannot be identified at the time the World Bank approves the project.
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.

CURRENCY EQUIVALENTS

(Exchange Rate Effective June 2024)

Currency Unit = RSD

107, 24 RSD = USD 1

117, 20 RSD = EUR 1

Contents

EXECUTIVE SUMMARY	- 8 -
Project Background.....	- 8 -
Sub-Project activities	- 8 -
Project implementation arrangements	- 10 -
Sub-Project Impacts	- 11 -
Status of Expropriation Process	- 11 -
1. INTRODUCTION	- 12 -
1.1 Sub-Project Area Description and Local Context.....	- 12 -
1.2 Broader Socio-economic baseline conditions of the wider Project area	- 13 -
1.3 Sub-Project Activities.	- 15 -
1.3 Scope and Purpose of the Resettlement Action Plan (RAP).....	- 18 -
1.4 Objectives and Principles of the Resettlement Action Plan and Land acquisition.....	- 18 -
1.5 Study methodology	- 19 -
2. NATIONAL LAWS AND REGULATIONS RELATING TO THE AGENCIES RESPONSIBLE FOR IMPLEMENTING RESETTLEMENT ACTIVITIES IN THE CONTEXT OF THE SUB-PROJECT.....	- 19 -
2.1 The National Land Acquisition Policy - The Law on Expropriation of Serbia.....	- 19 -
2.2 Public interest and purpose of expropriation.....	- 20 -
2.3 Expropriation process.....	- 20 -
2.4 Compensation rates for Land and assets	- 21 -
2.5 Information and consultation requirements.....	- 21 -
2. 6 Information of public importance	- 21 -
2.7 Other Applicable Laws and Provisions.....	- 22 -
3 THE WORLD BANK POLICY ON INVOLUNTARY RESETTLEMENT	- 22 -
3.1 Gaps relevant to Sub-Project impacts	- 23 -
4. AVOIDING AND MINIMIZING IMPACTS	- 31 -
5. Overview of Project Impacts.....	- 32 -
5.1 Census/Inventory.....	- 34 -

5.2 Socio-economic Survey	- 34 -
5.3 Socio-economic assessment of the PAPs	- 35 -
5.3.1 Owners	- 35 -
5.3.2 Demographic features of households	- 35 -
5.3.3 Gender of Respondents	- 36 -
5.3.5 Sources of Livelihood for the affected person and monthly income.....	- 36 -
5.3.6 Employment status	- 36 -
5.3.7 Place of Residence	- 36 -
5.3.8 Vulnerability	- 36 -
5.3.9 Public infrastructure that will be affected	- 37 -
5.3.10 Community Perception of the Project	- 37 -
6. RESETTLEMENT COMPENSATION STRATEGIES.....	- 37 -
6.1 Key Principles	- 37 -
6.2 Cut-Off Date.....	- 37 -
6.3 Eligibility	- 38 -
6.4 Status of Expropriation Process at preparation of this RAP	- 38 -
6.4.1 Commencement of expropriation.....	- 38 -
6.4.2 Information on expropriation	- 39 -
6.4.4 Asset screening.....	- 39 -
6.4.5 Valuation.....	- 40 -
6.4.5.1 Methodology applied during valuation	- 40 -
6.4.5.2 Taxes and Fees	- 40 -
6.4.5.3 Budget made available	- 40 -
6.5 Land valuation.....	- 41 -
6.6 Compensation for expropriated land.....	- 42 -
6.7 Valuation for auxiliary structures.....	- 42 -
7. GRIEVANCE REDRESS MECHANISM.....	- 43 -
7.1 Organizational Arrangements for Grievance Management.....	- 43 -
7.2 Grievance Procedure	- 44 -
7.3 Monitoring and Reporting on Grievances	- 45 -
7.4 World Bank Grievance Redress System	- 46 -
8. Consultation and Participation	- 46 -
8.1 Report on public consultations	- 47 -
9. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION TEAM	- 48 -
9.1 Responsibility for Implementation.....	- 48 -
9.2 Institutional Capacities.....	- 49 -
10. Implementation Schedule.....	- 50 -
10.1 Monitoring, Evaluation and Reporting.....	- 52 -
10.2 Completion Report.....	- 53 -
11. Costs and Budget.....	- 53 -
Annex 1 – Invitation to Public Consultation on RAP Draft.....	- 58 -

Annex 2 – Request for Access to Information of Public Importance	- 59 -
Annex 3 – Socio-economic Survey Questionnaire	- 60 -
Annex 4 – Socio-economic Data for those expropriated	- 64 -
Annex 5 – Grievance mechanism information leaflet.....	- 65 -
Annex 6 – Grievance registration Form translation	69
Annex 7 - Invitation to Survey.....	- 71 -
Annex 8 - Evidence of secured funds for expropriation	- 73 -
Annex 9 - Constitution of Grievance Commission	- 73 -

List of tables:

Table 1 - Gap Analysis.....	- 23 -
Table 2 - Overview of affected land parcels by type of ownership and area	- 32 -
Table 3 - Overview of gender disaggregated land ownership.....	- 32 -
Table 4 - % distribution of 'Gender of PAPs'.....	- 36 -
Table 5 - Responsibilities and Implementation Arrangements	- 48 -
Table 6 - Tentative Implementation Schedule for RAP Novi Pazar	- 50 -
Table 7 – Budget Breakdown.....	- 54 -

List of figures:

Figure 1– Overview of location of Raška, Jošanica and Trnavica Rivers	- 9 -
Figure 2 - Layout of Raška River Training works shown on contemporary satellite images	- 9 -
Figure 3: Adopted dimensions of the Raska River bed.....	- 10 -
Figure 4 - Footprint of the river training works shown on a cadastral map	- 15 -
Figure 5 – Beginning of section.....	- 16 -
Figure 6 – Land acquisition flowchart	- 21 -
Figure 7 - Overview of impacts per PAP and Area (<i>double click to open</i>).....	- 34 -
Figure 8 - Demographic features of households	- 35 -
Figure 9 – Employment status.....	- 36 -
Figure 10 – Organizational Chart of PIU	- 49 -

EXECUTIVE SUMMARY

Project Background

Serbia is fighting yearlong battles with floods. In continued efforts to protect lives, health and assets, the Government of Serbia has requested, and received financial support through Investment Project Financing with the World Bank (Hereinafter referred to as: WB) to implement the Sava Drina Integrated Development Program (SDIP). SDIP aims to accelerate regional economic cooperation in the Western Balkans and helps strengthen the institutions and procedures through which the Sava and Drina riparian countries collaborate and ensure flood protection is enhanced. SDIP is implemented through two sequential and partially overlapping phases with five participating countries: Serbia, BiH, Montenegro, Croatia, and Slovenia.

The Raška River Training Sub-Project in Novi Pazar, to which this Resettlement Action Plan (RAP) refers to, is one of the activities implemented under phase 1 in Serbia. This activity complements the 2016 "Novi Pazar flood protection" which had been implemented as one of the components of the closed Floods Emergency Recovery Project (FERP), the second largest loan at that time approved by the World Bank Group in Serbia. FERP was successfully implemented by the Ministry of Agriculture, Forestry and Water Management (MAFWM) under the WB Safeguards Policies.

Operations and activities for which the World Bank's Investment Project Financing (IPF) is sought after October 1, 2018, fall under the application of the Environmental and Social Framework (ESF)¹. The ESF comprises, inter alia, the 10 Environmental and Social Standards, which set out mandatory requirements for the Borrower and the Project. The relevance of each standard is determined during preparation of the Project to be assessed for each Sub-Project in line with the framework management instruments. The relevance of, inter alia, **ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement for** the Raška River Training Sub-Project in Novi Pazar has been confirmed.

This RAP was developed, adopted, and will be consulted and disclosed in response to commitment set forth in the Environmental and Social Commitment Plan (ESCP) for the Project to comply with the ESF. The RAP provides an avenue how the requirements of, both the national law and ESS 5, will be met, while fundamentally relying on the provisions of the Resettlement Policy Framework (RPF)² and Stakeholder Engagement Plan (SEP)³ adopted for the SDIP, and ensuring that a grievance avenue is available to allow a two-way communication with the PAPs at all times.

Sub-Project activities

The footprint of this Sub-Project refers to river training works to be implemented upstream from the section trained under the earlier 2016 FERP (Figure 0-1). The figure also depicts two other rivers Trnavica and Josanica respectively, and their locations as river training works on these three rivers had been tendered out for works together, for separate LOTs and works and will be executed simultaneously in sequences, but under separate Contract Agreements. The Contracts for Construction Works have been awarded in December 2023, and works have commenced on rivers Josanica and Trnavica, while the river training works for Raska River will be allowed once this RAP is implemented. Separate Environmental and Social Management Plans (ESMPs) have been adopted for each of the three rivers,

¹ The ESF is accessible at - <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework>. Latest accessed in August 2023

² See RPF for SDIP available at <http://www.rdvode.gov.rs/>, accessed on August 4, 2023

³ See SEP for SDIP available at <http://www.rdvode.gov.rs/>, accessed on August 4, 2023

as the three locations besides being geographically separated (Raška in particular). They are characterized by nuanced differences in local risks and impacts. This has justified separate management instruments, including separate RAPs, as planning, management and mitigation efforts are best tailored this way to safeguard interest of Project Affected Person (PAPs). This approach will help in mitigating potential implementation delays, while allowing activities to continue on those sections (LOTs) where the respective RAPs have been implemented.

Figure 1– Overview of location of Raška, Jošanica and Trnavica Rivers



Figure 2 - Layout of Raška River Training works shown on contemporary satellite images

A detailed description of works has been provided in the ESMP developed, disclosed and consulted for this Sub-Project in May 2023. The training works envisaged by the technical design include routine excavation activities, clearance of vegetation along the entire 2,5 km works front, with limited dredging, clearance of self-grown vegetation on the river banks and all the way into the river course, works on the left and right side of the banks with a final finish made of aggregate stones. The route of the river training with the flood protection system has been designed to avoid to the maximum feasible extent acquisition of private land and assets. When designing the route of the regulated bed, the axis of the regulation belt was followed in order to enable full utilization of the width of the belt. In this way, the maximum possible width of the regulated bed was achieved in increasing the flow and lowering the level. A favourable circumstance is that the regulation follows the natural bed to a good extent, so that a balanced ratio of the amount of earthworks has been achieved.

The basic criterion for defining the route according to the Sub-project Terms of Reference is to fit into the space provided for regulation according to the valid planning act, i.e. Plan Generalne Regulacije (PGR) of the city of Novi Pazar. The corridor of the regulated riverbed is laid out and dimensioned so that it is completely within the defined zone of river training. 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, flood prone and exposed coast of the river.

Adopted dimensions of the Raška River bed:

- Geometric form: Compound (double) river bed;
- Width at the bottom b: 8.00 m;
- Depth of minor bed h: 1.25 m;
- Slope of the river banks: 1:1;

- Width of the water mirror at the top of the minor bed B1: 10.00 m;
- Foreland width: 2 x 5.50 m;
- Depth of major bed h1: 2.30 m;
- Width of the water mirror at the top of the major riverbed B2: 24.00 m;

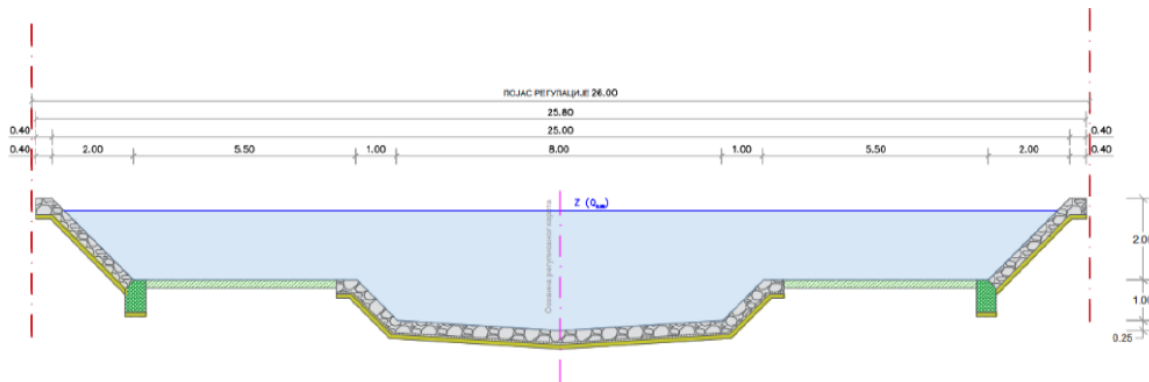


Figure 3 - Adopted dimensions of the Raska River bed

The cladding of the minor riverbed is made of stone in cement mortar so it corresponds to the existing regulation on site. The minor riverbed is covered in its entirety, with overhangs at the top of the slope towards the foreland, in order to meet the undercutting of the slope. The thickness of the stone cladding in cement mortar is 30 cm. According to the condition of the constructed sections and the recommendations of the literature, this type of cladding is suitable for the relevant impacts that may occur during high waters. Also, the conditions of urban regulation require clean and accessible surfaces, uniform characteristics and dimensions, as well as regular arches and sharp contour breaks, which are made possible by the application of this type of cladding. The stone is pressed into the fresh concrete on a concrete bed 5 cm thick, which rests on a levelling buffer layer made of gravel 10 cm thick,

Project implementation arrangements

The overall implementation of the SDIP (with the exception of the Sremska Mitrovica Port construction Sub-Project which is implemented by the Serbian Ministry of Construction, Transport, and Infrastructure), this, and the other 2 Sub-Projects in Novi Pazar, including monitoring and evaluation of how the E&S management instruments including this RAP are being implemented, is the responsibility the Ministry of Agriculture, Forestry and Water Management (MAFWM) - Directorate for Water (DfW), namely its Project Implementation Unit (PIU). The PIU has positive track record and qualified staff experienced in overall management of projects in the water and flood prevention sector. There is significant experience in managing environmental and social risks and impacts compliant with WB requirements (experience gained in implementation of Operation Policies - Safeguards and the ESF). The Land acquisition process is by law under the remit of the local self-government where the land to be expropriation is located i.e. the City of Novi Pazar. The City of Novi Pazar holds multiple responsibilities: administrative processing of the expropriation, payment of compensation for land and assets loss, and any additional support as called for by this RAP as the Beneficiary of Expropriation (BoE), administration of the Local Grievance Desk forming part of the Grievance Mechanism adopted for the Project, providing legal support to PAPs etc. The PIU is providing direct oversight, support, capacity building, guidance, monitoring and evaluation of all aspects of implementation.

Sub-Project Impacts

An alternative route for the Sub-project could not have been explored and the avoidance of impact to land was not feasible due to the nature, location and the objective of the Sub-project. The footprint is set to follow the flow of the river and the position of the eroded, flood prone riverbanks.

Different micro-alternatives were compared allowing the design to avoid some of the most adverse impacts, but still the works will require permanent acquisition of land rights restricted through expropriation in accordance with the national law. The footprint is set across a universe of **57** land parcels either privately owned (33) or co-owned (24) by **90** private land owners. The overall scale of impact to private land is minor, as individual impacts range between **1m²** and **1325 m²**. The land portions taken are narrow land stripes at the very edge of the Raška River, along the riverbank which is mostly already eroded, covered with debris, and encroached by self-grown trees, shrubs and bushes, with often muddy and unstable slopes, polluted by plastic and domestic waste and other debris. **Total of 2 walnut trees and 2 retaining wall in the length of 34,2 m combined (30,0 and 4,2m respectively) and 1 auxiliary structure in the area of 14 m²** attached to private land will be removed. No other assets attached to land have been identified. All land owners have been negotiated with. Owners of 41 land plots including the ones with assets attached have agreed and entered into compensation agreements in principle. In case of disagreements with the tax administrations assessment independent accredited experts were engaged to re-evaluate the land. Despite this extra effort exercised by the City of Novi Pazar for 16 land parcels amicable settlements were not reached and cases have been transferred to the Basic Court of Novi Pazar. Majority of these plots were owners disputed or explicitly opted for the Court to decide on the compensation have a complex co-ownership legal status (e.g one of the land parcel impacted with a total area of 14 m² is co-owned by 7 different persons with a share of 2 m²). The negotiations continue, and amicable settlement remains an option at all times. Any **costs** incurred in the course of valuation, negotiations, amicably or through the Court (filing, lawyer's and expert's fees) are compensated by the City of Novi Pazar. No advance payments are required for court, valuation or representation fees.

Bridges located on public land will be reconstructed/replaced depending on the severity of damage they suffered during the latest flood wave. Temporary crossings will be installed in cases disruption of access to assets is anticipated. This RAP envisages the procedure for engagement, consultation and timeline for installation of Temporary River crossings should they be required. This will not be known until the Contractor has assessed the structural stability and conditions of the bridges. Landowners affected by land acquisition will lose less than 10% of the total area of land owned. With this RAP being the third one to be developed, and with PAPs participating in the public consultations for the ESMP and some of them for the RAPs for Josanica and Trnavica, PAPs were indifferent to the socio-economic survey and only **15** (16,7%) owners have accepted to participate. Nonetheless, the field visits and the PAPs statement during negotiations have confirmed that the impacted land is not productive, not cultivated. Neither the land nor the assets attached are contributing to the livelihood of the affected households. The preferred compensation requested by the PAPs was cash, and no replacement land request were made. The implementation of the RAP is expected to be completed by end of **June 2024**. In the endeavour to meet the aforementioned timeline the City of Novi Pazar has held multiple meetings with the President of the Basic Court in which it was agreed that the expropriation cases will be decided upon with priority. The Court has scheduled hearings for the cases between end of March and the first week of April.

Status of Expropriation Process

The Public interest allowing land acquisition was declared by the Government of Serbia on April 15, 2021 (Decision 05 No.465-3361/2021) and is based on the spatial plan for Novi Pazar. The Project has

been under preparation since 2020 when prompt implementation was expected, hence the prompt declaration of Public interest following Approval of the Loan Agreement although progress has been slow due to delays in the designing activities.

Since December 2022 the City of Novi Pazar together with the PIU has been identifying persons who will be affected by the project. An inventory of persons, land and assets was established, eligibility for compensation and assistance determined, financial allocations were made and all other activities preceding the formal expropriation completed, including completion of the detailed design, planning of compensation rates through meaningful and informed engagement with PAPs.

The Public Defender is the legal representative of the Beneficiary of expropriation i.e. the City of Novi Pazar. He is in charge of handling the formal submission of requests for expropriation for each land parcel individually, the valuation of land and assets and payment of compensation. The value for land was assessed firstly by the Tax administration for each land parcel individually and the assessment was discussed with all owners allowing sufficient time for feedback. Where owners submitted notices of dissatisfaction with the valuation individual accredited assessment experts were hired to determine the value of land. Despite these additional efforts **16** out of **57** cases have been referred to the Court while for **41** PAPs agreed with the valuation for land and assets attached to their land and will enter into negotiated compensation agreements. Any **cost** incurred in the course of valuation, negotiations, amicably or through the Court (filing, lawyer`s and expert`s fees) are borne by the City of Novi Pazar.

The average valuation for land provided by the Tax administration office or Accredited Experts is **5.674,00 RSD/m2 or 48,41EUR/m2** equivalent. Novi Pazar has a functioning real estate market, and the replacement cost is therefore the market value as established through independent and competent real estate valuation, (in Serbia expropriation is not subject to transaction costs). The total amount offered to the **90** land owners (including those disputed cases) for the land is **78.115.829,00 RSD (666.517,30EUR equivalent)**, while negotiated settlements were reached in the amount of **53.222.863,00 RSD (454.119,99EUR equivalent)** and **440.037 RSD (3.754,58 EUR equivalent)** for assets attached. The City of Novi Pazar has allocated additional 150.000.000,00 RSD for land and assets (1.279.863.48 EUR equivalent) (for the fiscal year 2023 and 2024 in accordance with the Adopted Budget of Novi Pazar⁴). This is available in the Consolidated Treasury Account within the Budget appropriation which includes contingencies and will cover compensation for land, assets and any additional costs for both agreements reached in negotiated settlement or as decided by the Court. More details on expropriation process and its status up to date are presented in Chapter 6.5.7 and Annex 10.

1. INTRODUCTION

1.1 Sub-Project Area Description and Local Context

Unprecedented rainfall started in early/mid-May 2014 causing massive floods, resulting in the declaration of a national state of emergency on May 15, 2014. The heavy rainfall, led to a rapid and substantial increase of water levels in eight of the main rivers in western, south-western, central and eastern Serbia. Flash floods destroyed houses, bridges and sections of roads, while rising water levels resulted in flooding in both urban and rural areas. The disaster resulted in 51 deaths, with approximately 32,000 people evacuated from their homes, and around 110,000 households cut off from electricity supply. Overall, the floods affected some 1.6 million people, or about one fifth of the total population living in 49 municipalities. Adverse weather conditions have continued since, causing further damage to harvest and infrastructure. Since 2014, the Raška River and some of its tributaries are causing severe

⁴ https://www.novipazar.rs/images/dokumenti/budzet/2024/Odluka_o_budzetu_za_2024.pdf

floods, especially affecting Novi Pazar settlements along the river. The latest flood impacts were experienced in June 2023.

1.2 Broader Socio-economic baseline conditions of the wider Project area

Novi Pazar is located in the valleys of the Jošanica, Raška, Deževska, and Ljudska rivers at the elevation of 496m, in southeast Sandžak region. The city is surrounded by Golija and Rogozna mountains; Pešter plateau lies southeast from the city which influences the city's climate vigorously. The total area of the City is 742 km² covering over 100 settlements, mostly small and spread over hills and mountains surrounding the city.

A more detailed description of environmental and social parameters are provided in the ESMP developed for this Sub-Project accessible through https://rdvode.gov.rs/doc/ESMP_NP_Ra%C5%A1ka_ENG.pdf.

The position of the city in terms of transport and geopolitics is determined both by its relation to other territorial entities in Serbia and the surrounding area, and by natural conditions that limited and determined the traffic connection through the river valleys in the direction of the northeast with the so-called "Ibarski" highway, through which it connects with Belgrade and the West Moravian traffic corridor, on the one hand, and with Kosovska Mitrovica on the other side. In the southwest direction, it provides traffic connections with the main road to in the area of the municipality of Tutin. In the direction to the west, it provides traffic connections with Sjenica and the western parts of Serbia.

Almost half of the territory of the city of Novi Pazar is under agricultural land (36,215 ha), which is very heterogeneous in terms of representation, way of use and quality, mainly, depending on the extraordinarily complex geomorphological conditions. The total area under forest in the territory of the city of Novi Pazar is 31,365 ha, which is the area's forest cover 42.2%. The area of the city is inhabited

Novi Pazar experienced rapid demographic development, especially peripheral urban zones and suburban settlements, and at the same time stagnation in industrial and some other spheres of development (transportation and communal infrastructure, etc.). That weakened the urban quality and attractiveness of the urban center, in a certain sense, its urban identity.

Demography

According to the preliminary results of the 2022 Census, the City of Novi Pazar has 100,410 inhabitants, while the urban area itself has 68,749 inhabitants. Population density on the territory of the City is 135.32 inhabitants per square kilometre. The majority of population are Bosniaks (79.83%), followed by Serbs, Muslims⁵ and Roma.

Economy

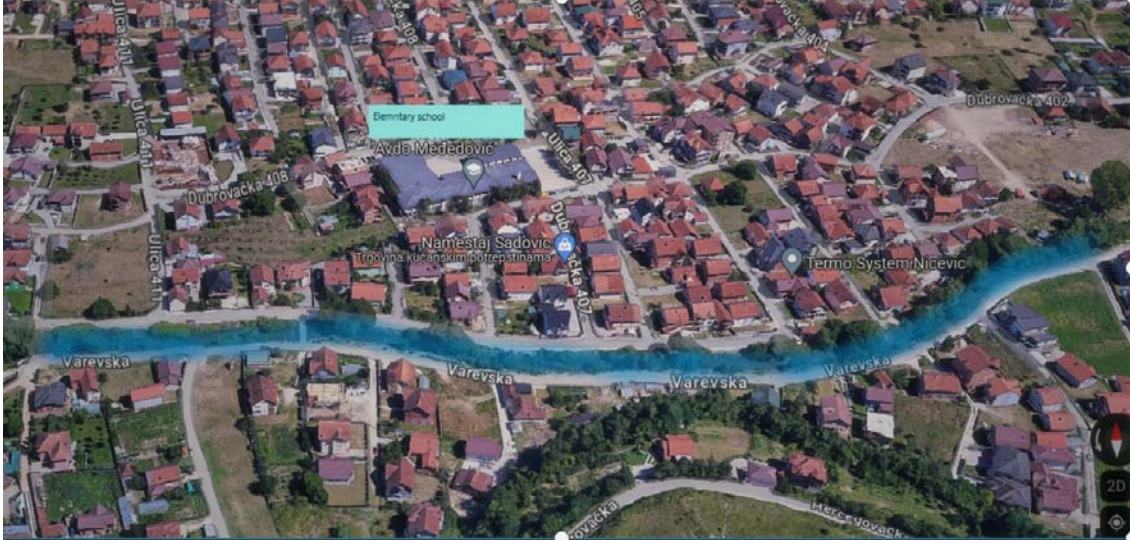
Lying on crossroads between numerous old and new states, Novi Pazar has always been a strong trade center. Along with the trade, the city developed manufacturing tradition. During the 20th century, it became a center of textile industry.

Paradoxically, during the turbulent 1990s and, Novi Pazar prospered, even during the UN sanctions, boosted by the strong private initiative in textile industry. Jeans of Novi Pazar, first of forged trademarks, and later on its own labels, became famous throughout the region.

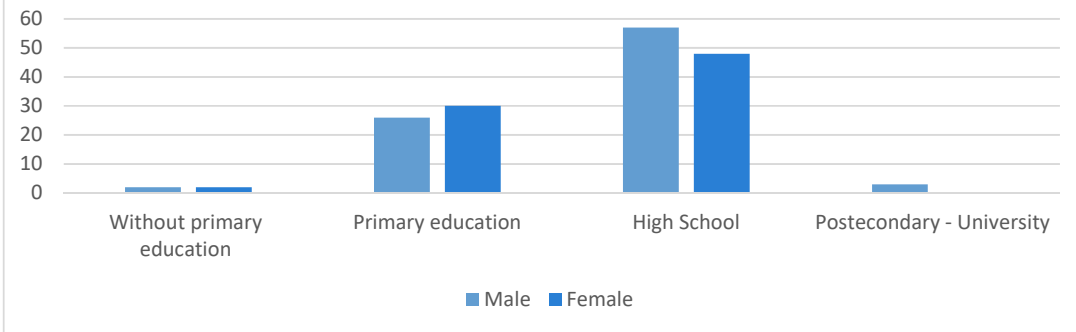
⁵ Since 1971 Muslims received the status of an ethnic group in Socialist Yugoslavia and were recognized as one of the six constituent nations of Yugoslavia (along with Serbs, Croats, Slovenians, Macedonians and Montenegrins). Such recognition is not based on religious identity.

Education

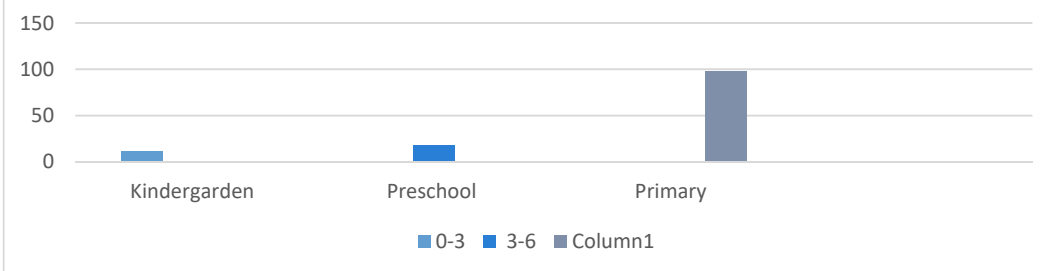
Novi Pazar is home to two universities, the International University of Novi Pazar and the State University of Novi Pazar. The Primary education is provided through 13 elementary schools out of which only one is in the wider area of the Sub-Project Elementary School „Avdo Medjedovic“. Potential impacts to the education facilities and road safety of school children have been managed through the mitigation measures in the ESMP. The picture below depicts the correlation between the Elementary School and the River training Works.



Education attainment in Novi Pazar (% out of total population)



Enrollment rate in childhood education (%)



Social Conflicts

Despite the multiethnic community no social tensions or conflicts that could exacerbated by the Sub-Project have been identified in the Project area.

Health

Based on the fourth national survey of the health of the population of Serbia, conducted in 2019, is an important source of information on the health of the population and enables the identification of priority health problems and the planning of preventive activities. In Serbia, in 2019, two thirds of the population (66.5%) perceived their general health as very good/good (significantly more in Belgrade – 72.8%) (Graph 3), 22.8% of the population considered their health to be fair, while every ninth resident rated their health as bad/very bad – 10.7% (significantly higher in Southern and Eastern Serbia – 13.5%). Men had a more positive picture of their own health than women: 71.3% of men rated their general health as very good/good, while among women the percentage was 62.1%. Also, significant differences were found in the self-assessment of health status (as very good/good) between residents of urban (70.1%) and other settlements (60.9%), residents in the category of the wealthiest (77.7%) and the poorest (55.7%), as well as between the most educated (80.2%) and residents of lower education (45.1%). In line with expectations, self-perceived health is related to the age of the individual: the older a person is, the more prone they are to a worse assessment of their health. Slightly less than half (48.8%) of Serbia's population aged 15 and over in 2019 has had at least one of 17 chronic diseases mentioned in the Survey, significantly more in the region of Southern and Eastern Serbia (52.4%), as well as Vojvodina (51.9%), women more than men (52.9% vs. 44.5%), persons older than 45 years (70.2%), residents with lower level of education (63.8%) and persons which belong to the category of the poorest (52.5%). City Novi Pazar was the greatest coronavirus hotspot in Europe on July 1, 2020, due to several hundred infected people.

1.3 Sub-Project Activities.

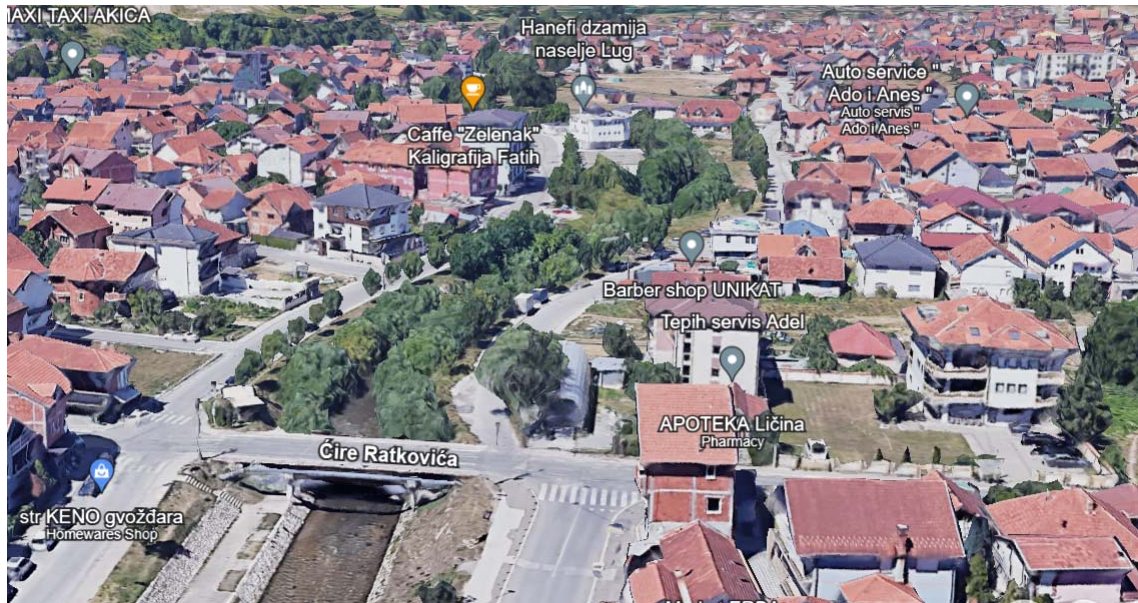
Raška River, in general, and in particular in the area of physical footprint and future civil works, has been less impacted by construction activities in disregard of the urban plans and the expansion of settlements.

The screening for the Detailed Design captured frequent case of construction of improvised bridges, temporary river crossings and individual flood protection structures, which are inadequate and have often exacerbated the flooding risks. Most of them were either severely damaged or completely destroyed during previous floods, and their parts were carried away by the torrent, causing damage to the existing already regulated sections in the city. Increased risks from climate change and recurring flood, imposed the need to train the river and ensure this part of Novi Pazar is also protection.

Figure 4 - Footprint of the river training works shown on a cadastral map



Figure 5 – Beginning of section





The Sub-Project works will be executed as per the Detailed Design, and the impacts beyond the land acquisition were assessed under a separate ESMP which had been developed, adopted, disclosed and publicly consulted in May 2023.

The Civil works entail:

- Cutting of self-grown non yielding bushes and trees from the river bed and its banks, and partially from the expropriated land,
- Limited dredging ,
- Removal of passive wastewater outflows,
- Excavation and earthworks to widen and deepen the river bed to endure hydraulic capacity, to increase the permeability and lower the level
- Stone aggregate and concrete paving of the river banks.

The following are most important benefits of the sub-project.

- Reduced risks of human life losses and injuries,
- Reduced damages of assets (private homes, apartment houses, utilities, roads, schools, kindergartens, health facilities and other public buildings);
- Reduced livelihood impacts and ensure business continue uninterrupted production, provision of services
- Protection of private properties as a fundamental human right
- Minimize damages to public infrastructure
- Indirect economic development effects.
- Protection of flora and fauna

- River bank protection from torrents and erosion.
- Increased community health and safety from safer river bed and infrastructure.

1.3 Scope and Purpose of the Resettlement Action Plan (RAP)

The RAP is required and tailored to cover identified direct economic and social impacts that result from the investment and are caused by:

- the involuntary taking of land rights acquired or restricted through expropriation in accordance with national law.

The land will be accessed as per schedule presented in this RAP, but not before compensation has been extended to the affected persons, or in pending court cases the compensation set aside within the Budget escrow account. Detailed description of impacts is given in chapter 5.

A RPF for the Project was prepared, approved by the World Bank and adopted by relevant Serbian authorities and publicly disclosed in 2019. The RPF is the guiding document for this RAP.

The scope of work undertaken during the RAP preparation included:

- Screening of project area,
- Survey of project area of impact, land and assets thereon;
- Walk through the project area as field verification of location of land required, use of land required, Presence of public or community infrastructure, number of affected persons,
- Census of the population to be affected by displacement
- Socioeconomic assessment including survey of livelihoods and sources of income of the PAPs;
- Analysis of valuation of the land and assets and property thereon to be expropriated;
- Consultations with Project Affected Persons to negotiate the compensation and subsequently attain written confirmation of their agreement with the entitles per the RAP;
- Analysis of the legal framework;
- Analysis of institutional framework covering the identification of agencies responsible for implementation of the RAP;
- Establishment of adequate and accessible Grievance mechanism
- Analysis of negotiated procedures, including offers made, considered and rejected

1.4 Objectives and Principles of the Resettlement Action Plan and Land acquisition

This RAP was prepared guided by Laws and regulations of the Republic of Serbia and the Project RPF. The spaces where gaps between the national law on land acquisition and ESS5 requirements looked at from the angle of Sub-Project Specific impacts are minor which have all successfully been closed through principles and mitigation measures adopted in this RAP . Compensation packages have been chosen based on consultation with PAPs, ensuring compensation at replacement cost and ensuring that the pre-displacement socio-economic conditions are kept or improved.

The RAP specifies the process to be followed and the actions to be taken to acquire land and compensate affected people allowing and providing for adequate participation, consultations coupled with access to a functioning grievance mechanism in addition to available national legal remedies. Furthermore, the plan sets out actions on how to avoid and mitigate future impacts to land and provide prompt and effective compensation for residual impacts if any to those eligible.

This RAP specifies the following:

- Detailed procedures to be followed by the PIU, City of Novi Pazar in respect to land acquisition, compensation, consultation and disclosure;
- The baseline census of affected persons and assets;
- Specific compensation rates and standards;
- The Entitlement Matrix
- Consultations past and future with affected people about acceptable alternatives and mitigation measures;
- Institutional responsibility for implementation, monitoring and procedures for grievance redress;
- Timetable and budget;

1.5 Study methodology

The preparation of this RAP was through a combination of desk and field study. The desk study involved review of project documentation including maps for the project sites, cadastral records, municipal database on PAPs and their assets, expropriation records, compensation offers and preliminary technical designs. The desk study was supplemented with surveying of the project sites to establish the exact impact of the proposed subprojects in terms of required land and affected property to create an inventory of PAPs and land. The field survey consisted of conducting 100 % household census; conducting social assessment of the subproject sites along the 2500 m long corridor of impact along the River Trnavica, socioeconomic study of the PAPs as well as census and measurement of their assets impacted. The Census was prepared on the basis of data available through the Cadastral Register and the database of the City of Novi Pazar, a geodetic survey and individual interviews. Secondary data were used in addition to generated primary data obtained through the PAPs and interviews with government officials and non-government officials about PAPs and their assets. Equal weight was given to quantitative and qualitative aspects so that it reflects a balanced reality of the current situation of the PAPs. The data generated serve as baseline conditions against which the living standards shall be compared to during the follow up survey in the Ex post RAP Implementation Report.

The census of people affected was the key initial activity serving four important and interrelated functions:

- Enumerating and collecting basic information on the affected population,
- Registering the affected population by residence,
- Establishing a list of eligible beneficiaries before the cut-off date that counters opportunistic claims from those moving into the Project Area solely in anticipation of benefits,
- Laying a framework for subsequent socio-economic research needed.

2. NATIONAL LAWS AND REGULATIONS RELATING TO THE AGENCIES RESPONSIBLE FOR IMPLEMENTING RESETTLEMENT ACTIVITIES IN THE CONTEXT OF THE SUB-PROJECT

In response to the commitment of the Republic of Serbia to comply with the ESF prior to Appraisal a Project Level Land acquisition Framework has been adopted to guide any Project related involuntary land acquisition, resettlement and loss of assets or access to assets. The RPF is accessible here [https://rdvode.gov.rs/doc/Resettlement-Policy-Framework \(RPF\).pdf](https://rdvode.gov.rs/doc/Resettlement-Policy-Framework%20(RPF).pdf)

2.1 The National Land Acquisition Policy - The Law on Expropriation of Serbia

The Law on Expropriation (passed in 1995, enacted on January 1, 1996, amended in March 2001, amended again on March 19, 2009, and 2013 by the Constitutional Court ruling) guides the land

acquisition by use of eminent domain i.e. expropriation and serves as a general framework for expropriation in the Republic of Serbia.

The most important features of the Law on Expropriation are provided below (provisions related to agricultural land are excluded as not applicable in this Sub-Project):

- It is intended to ensure simple, efficient process, reducing as far as possible the need for a judicial process to facilitate expropriation. In less complex cases the process of acquisition can be completed within 2 months;
- The law enshrines the principle of compensation at market value.
- Compensation is cash based at market value which in this case equals the replacement cost;
- The value of land is determined by the Tax Administration on a case by case basis which can be disputed and referred to court.
- Compensation for assets is determined by accredited experts

2.2 Public interest and purpose of expropriation

Property can only be expropriated upon the establishment of public interest for projects that bring greater benefit for the public (Law on Expropriation, Art. 1).

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

The Law on Expropriation requires the Beneficiary of Expropriation to justify the need for expropriation and to demonstrate that the scheme cannot occur without the proposed expropriation. The declaration of public interest/use is a special procedure, which precedes and enables any property acquisition and expropriation.

In case of expropriation for the Raška River training works the public interest was declared with details provided in chapter 6.4.

2.3 Expropriation process

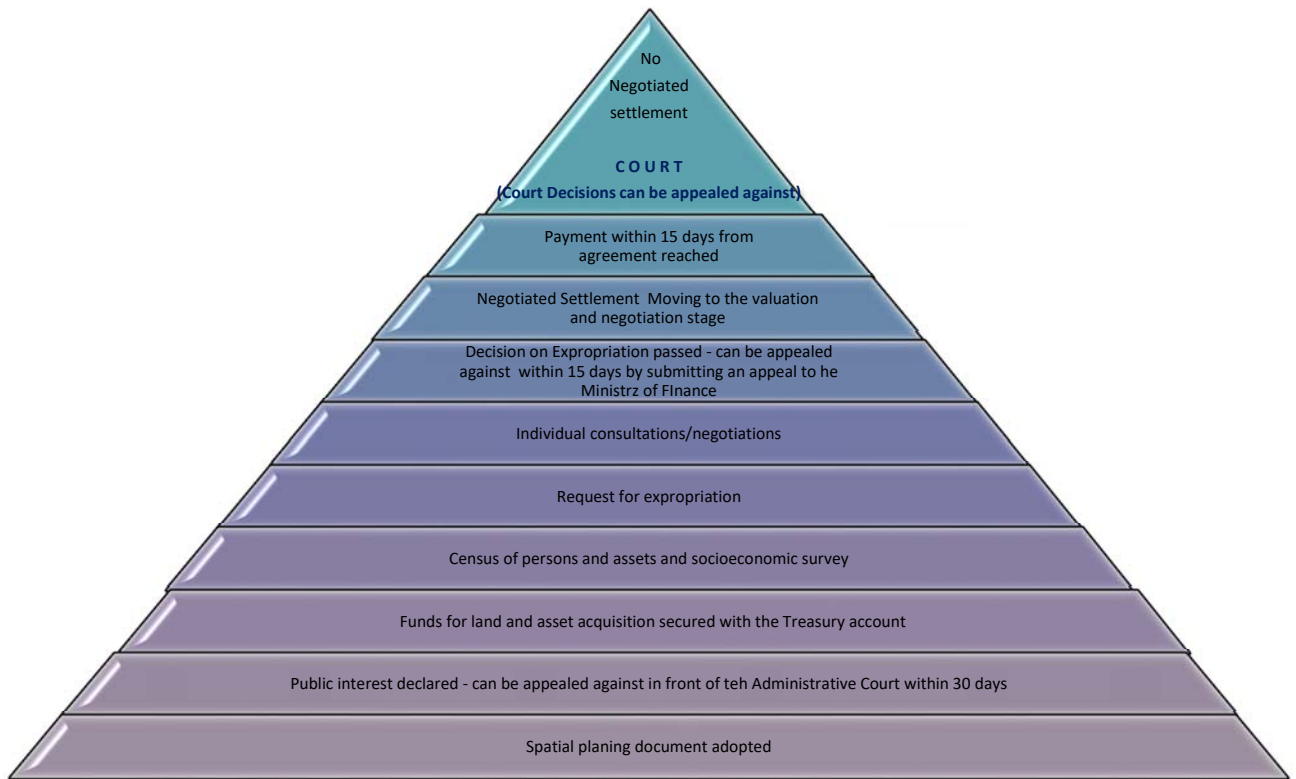
This chapter describes the administrative expropriation process under the national law. This process as supplemented with the measures adapted to incorporate principles of the ESS5 as defined in chapter 6 are the principles guiding expropriation for the Raška river training works. One of the conditions precedent to start expropriation is the existence of evidence that the required funds have been secured and made available and evidence thereof presented together with each request for expropriation by which the formal process also starts. (Art. 24).

This is submitted by the Beneficiary of Expropriation i.e. the City of Novi Pazar represented by the Public Defender. Each land plot whose acquisition is required is covered by a specific request ascertaining each person (PAP) owning part or the whole land, the area of land required, evidence the expropriation is lawful and justified including confirmation that the scheme is included in the relevant planning document.

PAPs are individually invited to consultations in writing to their home addresses providing the subject, time and date of hearing proposed and a list of information and documents that is made available for presentation and discussion. At this occasion the PAPs are given the opportunity to comment, agree or dispute the land information or inventory of assets enumerated, including expropriation itself. Subsequently the formal Decision on Expropriation is issued which can be challenged in first instance with the Ministry of Finance within 15 days calculating from the day the formal decision in writing has been received and by filing a lawsuit with the Administrative Court within 30 days upon receipt of the decision of the Ministry of Finance should the first instance outcome not be to the satisfaction of the

appealing party. Each decision issued during the course of expropriation contains a written detailed instruction on the appeal process. A comprehensive consultation process was completed. As detailed in chapter

Figure 6 – Land acquisition flowchart



2.4 Compensation rates for Land and assets

Details have been provided in chapter 6.5. and 6.6

2.5 Information and consultation requirements

The Law on expropriation does not require *per se* public dissemination of information on the area delineated, and systematic and continuous dissemination. 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 dissemination and information of every decision within the process flowchart. This dissemination has statutory limits wherever a legal remedy is provided.

2.6 Information of public importance

Information of public importance is information held by a public authority body, created during or relating to the operation of a public authority body, which is contained in a document and concerns anything the public has a justified interest to know. The Law on information of public importance (Official Gazette RS", No 120/2004, 54/2007, 104/2009, and 36/2010) requires any document publicly disclosed to have integrated guidance on how to access information of public importance.

This subject is governed by the Law On Free Access To Information of Public Importance⁶ shall govern the rights of access to information of public importance held by public authorities, with a view to exercising and protecting the public interest to know and attaining a free democratic order and an open society.

By virtue of this Law access to information shall be granted to all stakeholders, including every natural person or legal entity upon written request unless otherwise regulated by the Law. Within 15 days of receipt of a request at the latest, the authority shall inform the applicant whether the requested information is held, and grant him/her access to the document containing the requested information or issue or send to the applicant a copy of the document, as the case may be. This Law enables for instance access to information on public expenditure, information on the Loan etc. Annex 2 provides a template for access to information. This Law is intended for accessing information of interest to the general public, NGOs and other Stakeholders that are not directly impacted by the land acquisition needs of the Project. The main avenue for sharing information to PAPs is the Stakeholder Engagement Plan coupled with the Law on Expropriation and the procedural laws guiding the land acquisition process, which provides timely, comprehensive information and has a well functioning feedback mechanism.

2.7 Other Applicable Laws and Provisions

Besides the Law on Expropriation, there are a number of other laws that are applicable to processing expropriation such as inter alia the Law on Fundamentals of Property Relations (adopted in 1980, amended 1990, 1996 and 2005), the Law of Planning and Construction (adopted in 2023), the Law on State Cadastre (adopted in 2009, amended in 2020), series of laws guiding Court functions etc.

3 THE WORLD BANK POLICY ON INVOLUNTARY RESETTLEMENT

Bank supported projects involving Land Acquisition, Restrictions on Land Use and Involuntary Resettlement involuntary resettlement are subject to ESS⁷.

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.

⁷<http://pubdocs.worldbank.org/en/837721522762050108/Environmental-and-Social-Framework.pdf#page=29&zoom=80>

- 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.

Affected persons may be classified as persons: (a) Who have formal legal rights to land or assets; (b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or (c) Who have no recognizable legal right or claim to the land or assets they occupy or use.

3.1 Gaps relevant to Sub-Project impacts

The objectives of ESS5 are clear in their aim to avoid involuntary resettlement caused by land acquisition measures wherever feasible and if not possible to apply such compensation principles for impacts on all PAPs and to restore their livelihoods at least to pre-project level. In general, the institutional framework for expropriation in Serbia is strong and with a few gaps compatible with the ESS5 but there are some exceptions, especially related to the requirements to compensate at replacement cost for land vis-à-vis the national requirement of compensating land at market value without payment of taxes and fees as part of compensation package. Additionally, the national law does not instantly recognize informal users, occupiers, although compensation for immovable assets in particular residential structures is paid at “construction cost” which in essence comes very close to the replacement cost methodology. The law does not require a project specific grievance redress mechanism, a social impact assessment, gender disaggregated data. Assistance to vulnerable persons is recognized, with a definition that again comes close to what ESS5 and The WB Directive on vulnerable persons define as a requirement. What in practice happens, is that this provision is rarely utilized in out of court settlements, under the argument that the expertise is missing on the side of the administration or Beneficiary of Expropriation to determine the underlining drivers of vulnerability yet alone assign a compensation to it. The Court however takes into consideration the socio-economic conditions of the household and based on the assessment of risk from deterioration of the living standards may rule that additional support is due.

The table below provides an overview of gaps relevant to Sub-Project impacts specific between the national expropriation law vis-à-vis ESS5 and the recommendations/actions taken for the national law to achieve compliance with the project standards. The comprehensive Gap assessment is provided in the Project level RPF.

Table 1 - Gap Analysis

Topic covered	National law requirements	World Bank ESS5 Requirements	Gap closing measures
Census and Socioeconomic Survey and Resettlement Action Plan (RAP)	No explicit requirement related to socio-economic studies or development of resettlement instrument regardless of the extent of impact. Nevertheless the Law requires an inventory of affected persons and assets without a socio-economic baseline and monitoring indicators.	Where land acquisition or restrictions on land use are unavoidable, the Borrower will, as part of the environmental and social assessment, conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits To address the issues identified in the environmental and social assessment, the Borrower will prepare a Resettlement Action Plan proportionate to the risks and impacts associated with the project	Conduct a census and household level socioeconomic survey and full inventory of persons and assets. Develop RAP (this document) with information on (i) current occupants in the affected area, (ii) characteristics of displaced households and their standards of living and livelihoods, (iii) magnitude of expected losses and extent of displacement, and (iv) information on vulnerable groups or persons. The RAP will establish eligibility criteria for affected persons, set out procedures and standards for compensation, and incorporate arrangements for consultations, monitoring and addressing grievances.
Avoidance and minimization of involuntary resettlement	There are no specific requirements to minimize involuntary resettlement apart mentioned	Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs. The Borrower will consider feasible alternative project designs to avoid or at least minimize displacement.	The PIU has minimized impacts to physical and/or economic displacement. All alternatives and measures have been explored explored to avoid or minimize negative impacts. This is recorded in the internal periodical (monthly or quarterly) report required by the WB. The efforts to minimize have been excersized through adaptive design management.
Resettlement instruments, census	The only documents prepared are part of construction plans, the Expropriation study is an inventory of	Resettlement Action Plan is prepared proportionate to the risks and impacts associated with the (sub)projects. Where	This site-specific RAP is developed per ESS5, in addition to national legal requirements. Census and socioeconomic

Topic covered	National law requirements	World Bank ESS5 Requirements	Gap closing measures
and social impact assessment	land impacted and formal owners without tackling socio-economic issues.	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.	survey conducted according to WB requirement in addition to requirements under national legislation
Consultation with PAPs to consult and agree on compensation principles and attain consent	The engagement is formal and retained within the structures of the administrative process.	To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.	The compensation packages have been discussed with the PAPs on a number of occasions, individually, in privacy and respecting the cultural norms.
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 RAP (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	Normally, the cut-off date is when census begins but could also be the date the project area was delineated, prior to the census,	Information in writing will be provided together with the proposal individually to each of the 90 PAPs in writing via

Topic covered	National law requirements	World Bank ESS5 Requirements	Gap closing measures
	<p>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.</p>	<p>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.</p>	<p>registered mail. Any investment made after the cut-off date will not be compensated except where it can be demonstrated that such post-cut-off date improvements were needed to maintain the livelihoods of the affected person during the period between the cut-off date and displacement. The intention of the cut-off date has been presented during the survey and the first consultations on the expropriation process.</p>
<p>Compensation at replacement cost</p>	<p>The valuation land is based at the prevailing market price and circumstances at the time when the agreement is signed.</p>	<p>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</p>	<p>The compensation for loss of land is paid at average comparable sales statistics to arrive at the replacement as defined in the WB policies, if any resulting value from this process does not achieve the replacement value the compensation will be topped up. The top up shall be assessed by accredited experts who will firstly determine the replacement cost and then determine the amount needed to arrive at replacement cost.</p> <p>In determining the replacement cost of the affected land or asset, the cost of market value plus taxes and fees, if any, will be taken into account. In case of valuing the cost of affected structures, the depreciation cost of structures will not be taken into account and the estimation of costs will be</p>

Topic covered	National law requirements	World Bank ESS5 Requirements	Gap closing measures
		<p>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. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.</p>	<p>assessed on how much it will cost for building a new one of the same quality.</p>
Escrow accounts	<p>There is no requirement to have an escrow account. However, the BoE is required to submit proof of financial funds for compensation prior to start of expropriation. If there is a court process about the compensation value, court can order funds to be deposited in court deposit account.</p>	<p>If there are significant difficulties related to the payment of compensation to particular affected persons, on an exceptional basis, with prior agreement of the Bank, the PIU may deposit compensation (plus contingencies) into an interest-bearing escrow or other deposit account.</p>	<p>Compensation funds as required by the RAP including contingencies, will be made available prior to start of land acquisition and can be deposited into interest-bearing accounts, if necessary, however only under exceptional circumstances and with prior approval from the WB. Compensation placed in escrow will be made available to eligible persons in a timely manner as issues are resolved.</p>

Topic covered	National law requirements	World Bank ESS5 Requirements	Gap closing measures
Payment of taxes and fees	There are no transaction costs and the registration fees are born by the Beneficiary of expropriation including court fees	The compensation will be inclusive of administrative charges, registration or title fees, and any similar costs imposed on affected persons.	Only the cost of registration in case of purchase of new land are included in case the PAP has the intention to buy new land. If at the time of compensation payment, the PAPs declare intent to buy replacement land, the Beneficiary of Expropriation shall top up the compensation with the above said contingency amount. This shall be documented.
Grievance Redress to serve for grievances arising in connection with the activities of the sub-project	Besides officially recognized institutions and legal remedies for appeals no other procedure for settlement of Grievances is required	Appropriate, affordable and accessible procedures for third-party settlement of disputes arising from resettlement must be established; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.	The PIU established the CFD in 2019 while the City of Novi Pazar has established the independent grievance committee (LGD) on January 27, 2023
Eligibility for compensation	The Expropriation Law recognizes only formal title holders and holders of rights recognizable under national laws (factual ownership).	Besides formal owners, ESS5 also recognizes those who have no recognizable legal right or claim to the land they are occupying on Cut-off-Date as eligible for relocation and rehabilitation assistance and compensation for loss of non-land assets at replacement value.	Compensation and assistance to PAPs without legal right or claims will be made per principles and entitlements provided in the entitlement matrix of this RAP, if they are present in the project affected area at the time of the cut-off date. Asset inventory and valuations of their affected properties will be conducted and all measures will be recorded in the internal periodical (monthly or quarterly) project progress report. No informal PAPs, or occupiers or encroachers

Topic covered	National law requirements	World Bank ESS5 Requirements	Gap closing measures
			have been identified. All owners have registered titles.
Transitional Support	The Expropriation Law doesn't recognize any form of transitional allowance.	Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living. This may include payment for lost crops and lost natural resources, payment of lost profits for businesses, or payment of lost wages for employees affected by business relocation.	The PIU will ensure that displaced persons receive transitional support per entitlement of the RPF – however no economic or physical displacement will occur under this Sub-Project
Loss of benefits and income for workers and employees	No particular legal provision	In addition to compensation at full replacement cost and transitional support, displaced persons must be assisted in their efforts to improve, or at least restore, their livelihoods and living standards.	No impacts in loss of benefits and income for workers and employees have been identified as no business have been impacted. Nonetheless, in the event such cases would occur support and assistance commensurate to the impact, as a way to bridge the gap, and all measures must be demonstrated and documented to the satisfaction of the WB.
Gender aspects	Men and women have equal rights in the Republic of Serbia, including the right to be title holders.	Women's perspectives must be obtained through consultation and their interests factored into all aspects. Documentation of ownership or occupancy and compensation should be issued in the	Particularly in some rural areas, women's participation in consultations may be limited. Women only consultation may be held as relevant.

Topic covered	National law requirements	World Bank ESS5 Requirements	Gap closing measures
		names of both spouses wherever possible, and other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available to women and adapted to their needs.	Documentation of ownership or occupancy and compensation should be issued in the names of both spouses, and other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available to women and adapted to their needs.
Monitoring & Evaluation	No specific monitoring procedures are required	The Borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instruments.	The PIU will conduct periodic monitoring in line with the requirements set out in the RPF and this RAP.

4. AVOIDING AND MINIMIZING IMPACTS

An alternative route for the sub-project could not have been explored and the impact area itself could not have been avoided since the alignment is set as it follows the position of the river. Despite that fact an exceptionally high number of mitigation measures have been applied to mitigate and minimize negative impacts and accommodate mitigation requests of PAPs.

For example, the technical design has been changed to avoid any impacts to residential structures. The design changes were made through on site consultations with PAPs, the DfW and PIU and in consultation with the designer.

5. Overview of Project Impacts

The works will be prevalently executed within the right of way within the river bed owned by the Republic of Serbia as an asset of public interest. Notwithstanding, acquisition of minor areas of private land is required and the following impacts have been identified:

- The footprint is set across a universe of **57** private land parcels owned and co-owned by **90** private owners (co-owners), 24 parcels co-owned, 33 parcels in sole ownership of a single PAP, in the total area of **14,518 m²** (of non-cultivated, polluted and flood prone land).
- 3 cases where impacts to assets attached to the land have been impacted: 2 walnut trees, 2 retaining walls and 1 auxiliary structure
- No livelihood impacts. The land has no legal physical impediments for use. No unresolved land issues nor formal or informal land users/occupiers permanent, seasonal or occasional have been identified.

The tables below show overview details on numbers of land parcels by type of ownership, gender patterns, registered and actual use of land and scale of loss.

Table 2 - Overview of affected land parcels by type of ownership and area

Ownership/co-ownership	Number of private land parcels affected by expropriation	Total area m ²
Private/Total	57 (100%)	14,518.00

Majority of land owners are men. However the site visit and socio-economic survey confirmed that there is a joint decision making process in the household to the extent accustomed with the local norms.

Table 3 - Overview of gender disaggregated land ownership

Ownership	Number of owners (including co-owners)	Percentage
Women	30	33,30%
Men	60	66.70%
Total	90	100%

Table 4 - Overview on land size patterns

Land size	m ²
Total area impacted by expropriation	14,518.00
Average area	168.09

Smallest area	1.00
Largest area	1,325.00

The land categories assigned and registered through the cadastre are not reflecting the actual use of land. None of the parcels has the actual land use as classified below. The use of land devoted to outdoor activities of the household and borders with the river

Orchards and gardens are a cadastral designation to the type of land registered decades ago. The land was not cultivated and the PAPs were not growing fruit bearing trees nor any other agricultural product. These cadastral designations often do not correspond to the actual use of land. The areas of land impacted by land acquisition are flood prone, polluted and uncultivated fragments of land along the entire stretch.

Table 5 - Overview of land categories

Type of land affected ⁸	No of plots and %
Artificially created infertile land)*	19 (32,00%)
Orchards	3 (5,00%)
Meadow	6 (10,00%)
Field	22 (37,00%)
Forest	6 (10,00%)
Garden	2 (3,00%)
Total	58 (100,00%)

Source: Novi Pazar Cadastre office

*relates to land not suitable for nether agricultural nor forestry production and has been degraded by human activities

Table 6 - Overview of assets categories

Reference of asset	Type of assets affected	Area impacted (m) (m2)
#1	Retaining wall	30.00
#2	Retaining wall	4,20
#3	Auxiliary structure*	14.00

***structure** located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Storage and sheds are some of the common urban accessory structures.

:

⁸ The classification of land is as registered in the cadastre office and does not necessarily mean this is the way the parcel is utilized

Figure 7 - Overview of impacts per PAP and Area (*double click to open*)



5.1 Census/Inventory

The Census/Inventory of all PAPs and asset survey was developed in order to gather and analyse data and information required to identify all categories of impacts, the Project Affected People (PAPs) directly affected by land acquisition (owners of affected land plots).

The Census contains data on the following:

- (i) Location and Cadastral Municipality,
- (ii) Land plot number,
- (iii) Type of impact,
- (iv) Name of PAP (owner or user),
- (v) Total area of land owned (m2).
- (vi) Total area of land to be affected (m2)
- (vii) Type of asset on land affected.
- (viii) Valuation and Compensation assessed
- (ix) Other information relevant for individual cases.

The summarized version of the census database is provided in Annex 4 of this RAP. And the detailed excel file is accompanying this document as a separate file.

5.2 Socio-economic Survey

The Socio-economic survey was conducted with the support of the City of Novi Pazar. For purposes of the Survey, an announcement was issued by the PIU and administered by the City of Novi Pazar. Invitations to survey together with the information on the survey were provided verbally during negotiations to all PAPs. The Survey was conducted in an extended period from June 2023 to January 2024.

The dataset gathered during the Socio-economic Survey provides a sample baseline of detailed socio, economic, household demographic, livelihood sources and other relevant data for the Project Affected Population see survey template (Annex 3).

PAPs who were willing to enter negotiated compensation agreements were unwilling to participate in the survey as they have already provided data during discussions around the compensation. 15 out of 90 PAPs 16, 66 % of the universe affected by expropriation agreed to participate in the survey. Some of the PAPs declined in writing the intent to participate by returning the survey questionnaire with a written note on the cover page. Data for PAPs who did not participate in the survey was collected through secondary data available, during negotiation on the compensation packages and valuation and site inspections.

The summary of the key data provided in Annex 4 to this RAP (the full database is in the form of a separate Excel document). Confidential information about individual persons and properties will not be publicly disclosed.

5.3 Socio-economic assessment of the PAPs

In addition to basic demographic data (age, sex, family size), social and economic information (ethnicity, health, education, occupation, income sources) were gathered from among the affected people.

These surveys gathered detailed information at a household and individual level on current living standards, incomes and livelihoods. The objectives of the Socio-Economic Surveys were to identify potential adverse impacts on PAPs and potentially vulnerable people and households; and to serve as a baseline to measure effectiveness of resettlement plans and mitigation measures.

The Socio-Economic Survey and consultations covered the following main topics providing a baseline data for future monitoring and evaluation of RAP implementation.

- Demographic Information
- Household Composition
- Education & Skills
- Economic Activities & land based livelihood
- Household Incomes
- Health & Welfare and vulnerability

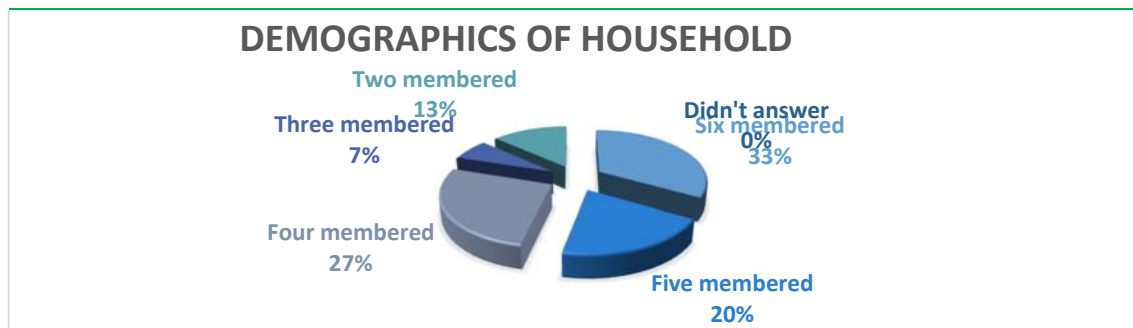
5.3.1 Owners

Out of a total of 90 PAPs, 15 accepted to be surveyed which represents 16, 7% of the universe of affected owners. This part of Novi Pazar is characterised by a substantial number of residents living and working abroad (Turkey and EU Countries). Despite the low participation the sample is still considered representative since no livelihood impacts nor will physical displacement be experienced. During the public consultation on this RAP socio-economic features will be discussed and the RAP supplemented as relevant.

5.3.2 Demographic features of households

Amongst the interviewed 100 % provided information about the household members. There are no single headed households, 13 % are with two members, followed 27% of four membered households, 20% five member households and 33% of six membered. Further analysis showed that usually two generations live together. Household features are presented below.

Figure 8 - Demographic features of households



5.3.3 Gender of Respondents

From the secondary data the women’s titles are most commonly established by exercising their hereditary right as opposed to male ownership which is presumed when immovable property is acquired. The Law on succession grants equal rights to succession of both male and female successors. These figures should be interpreted with support of the provisions of marital and family law whereas the ownership right is deemed to be distributed equally between husband and wife and if formal registration of property is made in name of only one spouse a legal assumption of ownership is made on behalf of both.

Table 4 - % distribution of 'Gender of PAPs'

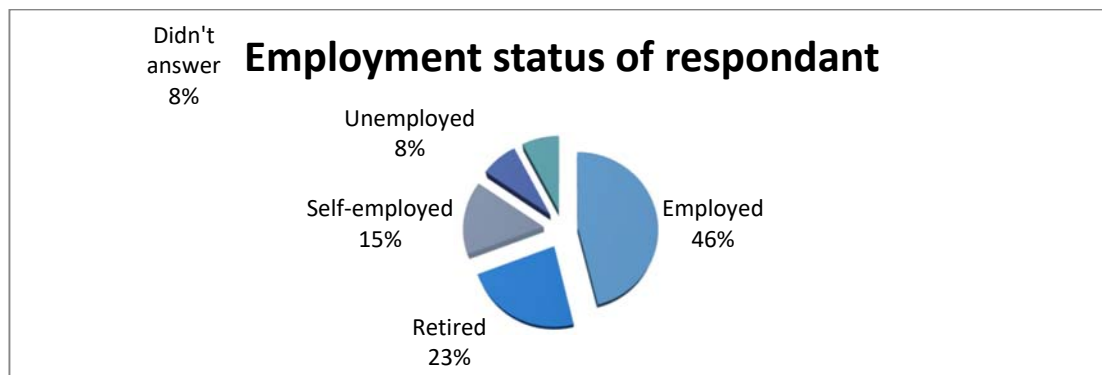
Gender of PAPs	Count of Gender of PAPs
M	66.70%
F	33.30%
Grand Total	100.00%

5.3.5 Sources of Livelihood for the affected person and monthly income

PAPs were not willing to share their source of livelihood but have declared (both groups those surveyed and those not, the latter during the negotiation process) that given the minor impacts from land acquisition the loss of land has no impact to their livelihood.

5.3.6 Employment status

Figure 9 – Employment status



5.3.7 Place of Residence

All respondents live in Novi Pazar in the area where land take will occur..

5.3.8 Vulnerability

No vulnerability among the surveyed has been identified based on the responses provided in the socio economic questionnaire For PAPs who were not willing to participate during negotiations questions this has been assessed during negotiations by posing question related to their potential vulnerability. It has been assessed that there is sufficient capacity of those subjected to land acquisition to defend or

assert their interests and that there is no lack of financial resources, absence of legal support, illiteracy, religious, linguistic, or gender discrimination.

5.3.9 Public infrastructure that will be affected

During implementation of the Project no public infrastructure will be affected. The sewage outflows are inactive and the intention of the City of Novi Pazar to connect all households to the public sewage. The works on the improvement/replacement of bridges compliant with the design will ensure unhindered access, and timely information and consultation with the PAPs. The works on the improvement/replacement of bridges compliant with the design will ensure unhindered access, and timely information and consultation with the PAPs once the Contractor has been provided access to site in the process of approving his work schedule. The city of Novi Pazar has established a working group to deal with these issues during construction works. The city of Novi Pazar has established a working group to deal with these issues during construction works. Should the situation change during the implementation the RAP will be supplemented.

5.3.10 Community Perception of the Project

The community is very devoted to the success of the Project since the floods are very common and patterned occurrences especially impacting those living at the very banks of the river. The damage they suffer and the constant fear during the heavy rains and snow melts has boosted the support of the community of the sub-project. All respondents look forward to successful completion of the project and have expressed their anxiety for the project to commence as a matter of urgency.

6. RESETTLEMENT COMPENSATION STRATEGIES

6.1 Key Principles

The RPF committed key principles which are incorporated into this RAP. The principles for the impacts identified could be briefly summarized as follows:

- Resettlement and compensation for impacts extended to PAPs will be carried out in compliance with Serbian legislation and World Bank's ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement whereas the more stringent requirement will take precedence
- Affected People will be compensated for their losses at replacement cost to allow restoration at pre-displacement level,
- The RAP implementation and outcomes will be monitored and evaluated by the PIU,
- The land acquisition and compensation strategies will be developed in close consultation with the PAPs.

6.2 Cut-Off Date

This Sub-Project is of such nature that encroachment and persons moving into Project area solely in anticipation of benefits is highly unlikely. The date when the PAPs are informed in writing of the submitted expropriation proposal will serve as the Cut-off date which is in line with the national Law on Expropriation and the. The ESF requires information regarding the cut-off date to be well documented and be disseminated throughout the project area at regular intervals in written and (as appropriate) nonwritten forms and in relevant local languages. Information in writing will be provided together with the proposal individually to each of the 90 PAPs in writing via registered mail. Any investment made after the cut-off date will not be compensated except where it can be demonstrated that such post-cut-off date improvements were needed to maintain the livelihoods of the affected person during the period between the cut-off date and displacement. The intention of the cut-off date has been presented during the survey and the first consultations on the expropriation process. .

6.3 Eligibility

All 90 PAPs identified prior to the cut-off date are entitled to compensation in line with this RAP.

This sub-project **affects following category** of PAPs

- Project affected persons, with formal title, who lose part of their land and assets attached to land.

The entitlements for the above impact categories are shown below:

Table 5 - Entitlement matrix for impacts identified

Type of loss	Person with rights	Compensation policy
Economic displacement		
Land		
Land regardless to severity of loss (whether partial or complete loss)	Owner with formal 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
Unviable land, agricultural or construction	Owner of land	In case the remaining area of land is not viable, it will be expropriated upon PAPs request and compensated. The statutory limit to file this request is 2 years following the completion of the civil works
Assets attached to land (other than houses)		
Assets attached to private land (retaining walls and auxiliary buildings.)	Owners of structures	Cash compensation at replacement costs, or where possible dismantling and relocation
Taxes and fees		
The Expropriation is per law exempt from taxation and registration fees	Owners of land	<i>If at the time of compensation payment, the PAP declares his intent to buy replacement land the Beneficiary of Expropriation shall top up the compensation with an contingency amount of 10.000 RSD.</i>

6.4 Status of Expropriation Process at preparation of this RAP

6.4.1 Commencement of expropriation

The Public interest allowing land acquisition was declared by the Government on April 15, 2021 (Decision 05 No.465-3361/2021). The Project has been under preparation since 2020 and hence the prompt declaration of Public interest.

Since 2021 a census of persons and assets was developed, financial allocations made and all other activities preceding the formal expropriation completed, including completion of the detailed design. The footprint of the Raska River training works is set across 57 parcels but with a complex co-ownership structure, which continued to change throughout the development of the RAP to finally

arrive at the number of 90 co-owners. The large number of PAPs coupled with the fact that many of the owner live and work abroad has extended the time for negotiations with the PAPs and hence the RAP preparation.

This investment as stated earlier is one of the most expected construction activity as the Persons affected by the Sub-Project Land acquisition needs are at the same time Persons most adversely and directly affected each time the River Raska causes floods. Therefore the river regulation works for this

6.4.2 Information on expropriation

Individuals enumerated in the census eligible to receive compensation as defined under 6.3 Eligibility were individually invited to the Property department of Novi Pazar. Detailed information on the proposed expropriation, the process to be followed and principles that shall apply were presented. A summary of consultations and meetings held is provided in Annex 10. The discussions were facilitated by the City of Novi Pazar, the Property department, and directly held between each of the PAP or their legal representative as a number of PAPs were represented by lawyers.

These meetings are accompanied by Minutes of meetings signed by each party and verified by the official from the Property department. This process requires meticulous record keeping in line with the Law on Administrative Procedures of Republic of Serbia. The invitation to meetings is extended in writing via registered mail, and records are archived in the individual case files kept by the Property department.

The consultations/negotiations with the PAPs were held between May 2023 and the time of this RAP.

The key topics discussed during consultations/negotiations are the following

Invited were all individuals identified in the inventory list provided by the Cadastral office and enumerated in the detailed design for expropriation as well as those persons claiming they have the right of inheritance even though the succession procedure has not been completed.

In order to facilitate legal successors of deceased owners to be recognized for entitlements without the delay of having to finalize the inheritance process the City of Novi Pazar has passed a decision authorizing the Public Defender and the Property department to recognize such persons as de facto owners and therefore PAPs with the right to claim and receive entitlements.

During this first consultation, maps with delineation of the Project were shown. It has been explained that the alignment of the Project is set following the footprint of the river, but that mitigation measures have been applied to avoid severe impacts.

The PAPs all signed off to the delineation of the Project thus to the area of land impacted.

6.4.4 Asset screening

After the expropriation proposals are submitted with supporting documentation, and first information disseminated, individual invitations to hearings on expropriation were sent to every PAP. The invitation specified the purpose, time and date of hearing proposed and provided the PAPs with a list of documents to be made available for presentation and discussion at the agreed time. At the hearings, PAPs and the City of Novi Pazar jointly signed off to the inventory of land plots, identified owner and confirmed that besides land, assets as described in chapter 5 were identified. The land is near the river, and prone to erosions and under eminent flood risk wherefore the PAPs do not cultivate land adjacent to the river. The land is registered as such but it is indeed not cultivated. At that time, claims recognized or recognizable under the Law in respect to inheritance rights were submitted. The PAPs have been assisted with free legal aid by the Public Defender's office. All categories of Project Affected Persons were individually consulted.

6.4.5 Valuation

6.4.5.1 Methodology applied during valuation

The value of land is determined based on the market value of land of equal productive potential or use located in the vicinity of the affected area by comparison of sales transaction in the recent past (past 6 months) by applying corrective factors to arrive at actual market value. The methodology applied was in line with the Guidelines for determining market value passed by the Director of the Tax administration office, which includes the Guidelines set forth principles in determining the market value of land and other immovable property. Novi Pazar in general and the area where the Project land take impacts are experienced have a well-functioning markets hence the replacement cost is the market value as established through independent and competent real estate valuation. Expropriation is by law exempt from any types of transaction costs which brings the market value equalling the replacement value.

In case of valuation of land valuation is based on comparable market value determined in at least two final decision of the tax authority, issued in the procedure of determining the tax on transfer of absolute rights by comparison of the same or similar land on the market, in the same cadastral City or adjacent, of the same or similar quality (field, orchard, meadows, forests, etc.). The comparable sales transaction considered are the one closest to the date when the valuation is conducted. Estimated value of the land have been increased by using the calibration factors depending on location, proximity to roads, provided infrastructure, proximity to populated areas, and registration fees if any. The average valuation provided by the Tax administration office/accredited experts is **4.107,00 RSD/m² or 35.06 EUR/m²** equivalent.

6.4.5.2 Taxes and Fees

Under the Law on VAT ("Official Gazette of RS" No., 84/2004, 86/2004 - ispr., 61/2005, 61/2007, 93/2012, 108/2013, 6/2014 – RSD amount adjusted . 68/2014 – other law, 142/2014, 5/2015 –rsd amount adjusted, 83/2015 i 5/2016 –RSD amount adjusted) the transaction of land by virtue of **expropriation** is exempt from payment of VAT. These taxes have therefore not been included under the valuation. There are no fees for modifications of the existing land titles (certificates) and subtracting portions of land expropriated.

Registration fee in the cadastre for transfer of property rights is born by the Beneficiary of Expropriation in accordance with the Law on State Cadastre (Official Gazette RS", No. 72/2009, 18/2010, 65/2013, 15/2015 – decision of Constitutional Court -S i 96/2015). These fees have therefore not been included under the valuation.

The only administrative fee that could be imposed to PAPs is the registration fee in case they would opt to buy new land to replace the expropriated land. Since the land expropriated is rather small (less than 10% of total land), the PAPs did not declare their intent to buy replacement land. However, a corrective factor in form of a contingency of 10.000,00 RSD (81,3 EUR) per PAPs as the average cost of registration fee, has been applied. If at the time of compensation payment, the PAPs declares his intent to buy replacement land the Beneficiary of Expropriation shall top up the compensation with the above said contingency amount. This shall be documented through minutes.

6.4.5.3 Budget made available

The City of Novi Pazar has allocated 150.000.000,00 RSD for land and assets(1.279.863.48 EUR equivalent) (for the fiscal year 2023 and 2024 in accordance with the Adopted Budget of Novi Pazar⁹) into a Consolidated Treasury Account within the Budget appropriation. Under this account, earmarked payments can only be spent towards the designed purpose and is considered eligible expenditure under National Law on Budget and the Budget system (Official Gazette of RS No. 54/2009, 73/2010,

⁹ https://www.novipazar.rs/images/dokumenti/budzet/2024/Odluka_o_budzetu_za_2024.pdf

101/2010, 101/2011, 93/2012, 62/2013, 63/2013 - corr, 108/2013, 142/2014, 68/2015 – other and 118/2021, and 92/2023)¹⁰. Local Self-governments are not allowed to open escrow or similar accounts with commercial Banks. For them a Consolidated Treasury Account is opened in the name of the local authority and operated by the Treasury (Bullet 39 of the Law – definitions). Any expenditure is appropriated by the Assembly of the local Government, by law on the Budget of the Republic of Serbia or the decision on the budget. Only by such appropriation is the Local Government authorized to spend public funds up to a specified amount and the for certain purposes (Bullet 31 definitions). Payments from the Consolidated Treasury Account for the implementation of any obligations of other public funds beneficiaries that are included in the consolidated treasury account system will not be made if the appropriation and budget has not been approved in the manner prescribed by law or act of the Assembly and local government and if the plan is not submitted to the Administration for Treasury for review and audit (Article 58- Payments from the Budget). In this case, payments can only be made to PAPs for compensation due related to expropriation of land parcels acquired for the execution of Raska river training works. This amount covers compensation for land as assessed by the Tax administration, valuation of accredited experts and/or the Court.

6.5 Land valuation

Following the census the City of Novi Pazar submitted a request to the Tax administration office as the competent authority (in accordance with Article 42 Law on expropriation) to assess the value of land. The request was submitted for every case individually and included. The Tax administration has provided the valuation for all plots based on the planned use (in line with the Cities urban plan) which means the land was valued as construction land and therefore no differentiation for types of land was provided. This has provided the PAPs with a more favourable valuation. In addition this is indeed the use of land, or in more details this land adjacent to the river is part of larger plots which host the household's structures.

The valuation was discussed with the PAPs for consideration. To ensure that resettlement activities were planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected each step of the process under the national law was strengthened with additional communication and consultation efforts. The Public defender's office has availed itself to the Project affected Persons and their Legal counsels to discuss and clarify the valuation and the entitlements under the project throughout the tax valuation and negotiation. Sufficient time was provided to the PAPs and their legal counsels to allow due consideration of the offer given and registering any formal disagreement with the offer. The Project specific Grievance commission was in place then as was a valuation specific complaints mechanism within the Tax administration office was available. None of the PAPs raised their grievance with this commission but directly with the Public defender.

Owners of 41 land parcel (71,9%) out of **57** agreed with the valuation for land and assets attached to their land and agreed to enter into negotiated compensation agreements. For **16 (28,1%) land parcels** the compensation for land was disputed even after a second round of assessment by accredited experts was completed. The second round of assessment has been using the same methodology and was based on the real use which is also the planned use of land. The second round values were higher compared to the initial valuation as they have taken into consideration laps of time, some specifics to the land plots which were disputed during the first instance valuation. Despite these increased valuations the PAPs still disputed the amounts and requested the cases to be referred to the Court in Novi Pazar which

¹⁰ Law on the Budget system, http://www.paragraf.rs/propisi/zakon_o_budzetskom_sistemu.html accessed on August, 2023

has been done. As Court cases have high resolution priority, it is expected that the judicial processes will be completed by end of June 2024. Compensation shall be then paid within 15 days following the court decision.

In the case of privately owned and cultivated agricultural land providing the main source of livelihood and if requested by the owner comparable land of the same type and quality, or the appropriate value, in the same area or vicinity (Article 15 of the Expropriation Law) is offered to the project affected person with formal title. However since the land impacted is not agricultural this article does not apply.

Once the expropriation decision cannot be disputed by legal remedies (legal validity) and the PAPs agree with the terms and conditions it becomes legally binding. Once this RAP is approved formal agreements will be signed between the BoE and the PAPs which will include the timing and rate at which cash compensation will be paid or in-kind compensation provided. Where 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.

6.6 Compensation for expropriated land

Payment of cash compensation will be appropriate since livelihoods are not land based and the land taken for the project is a small fraction of the affected asset and the residual is economically viable

The National Law on Expropriation is broadly compatible and in compliance with the replacement value requirements. The land is assessed by applying the following formula:

$$V = V_0 + a_1X_1 + a_2X_2 + \dots + a_nX_n$$

V- Assessed replacement value/market value

V₀- Average Transaction value as recorded in the Tax administration in the past 6 months based on transactions of same or similar land in the same cadastre municipality or adjacent one in case no transaction was recorded based on a willing buyer willing seller basis

a₁ – assigned coefficient

X₁, X₂ - additional corrective factors specific to the case (location, specific features of the parcel, infrastructure equipment, specifics of the location etc)

6.7 Valuation for auxiliary structures

The National Law on Expropriation is broadly compatible and in compliance with the replacement value requirement. As for the auxiliary structures impacted - fences, shacks, outdoor toilet and heating material storage facility their value is assessed by applying the following formula:

$$C = M + Q + T + L + Cf + U + Tx + \text{interest for extended payments}$$

C- Compensation at replacement Cost

M-Market cost of material

Q-Quantity of material needed
T- Transport of material to construction site
L- Cost of labour
Cf- Contractor's fee and supervision cost
U- Cost of utility connections
Tx- registration and transfer taxes

The formula has been agreed with the owners of all 3 structures accepted to enter negotiated agreements.

7. GRIEVANCE REDRESS MECHANISM

7.1 Organizational Arrangements for Grievance Management

Grievances will be managed through the Central Feedback Desk (CFD) established and administered by the PIU and Sub-Project specific Grievance Desks (LGD) (collectively referred to as Grievance Mechanism (GM). After dully consideration, the grievance redress mechanism for this sub-project is tailored in response to consultation with the PAPs mirroring local needs, customs, habits and expectations of the community.

The Central Feedback Desk has been established in 2021 and is fully in function.

The LGD was established on January 27, 2023 and is fully in function. The establishment decision is presented in Annex 9 - Constitution of Grievance **Commission**

The GM was 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, giving people better access to project authorities which has proven to be very helpful. Since the small scope of the Project and relatively small impact, the LGD is designed as a body of four members. This is deemed to be sufficient capacity to deal with grievances. One of the members is a representative of PAPs, three are representatives of the City of Novi Pazar not directly involved in the process of expropriation to ensure full impartiality. The LGD and CFD will meet as necessary, depending on the range and nature of grievances.

The GM shall serve as both Project level information centre and grievance mechanism, available to those affected by implementation of all Project sub-components and be applicable to all Project activities and relevant to all local communities affected by project activities. The GM shall be responsible for receiving and responding to grievances and comments of the following two groups:

- A person/legal entity directly affected by the project, potential beneficiaries of the Project,
- A person/legal entity directly affected by the project through land acquisition and resettlement,
- Stakeholders - people with interest in the project, and
- Residents/communities interested in and/or affected by project activities.

The PIU in cooperation with the City of Novi Pazar has ensured that all PAPs are fully informed of the grievance mechanism by communicating the existence of the GC, its function, the contact persons and the procedures to submit a complaint in the affected areas.

In order to do so information on the GC was or will be made available, as the case may be at:

- the notice board and website of City of Novi Pazar (www.NoviPazar.org) ,
- on the Construction Site in the Camp of the Engineer (once Construction works start),

In addition, the PIU/DfW has distributed an information leaflet and brochure containing information on the role of the GC and the contact information for filing grievances/comments to home addresses of all PAPs. The information leaflet is presented in Annex 5 – Grievance .

To allow easy access to the GC a printout of the grievance recording form will be available at the City of Novi Pazar and for download on the website of the City of Novi Pazar and of MAFWM and an advanced copy was sent to home addresses of all PAPs. The grievance recording form template is presented in Annex 6 – Grievance registration Form. The Grievance registration form was distributed to home addressed of all PAPs in printed copies and will also be available at the construction site once the works start.

7.2 Grievance Procedure

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

<p>Ministry of Agriculture, Forestry and Water Management, PIU</p> <p style="text-align: center;">To the attention of the CGD</p> <p style="text-align: center;">Address TBD (the PIU is in the process of relocation)</p> <p style="text-align: center;">11070 Beograd</p> <p style="text-align: center;">Telephone: TBD</p> <p style="text-align: center;">e-mail: rdvpiu@yahoo.com</p>	<p style="text-align: center;">City of Novi Pazar</p> <p style="text-align: center;">Grievance Commission (Serving as Local Grievance Desk)</p> <p style="text-align: center;">Esad Mahmutović</p> <p style="text-align: center;">Address Stevana Nemanje br. 2</p> <p style="text-align: center;">36300 Novi Pazar</p> <p style="text-align: center;">Phone number: 064/890-7338</p> <p style="text-align: center;">E-mail: esad.mahmutovic@novipazar.org.rs</p>
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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 GC 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 GC 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 GC, in the best interests of persons affected by the Project. If the GC is not able to address the issues raised by immediate corrective action, a long-term corrective action will be identified. The decision of the GC 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.

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

The GC will publish, and provide the GC 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.

The Contractor operates its own Labor Grievance mechanism including for GBV and particular SEA/SH complaints, and includes process to refer complaints to the Project GRM to ensure accuracy in understanding of the project's complaints is always available. The Contractor has adopted a Code of Conduct adopted and signed by all workers.

The GBV risk associated with this Sub-Project is assessed as low and notwithstanding the above, the Grievance Mechanism is equipped to handle GBV complaints which is proportionate to the potential risks and impacts.

The Grievance mechanism operators will receive training by the PIU Social Specialist on how to collect SEA/SH cases confidentially and empathetically. The GM should not ask for, or record, information on more than the following related to the SEA/SH allegation: o The nature of the complaint (what the complainant says in her/his own words without direct questioning); o If, to the best of the survivor's knowledge, the perpetrator was associated with the project; o If possible, the age and sex of the survivor; and o If possible, information on whether the survivor was referred to services.

The GM should have in place processes to immediately notify both the PIU and the World Bank of any SEA/SH complaints, with the consent of the survivor.

Confidentiality will be ensured and reporting to the police will be in accordance with the national law especially for mandatory reporting of certain types of GBV allegations.

7.3 Monitoring and Reporting on Grievances

The CFD will be responsible for:

- Collecting data from LGD serving as local admission points on the number, substance and status of complaints and uploading them into the single regional database;

- Monitor grievances directed to local institutions, the Contractor, Engineer and the Public Defender,
- GBV related complaints and SEA/SH prevention activities,
- Maintaining the grievance logs on the complaints received at the regional and local level
- Monitoring outstanding issues and proposing measures to resolve them;
- Disclosing quarterly reports on GM mechanisms.
- Summarizing and analyzing the qualitative data received from the local Grievance Admission points on the number, substance and status of complaints and uploading them into the single project database;
- Monitoring outstanding issues and proposing measures to resolve them;

The monthly social monitoring reports to the WB shall be submitted through the PIU, which shall include a section related to GM which provides updated information on the following:

- Status of GM implementation (procedures, training, public awareness campaigns, budgeting etc.);
- Qualitative data on number of received grievances (applications, suggestions, complaints, requests, positive feedback) and number of resolved grievances;
- Quantitative data on the type of grievances and responses, issues provided and grievances that remain unresolved;
- Level of satisfaction by the measures (response) taken;
- Any corrective measures taken.

7.4 World Bank Grievance Redress System

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

8. Consultation and Participation

The Project Implementation Unit (PIU), together with the representatives of departments in charge of expropriation, is responsible for communicating necessary project and process information, as discussed in the RAP, Project Affected People (PAPs). The PIU is assisting the city officials in complying with the RAP as a structured ongoing support until full implementation is achieved.

The PIU, together with the City of Novi Pazar, will conduct the public consultations on the RAP and information dissemination reflecting main issues of relevance to the Project. Timely information and contacts for further information inquiries, the available grievance mechanism and the disclosure of the RAP will be through:

- announcements in the local daily media,
- direct communication
- the website of www.Novi Pazar.org
- the website of the MAFWM
- noticeboard of City of Novi Pazar

This RAP will be disclosed in Serbian, and English on the above mentioned websites, as well as made available as printed copies at the premises of City of Novi Pazar and the premises of the PIU.

During preparation of this RAP public consultations involving PAPs living along the Raska River and Directly affected by land acquisition were held.

The Consultations started with the development of the ESMP for the Raska River Training works which were held on May 19, 2023. In accordance with WB ESS 10 a draft version of ESMP was publicly disclosed on the MAFWM - Directorate of Water web site and in at the website of the City of Novi Pazar. Following a 21 day disclosure period the public consultation meeting was held in the city of Novi Pazar on May 19, 2023. The Public Consultations were very well advertised and the meeting itself was attended by 57 local residents, 15 women, amongst those also Persons directly affected by land acquisition who all expressed their high expectations for a prompt commencement of works. A number of questions and concerns were raised which were all satisfactory addressed, with the exception of one to which feedback was provided within 7 days following the public consultations.

In the coming months people were individually invited with invitations sent via registered mails to their home addresses. Together with the invitation the following information were provided: The date of the Declaration of the Public Interest for expropriation, the impact anticipated to the property, legal advice what documentation to present during the meeting and the purpose of the meeting which was in general to inform on the details of the land impacts and inform on the future process and timeline. These meetings were individually held with signed minutes of meeting kept in the Archive of the City of Novi Pazar – Property department and the Public Defender. These meetings have taken place during an extended period since March 2023 until May 2024 and will continue until the full and final implementation of the RAP.

The next stage of consultations included development of full inventory of assets, and assessment of land and assets. This stage was conducted over an extended period of time between July 2023 and May 2024 and will continue with formalization of the compensation agreements and thereby execution within the next 45 days.

8.1 Report on public consultations

The Consultation on the draft RAP will be held during June 2024 and the detailed minutes will be supplemented to the RAP (To be completed after Public consultations following the clearance of the RAP by the World Bank). In context of this RAP this is the final stage of engagement with the Project Affected Persons in the preparation stage.

9. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION TEAM

9.1 Responsibility for Implementation

The Sub-Project and this RAP will be implemented by the Ministry of Agriculture, Forestry and Water Management (MAFWM) and the Project Implementation unit housed thereunder with the involvement of other institutions as provided in details in the table below. The PIU will implement or ensure implementations of material measures and actions so that the Project is implemented in accordance with the Environmental and Social Standards (ESSs), This Environmental and Social Commitment Plan (ESCP), the RPF and this RAP.

The PIU will ensure the involuntary land acquisition process is compliant with the RAP and ensure the organization structure is established and maintained with qualified staff in the administration of the City of Novi Pazar for timely and compliant implementation of the RAP and managing grievances.. The PIU has incorporated in the Bidding documents clauses to enhance environmental, social, health and safety performance of the Contractors to be awarded with execution of construction works. Other organizations and parties involved in the process of expropriation are the Ministry of Finance, Tax Administration.

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

Table 5: Responsibilities and Implementation Arrangements

Task	Responsible Entity
Disclosure of information and documents stakeholder engagement and outreach activities and organization of public and individual consultation meetings and events	PIU led by its Social Specialist
Record keeping	PIU and the City of Novi Pazar
Direct communication with and, if needed, visits to owners and occupants properties	PIU City of Novi Pazar
Valuation of property to be acquired	Ministry of Finance - Tax administration office
Valuation of assets attached to land	Accredited valuation experts with relevant expertise as needed (e.g. agriculture, construction etc)
Expropriation	City of Novi Pazar – department for property affairs
Representation of the Beneficiary of Novi Pazar	The Public Defender’s office
Payment of compensation	City of Novi Pazar

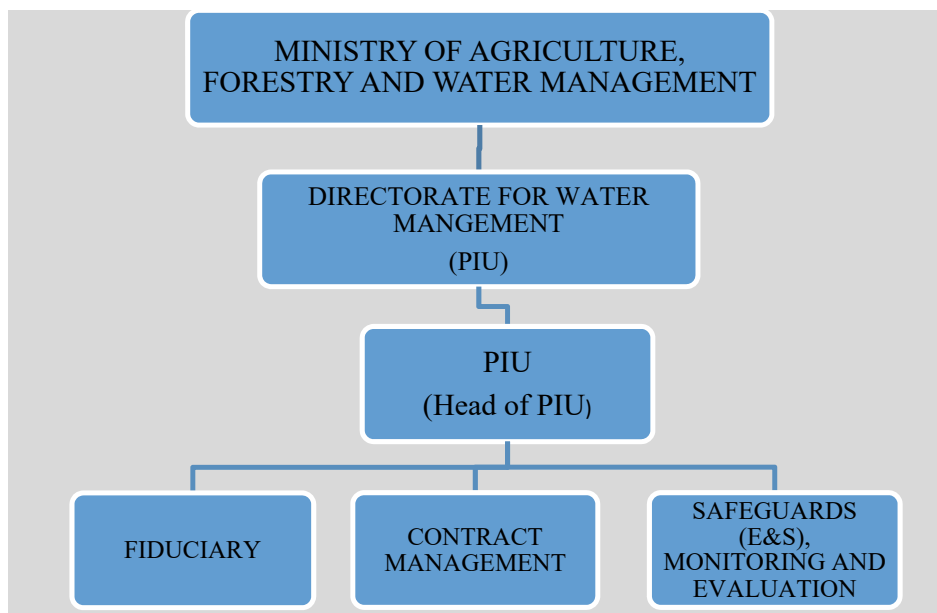
Legal remedy beyond the administrative process and the GRM	Basic Court in Novi Pazar Administrative Court in Kraljevo Supreme Cassation Court in Belgrade
Legal assistance to PAPs	City of Novi Pazar
Monitoring and reporting on land acquisition and grievances	PIU
Monitoring and reporting on impacts during construction works (e.g. temporary land occupation damages)	Primary the PIU, Beneficiary of Expropriation City of Novi Pazar , Contractor
Grievance management	Grievance Commission established by the City of Novi Pazar on January 27, 2023
Cross-entity coordination	PIU with the Working Group established
Completion Report and evaluation of RAP implementation	PIU

9.2 Institutional Capacities

The implementation of the provisions and obligations under this RAP shall be by the Ministry of Agriculture which assigned responsibility for implementation to the DWM. The DWM already has an established PIU for a World Bank financed Irrigation and Drainage Rehabilitation Project which closed on March 31, 2013 and the Flood Emergency Recovery Project which closed in 2019. During preparation of investments and implementation of works, the PIU will work in close coordination with the City of Novi Pazar.

The staff assigned for implementation of this RAP and the Novi Pazar Flood protection sub-project is deemed to be sufficient to carry out all tasks related to RAP implementation including preparation of the Completion Report. The organization of the PIU is presented in the hierarchy chart below.

Figure 10 – Organizational Chart of PIU



10. Implementation Schedule

Table 6 : Tentative Implementation Schedule for RAP Novi Pazar

N o	Activity	Responsibility	2024						2025
			Jan	Feb	Mar	Apr	May	Jun	
	Constitution of Grievance Commission	City of Novi Pazar	Completed on January 27, 2023						
	Census and socio-economic survey and establishment of baseline conditions	PIU	1-31	1-29	1-15				
	Disclosure of draft RAP	PIU			29				
	One on one consultations with PAPs	PIU/City of Novi Pazar	1-30	1-31	1-18				
	Public consultations on draft RAP	PIU						20	
	Disclosure of final RAP	PIU/City of Novi Pazar						30	
	Expropriation (preparatory activities)	City of Novi Pazar	1-30	1-31	1-31		1-31		
	Expropriation formal procedure	City of Novi Pazar				1-31			
	Valuation of assets at negotiation stage	City of Novi Pazar/Accredited experts/Tax administration	1-30	1-31	1-31				
	Payment of compensation agreed in negotiated settlements	City of Novi Pazar						1-30	
	Referral of disputed cases to Court	City of Novi Pazar	At the time compensation is formally disputed						
	Access to expropriated land	PIU and Supervision Consultant	Once compensation is paid and/or earmarked in the treasury escrow for pending Court cases						
	Removal of assets on land	Contractor supervised by the PIU and the Supervision Consultant (Engineer)	During construction works but not before the compensation has been paid (March 2024)						
	Monitoring	PIU	Monthly until the civil works are completed						

RAP implementation progress report	PIU		Two reports i.e. June – July 2024	
RAP Completion report	PIU			May 30

10.1 Monitoring, Evaluation and Reporting

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

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

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

- Supervision of the contractors in performance of their obligations in respect to RAP timeline
- Preparation and submission to the PIU of regular reports on implementation of measures for social monitoring;
- Provision of service to the local community through receipt of feedback and proposals.
- The construction board on the site 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 Employer for further acting. The idea is that every reaction of the local population is provided with a timely response, while a unified records of the correspondence with the local population will be presented in regular reports to the financing institution; It is very important that local - The population shall be fully aware of complaint possibility and that mechanism for submission of complaints is very simple.
- Suspension of works causing a high level of noise in periods when such noise is not allowed;
- Suspension of the works if inadequate protection of local population and environment against dust and pollution is provided. It is planned that within the final phases of the works execution, the supervisor completes questionnaires with the local population on behalf of the Employer in order to assess the level of content of local population. The questionnaires would be sent to the mailboxes of locals, while ones completing these questionnaires could deliver them in person to the supervisor's representative or send them by regular post to the Employer's 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.

The PIU will maintain a land acquisition database on the owners/users of properties that have been affected.

The PIU shall keep a monthly updated status on all baseline information.

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

- Overall spending on expropriation and compensation
- Number of PAPs by categories and number of project affected households by categories
- Number of PAPs whose property has been damaged by construction works
- Number of PAPs compensated for damages
- Number of public meetings and consultations with affected people
- Number of auxiliary structures affected,
- Number of m2 expropriated,
- Number and percentage of individual compensation agreements signed before the beginning of construction activities,
- Number and type of grievances received by the GC related to land acquisition (number of grievances submitted, number and percentage of grievances resolved within the specified timeframe of 7 days, 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 GC related to construction works
- Number of PAPs engaged as local workmanship amongst 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.).
- Number of training courses related to SEA/SH delivered,
- Percentage of workers that have signed the CoC.

The PIU shall keep Monthly updated database in the form of excel spreadsheets and send quarterly updates to the World Bank.

10.2 Completion Report

The PIU will monitor the implementation of the resettlement processes, through internal institutional arrangements.

Based on the semi-annual report the PIU shall do an in-house completion report within 2 months of resettlement completion to summarize the implementation of the RAP. The report should verify that all inputs committed in the RAP have been delivered and all services provided. In addition, the report should evaluate whether the mitigation actions prescribed in the RAP have had the desired effect. The socioeconomic status of the affected population will 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.

11. Costs and Budget

As per national requirements the costs of the land acquisition is financed by the Beneficiary of expropriation i.e. City of Novi Pazar. The proceeds required for land acquisition were secured and allocated in the in the Budget of the City of Novi Pazar. Certificate of Evidence of funds is presented in Annex 8 - Evidence of secured funds for expropriation. Other costs related to administration of grievances, monitoring and evaluation, disclosure and public consultation are already accounted for in the Project Stakeholder Engagement Plan (SEP)¹¹ and are budget within the incremental and operational costs of the Project Implementation Unit (PIU). Activities related to the activities implemented by

¹¹ [https://rdvode.gov.rs/doc/Stakeholder-Engagement-Plan\(SEP\).pdf](https://rdvode.gov.rs/doc/Stakeholder-Engagement-Plan(SEP).pdf)

the City of Novi Pazar are covered through the salaries of the city administration employees while the cost of site visits and administrative costs are born by the PIU. The below is the estimated budget breakdown for financing activities related to implementation of this RAP beyond compensation for loss of land and assets and are secured and allocated as provided in the table below:

Table 7 – Budget Breakdown

Budget categories	
1. Staff salaries and related expenses	4. Trainings
<i>1a Social Consultant and PIU Technical members – budget allocated through consultancy contracts signed during</i>	<i>4a. Training on RAP implementation for City of Novi Pazar</i>
<i>1b. E.g. Travel costs included in incremental operating costs</i>	6. Grievance Mechanism
2. Consultations and Surveys	<i>6a. Training of GM committee – costs covered under remuneration of the PIUS Social Consultant</i>
<i>2a. Project launch meetings – venue and material provided jointly by the PIU and the City of Novi Pazar</i>	<i>6c. GM communication materials – templates developed as part of this RAP while others will be developed by the Social Consultant and printing and distribution covered by the PIU</i>
<i>2b. Public Consultations – covered under covered under the remuneration of the Social Consultant while the printed material is covered from the Incremental operating expenses of the PIU</i>	7. Advisory support during expropriation extended to PAPs
<i>2c Surveys</i>	<i>6a. Through the Public defender of Novi Pazar and the PIUs Social Consulatnat</i>
3. Communication campaigns	8. Monitoring
<i>3a. Posters, flyers</i>	<i>8a) Expropriation Monitoring covered under the remuneration of the Social Consultant</i>
<i>3b. Social media campaign</i>	<i>8b) RAP implementation progress report covered under the remuneration of the Social Consultant</i>
<i>3c Workshops</i>	

Table 8: Assessment of Budget to be paid for Expropriation

Component	# of plots	# of fixed assets attached to land	Area of land in total (m2)	Budget w/ contingency available (RSD and EUR equivalent)	Cost per category of land/structure		Costs estimation As Per Tax administration	Costs estimation As Per accredited experts	Status of payment
							(RSD) (EUR)		
Raška Land acquisition by expropriation	57	3	14.518	150.000.000,00 RSD 1.279.863EUR equivalent)	Land:	78.115.829,00 RSD (666.517,30EUR equivalent)	78.115.829,00 RSD (666.517,30EUR equivalent)		Pending aproval of the RAP
					Fixed assets - Auxilliary structures	440.037 RSD (3.754,58 EUR equivalent)	/	440.037 RSD (3.754,58 EUR equivalent)	
TOTAL:	57		14.518	150.000.000,00 RSD					

Annex 1 – Invitation to Public Consultation on RAP Draft



In accordance with the WB ESS5 and ESS10

The Ministry of Agriculture, Forestry and Water Management
Directorate for Water Management is issuing an invitation for

PUBLIC CONSULTATIONS

On the

RESETTLEMENT ACTION PLAN (RAP)

For Novi Pazar Flood Protection sub-project Raška

Implemented under the Sava Drina Basin Integrated Management Project (SDIP)

To be held on July 5, 2024 at 3 PM (Local time) at the premises of the City of Novi Pazar

The documents subject to the consultation are made available in hard copies at the following addresses:

- At the premises of The Ministry of Ministry of Agriculture, Forestry and Water Management Directorate for Water Management, Bulevar umetnosti br.2, Belgrade, on the IV floor, during working days from 11:00 AM to 01:00 PM (local time), within 14 days from the publication date.
- At the premises of the City of Novi Pazar, during working hours,
- On the web site of the Ministry of Agriculture, Forestry and Water Management Directorate for Water Management : www.rdvode.gov.rs
- On the website of the City of Novi Pazar: www.NoviPazar.org

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:

Ministry of Agriculture, Forestry and Water
Management

SDIP PIU

e-mail: rdvpiu@yahoo.com

Lokal Grievance Desk

e-mail: esad.mahmutovic@novipazar.org.rs

Annex 2 – Request for Access to Information of Public Importance

NOTE: This an unofficial translation only. Requests should be made in Serbian

.....
name and head office of the addressed authority

R E Q U E S T

For Access to Information of Public Importance

On the basis of Article 15 section 1 of the Law on Free Access to Information of Public Importance (“Official Gazette of Republic of Serbia” No. 120/04, 54/07, 104/09 and 36/10), I hereby request that the authority first written above grant me the following:*

- notification as to whether it is in possession of the requested information;
- insight into the document containing the requested information;
- copy of the document containing the requested information;
- sending of the document containing the requested information:**
- by mail
- by electronic mail
- by fax
- by other means:*** _____

This request relates to the following information:

_____ (please provide as detailed an account of the requested information as possible, as well as any other data that could facilitate information retrieval)

Applicant / Name and Surname

In _____,
Address _____

On _____ 201__ (date) _____

Other contact data _____

Signature _____

* Check the box next to the legal right to access to information that you wish to exercise.

** Check the box next to the means by which the copy of the document is to be sent.

*** If you require the copy to be sent by other means, please indicate by which other means.

Annex 3 – Socio-economic Survey Questionnaire

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

Survey date: .2023

City: Novi Pazar

Location: Raska

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 Forest Pasture Unused
2.			Arable land Forest Pasture Unused
3.			Arable land Forest Pasture Unused

3. OWNERSHIP ISSUES

3.1. Owner: Yes No

3.2. User: Yes No

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

Tick applicable box

4. AGRICULTURAL ACTIVITIES

4.1. 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, forests, 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 (subsistence):

6. GENERAL INFORMATION ON THE HOUSEHOLD

6.1. Information on household members

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

7. 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's 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 4 –Socio-economic Data for those expropriated



Annonymus.xlsx

Note: Full data with compensation amounts is provided in separate excel sheet

Žalbeni mehanizam za projekte regulacija reka Jošanice, Trnavice i Raške

Decembar 2023

Poštovani sugrađani,

Radi još bolje saradnje sa lokalnom zajednicom tokom realizacije Projekta korićenja reka Jošanice, Trnavice i Raške u Novom Pazaru, uspostavljen je žalbeni mehanizam radi evidentiranja i efikasnog rešavanja problema i poteškoće sa kojima se građani mogu suočiti tokom građevinskih radova na realizaciji ovog Projekta.

Korišćenjem Žalbenog mehanizma građani će biti u mogućnosti da brže i efikasnije zaštite svoja prava i interese ali i da dobiju dodatne informacije o samim radovima. Žalbe koje spadaju u nadležnosti ovog tela odnose se na štetne uticaje do kojih može doći tokom izvođenja radova (prašina, buka, štete na zasadima i objektima, odlaganje materijala na delovima neeksplozivnih parcela, nepropisna vožnja teretnih vozila i građevinske mehanizacije i druga nepropisna postupanja izvođača i podizvođača radova i sl.) kao i pojedina pitanja vezana za eksploataciju.

Informacije o projektu biće redovno saopštavani a nakon početka izvođenja radova mogu se naći i na zvaničnoj internet stranici Grada Novog Pazara i na oglasnoj tabli u prostorijama Gradske uprave.

Svaka podneta žalba odnosno predstavka biće bez odlaganja evidentirana u Centralnom registru žalbi za Grad Novi Pazar pod jedinstvenim brojem. Nakon toga, navodi žalbe ili predstavke biće ispitani, a po potrebi se od podnosioca mogu zatražiti i dodatne informacije ukoliko Komisija oceni da je to od značaja za postupanje po žalbi. Komisija će odluku doneti u roku od 7 radnih dana, odnosno 15 radnih dana u složenijim slučajevima, uz konsultacije sa podnosiocem žalbe kako bi predložila predloženi način rešavanja i procenila da li se time na zadovoljavajući način otklanja problem.

Žalbenu komisiju formiralo je Gradsko veće Novog Pazara i možete joj se obratiti pisanim putem dostavom žalbe/predstavke na sledeću adresu koristeći formular za žalbe koji se nalazi u nastavku ovog obaveštenja

Žalbeni komisija projekta korićenja reka Jošanice, Raške i Trnavice

Ime i prezime službenika zaduženog za administriranje predstavki pristiglih Žalbenoj komisije

Esad Mahmutović

Adresa Stevana Nemanje br. 2

36300 Novi Pazar

Broj telefona: 064/890-7338

E-mail adresa: esad.mahmutovic@novipazar.org.rs

Srdačan pozdrav,

Žalbeni komisija

U Novom Pazaru 24.08.2023. godine

Podaci o podnosiocu žalbe

Žalbu možete podneti i bez navođenja svojih ličnih podataka ili možete zatražiti da se vaši podaci bez vaše saglasnosti ne mogu saopštavati trećim licima čak ni za potrebe postupanja po žalbi. U slučaju da želite da ostanete anonimni o rešenju slučaja možete se informisati putem zvanične internet stranice Grada Novog Pazara www.novipazar.rs

Ime _____

Prezime _____

Želim da moja žalba ostane anonimna

Pol podnosioca žalbe (popunjavanje ovog polja nije obavezno) Muški Ženski

Zahtevam da se moj identitet bez moje saglasnosti ne otkriva trećim licima.

Naznačite na koji način želite da budete kontaktirani (e-mejlom, telefonom, redovnom poštom).

Redovnom poštom na sledeću adresu (molimo upišite adresu)

Telefonom: _____;

Putem elektronske pošte na sledeću adresu: _____

Pratiću internet stranicu Grada Novog Pazara i želim da ostanem anoniman

Jezik za komunikaciju Srpski Drugi (navesti koji) _____

Opis događaja/problema/razloga podnošenja prijave (Šta se dogodilo? Gde? Kome se dogodilo? Šta je posledica događaja? Datum kada se događaj desio)

Da li je ovo prvi ovakav slučaj (navesti detalje) _____

Da li se ovaka slučaj dogodio i ranije i koliko puta _____

Da li razlog za žalbu i dalje traje? _____

Koji je, po vašem mišljenju, najbolji način da se reši ovaj problem?

Potpis (u slučajevima anonimne žalbe nije potreban): _____

Datum podnošenja: _____

Popunjen obrazac poslati na adresu:

Grad Novi Pazar

Za Žalbenu komisiju projekta korićenja reka Jošanice, Raške i Trnavice

Stevana Nemanje br. 2

36300 Novi Pazar

Annex 6 – Grievance registration Form translation

GRIEVANCE FORM –	
INFORMATION ABOUT THE PERSON SUBMITTING THE GRIEVANCE	
Reference no.	
<p>Full Name Note: you can remain anonymous if you prefer or request not to disclose your identity to the third parties without your consent</p>	<p>First name _____ Last name _____</p> <p><input type="checkbox"/> I wish to raise my grievance anonymously <input type="checkbox"/> I request not to disclose my identity without my consent</p>
<p>Contact Information: Please mark how you would like to be contacted (mail, phone, e-mail)</p>	<p><input type="checkbox"/> By Post: Please provide mailing address: _____</p> <p><input type="checkbox"/> By _____ Telephone: _____</p> <p><input type="checkbox"/> By _____ E-mail _____</p> <p><input type="checkbox"/> I don't wish to be contacted and will follow up on the resolution on the website of the City of Novi Pazar</p>
<p>Preferred Language for communication</p>	<p><input type="checkbox"/> Serbian <input type="checkbox"/> Bosnian <input type="checkbox"/> Other please specify _____</p>
<p>Description of Incident or Grievance:</p>	<p>What happened? What is the result of the problem?</p>
<p>Date of Incident/ Grievance</p>	<p><input type="checkbox"/> One time incident/grievance (date _____)</p> <p><input type="checkbox"/> Happened more than once (how many times? _____)</p> <p><input type="checkbox"/> On-going (currently experiencing problem)</p>
<p>What would you like to see happen to resolve the problem?</p>	
<p>Signature: _____ (not required in case of anonymous complaints)</p> <p>Date: _____</p>	
<p>Please return this form to:</p> <p>City of Novi Pazar To the attention of the Grievance Commission for the river training works (Trnavica) Stevana Nemanje br. 2 36300 Novi Pazar</p>	

Annex 7 - Invitation to Survey



Ministarstvo poljoprivrede, šumarstva i vodoprivrede, Republička direkcija za vode i Grad Novi Pazar sprovode završne aktivnosti za projekte regulacije reka Jošanice, Raške i Trnavice u Novom Pazaru.

U okviru tih aktivnosti priprema se plan eksproprijacije i otkupa imovine za šta je potrebno da se sprovede anketa svih vlasnika i korisnika onih nepokretnosti čija se imovina ekspropriše a koja se nalazi na području projekta regulacije ovih reka.

Anketiranje će se obaviti tokom ponude za ekspropisanu nepokretnost. Upitnici će biti dostavljeni na javnoj raspravi.

Svrha ankete jeste prikupljanje podataka o socijalnim i ekonomskim karakteristikama domaćinstava koja se nalaze na potezu na kome će se izvoditi radovi na regulaciji reka.

Podaci prikupljeni ovom anketom služiće isključivo za potrebe izrade socio-ekonomske studije i procene uticaja koje projekat može da ima na lokalnu zajednicu. Studija je sastavni deo Akcionog Plana Raseljavanja čija izrada je u toku.

Svi podaci pribavljeni u toku anketiranja biće zaštićeni u skladu sa zakonom i neće biti dostupni trećim licima.

Učešće u anketi je dobrovoljno. Ukoliko ne želite da učestvujete u anketi molimo vas da na anketnom upitniku to naznačite i stavite svoj potpis.

Koristimo priliku da vas obavestimo da je Grad Novi Pazar zajedno sa Ministarstvom poljoprivrede, šumarstva i vodoprivrede formirao posebnu komisiju za žalbe, koja će biti na raspolaganju svim građanima kako bi mogli da dostave primedbe, sugestije i pozitivna mišljenja, kao i da prijave eventualne poteškoće i štetu koja može da nastane kao posledica građevinskih radova kada oni budu otpočeli. Detaljna obaveštenja o formiranju i nadležnostima Žalbene komisije i načinu podnošenja predstavlki i dopisa biće istaknuti na oglasnoj tabli u prostorijama gradske uprave Novog Pazara. Predstavke i žalbe se mogu podnositi telefonskim putem, elektronskom poštom, poštom ili lično u gradskoj upravi Novog Pazara.

Unapred se zahvaljujemo na odvojenom vremenu i učešću u anketi.

Ukoliko imate dodatna pitanja ili su vam potrebne dodatne informacije molimo vas da kontaktirate kolege iz gradske uprave Novog Pazara putem broja telefona

Annex 8 - Evidence of secured funds for expropriation

The Evidence of Secured funds is publicly available at

<https://www.novipazar.rs/dokumenti#budzet-grad>

Annex 9 - Constitution of Grievance Commission

Na osnovu člana 46. i 47. Zakona o lokalnoj samoupravi („Službeni glasnik RS“, br. 129/07, 83/14 - dr. zakon, 101/16 - dr. zakon i 47/18), člana 66. tačka 21. Statuta grada Novog Pazara („Službeni list grada Novog Pazara“, broj 6/19) i člana 67. Poslovnika Gradskog veća grada Novog Pazara („Službeni list grada Novog Pazara“, broj 1/14, 5/14 i 8/16), Gradsko veće grada Novog Pazara, na sednici održanoj 27. januara 2023. godine, donosi

REŠENJE O FORMIRANJU ŽALBENE KOMISIJE

I

Formira se Žalbena komisija, i u istu se imenuju:

- Esad Mahmutović, predsednik komisije,
- Milica Mančić, član,
- Nikola Milenković, član,
- Irma Binjoš Kučević.

II

Zadatak Komisije iz člana 1. Ovog Rešenja jeste da prima zahteve, molbe, predstavke građana i slično čije se nepokretnosti eksproprišu i žive u neposrednoj blizini reka na kojima će se izvoditi radovi i da, u saradnji sa nadležnim organima Grada, navedene zahteve građana reši u skladu sa zakonom.

III

Komisija se obavezuje da po obavljenom poslu podnese izveštaj Gradskom veću grada Novog Pazara.

IV

Ovo Rešenje stupa na snagu danom donošenja.

GRADSKO VEĆE GRADA NOVOG PAZARA

Broj: 02-19/23-1
U Novom Pazaru, 27. januara 2023. godine


ZAMENIK PREDSEDNIKA VEĆA
Vladimir Marićković

