



REPUBLIC OF ALBANIA  
MINISTRY OF AGRICULTURE, RURAL DEVELOPMENT AND WATER ADMINISTRATION  
WATER RESOURCES AND IRRIGATION PROJECT

Consulting Services for

# PREPARATION OF THE ENVIRONMENTAL AND SOCIAL MANAGEMENT PLANS (ESMPS) AND RESETTLEMENT ACTIONS PLANS (RAPS) FOR THE REHABILITATION OF IRRIGATION SCHEMES/SYSTEMS

PROJECT ID NO: P121186 – RFP NO: MAFCP/CS/007 – LOAN NO. 8211 – AL



## ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP) – TEMPLATE LUSHNJE BRANCH MURRIZ THANA FINAL

February 2017



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## **ACRONYMS AND ABBREVIATIONS**

AD	Agriculture Directory
BAT	Best Available Techniques
DB	Drainage Board
EIA	Environmental Impact Assessment
EMF	Environmental Management Framework
ESMP	Environmental and Social Management Project
ESIA	Environmental and Social Impact Assessment
GDLWA	General Directorate of Land and Water Administration with MARDWA
GoA	Government of Albania
IWRM	Integrated Water Resources Management
LAP	Land Acquisition Plan
I PRO	Immovable Properties Registration office
L APO	Land Administration and Protection Offices
MARDWA	Ministry of Agriculture, Rural Development and Water Administration
OP	Operational Procedure
PAPs	Project Affected Persons
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SIDA	Swedish International Development Association
TOR	Terms of References
WB	World Bank
WRIP	Water Resources Irrigation Project

# 1 INTRODUCTION

## 1.1 Background

The Ministry of Agriculture, Rural Development and Water Administration of Albania (MARDWA) is implementing the Water Resources Irrigation Project (WRIP). The financing agencies are the World Bank (WB) and Swedish International Development Association (SIDA).

The overall development objective for WRIP is to increase the area under improved irrigation and drainage and in so doing, to establish the institutional basis for improved IWRM. The Resettlement Policy Framework (RPF) produced in 2012 outlines the steps necessary for preparation of a Resettlement Action Plan (RAP), which in this case involves only an Abbreviated RAP.

The principle document of reference to enable to Consultant to prepare the Abbreviated RAP is the Feasibility Study (FS) report and the Updated FS report prepared by the Consultant - Joint Venture Renardet – Beta Studio – Hydrowater-Albania.

## 1.2 Lushnje Branch Murriz Thana Scheme

Former commune of Golem is currently administrative units consisting of Lushnja municipality and Fieri county. Until June 2015, Golem has been independent commune, part of the administrative units of the country. Given that the irrigation project is designed before the administrative reform of 2015 and improvement of irrigation schemes is planned according to this administrative division, the drafting of study on the Resettlement Action Plan of WRIP development is focused on the former territory and population of Golem.

Lushnja scheme is part of general irrigation scheme which takes water from the reservoir of Muriz-Thane and drainage collectors. General irrigation scheme is comprised by four main channels of which Lushnja branch is scope of this study.

Since the construction, the schemes were managed by state-own agricultural cooperatives and maintained this status until 1992 when the cooperatives were disbanded and the land distributed to private citizens. Since that time the I&D systems started to suffer low O&M activities due to the competence where shared between DBs and WUOs, neither the experimented IMT undertaken by Albanian Government could not stop the decay of the system.

The Administrative unit of Golem comprises six villages named Plug, Golem i Madh, Golem i Vogel, Shegas, Allprenaj dhe Hajdaraj. It is a rural area, situated in western lowland of Albania, in north of Lushnja region.

This area has optimal conditions to develop agricultural production (favorable land quality and climate condition, etc.), but farmers face considerable difficulties because of lack of irrigation and drainage in winter time.

The main activities of population are agriculture and livestock breeding. In territory of administrative unit of Golem perform some small enterprises that produce milk production, olive oil, storehouses, etc.

Some investments in the local roads have been made, but the quality of roads remains low.

**Lushnje main canal** is about 40 km long and it irrigates about 6,850 ha, 1,330 ha out of which were served by four pumping stations, no longer existing or destroyed (Karbunare (N 40°55'41.8" E 19°42'38.2"), Dushk (N 40°59' 14.0" E 19°40'12.1"), Kosova (N 40°53'40.6" E 19°41'35.1")) and Terbuf - 600 ha (N 40°01'11.1" E 19°34' 58.5").

Lushnja main branch is about 18 km long, and serves directly 1,500 ha. Downstream of Lushnja town this branch divides into two other branches respectively 5.1 km and 6.7 km long; the last one up to Cerma scheme.

The capacity of the main canal up to Lushnja is variable from 14 to 10 m<sup>3</sup>/s due to restrictions in its dimensions. The canal crosses Lushnja in a 4 km segment: it is a meandering canal with silting and stability problems due to slips from the hill side and to the urbanization (waste, etc.). At the moment the water cannot even reach the downstream section of Dushk (N 40°59'47.8" E 19°40'04.1"). It is important to highlight that the rehabilitation of the canals d/s of Lushnja town is necessary also in order to supply Divjaka scheme (3,000 ha).

The foreseen improvements could ensure the provision of the original flow design capacity thus increasing the reliability of irrigation.

In Golem area currently live 2016 families of which head of families women are 216. General population is 7990 inhabitants. In this area live 100 incapable peoples (eyeless and cripple). The overage incomes per family are 32000 ALL/months and per capita 8080 ALL/month



Figure 1-1: Location of Sub Project Area

## 2 MAIN FINDINGS AND CENSUS

### 2.1 Socio Economic Data

Table 2-1 and Table 2-2 below provide the principal socio-economic data relevant for the sub-project area (administrative unit).

Table 2-1: Sub-project site. Social Indicators

Item Description	Total
Total Inhabitants	7790
Total Households	2016
From these, Women Head of HH	216
Number of Households with Economic Aid	20
Number of individuals with Economic Aid	-
Number of Health Centres and ambulances	6
Number of Schools	9
Incomes of Family or Individuals	32000
Sources of Income	Agriculture and livestock.

### 2.2 Affected Properties at sub-project site

The Consultants have to collect information about the families, number of members and individuals affected by the project, the size of affected land (arable land and building plots), households and number of trees, state of ownership and other indicators according to specific sites.

If the land is planted, the consultant will gather information on the sorts of plants, expected yield, and other similar data.

Table 2-2: Sub-project site. Affected Properties

No.	Sub Project Site	Name of village with affected Properties	Size of land area affected (m <sup>2</sup> )	No of trees	No of households affected	Size of land area occupied and affected
1						
2						

Table 2-3 below shows full details of the ownership and occupier status of the land.

Table 2-3: Sub-project site. Detailed data of Affected Properties (each of communes)

Name of Family Head	Cadastral zone No	Registered No of Parcels	Legal status of land parcels	Size of land parcels (m <sup>2</sup> )	Area By sub-project (m <sup>2</sup> )	Cultivated plants	
						Maize (Corn) (m <sup>2</sup> )	wheat (m <sup>2</sup> )
<b>TOTAL</b>							

Note. The Consultant can add the data of other cultivated plants and everything, subject to RAP. The Consultant must comment data collected.

### 3 COMPENSATION FOR LOSS OF ASSETS

Table 3-1 provides data of the compensation required for permanent and temporary land and crops loss.

Table 3-1: Sub-project site – Calculation of Compensation (each of communes)

Item	Quantity	Average Unit rate of Compensation ALL and USD (1 USD = 126 ALL)	Total Compensation ALL and USD (1 USD = 126 ALL)
Private Land Area Affected	m <sup>2</sup>	ALL/m <sup>2</sup> USD/ m <sup>2</sup>	ALL USD
Expected loss of production	kg	ALL/kg USD/kg	ALL USD
Expected loss of production in occupied area	Kg	ALL/kg USD/kg	ALL USD
<b>TOTAL COST OF COMPESATION</b>			<b>ALL USD</b>

Note. The Consultant can add the data of other properties as building plots, houses, cultivated plants and everything, subject to RAP. The Consultant must comment data collected.

The incomes of all PAPs families and other data related to affected families are given in *Table 3-2* on the next page.

#### 3.1 Entitlement matrix

The entitlement matrix (*Table 3-3*) is the expropriation table filled out with the owners name for each property, the size area to be expropriated and necessary compensation, on the assumption that the WRIP will affect the properties and economical activities.

The data in *Table 3-3* have to be provided from the local authorities and the Census Survey completed by the Consultant with the respective owners.

Note: The Consultant has to check the updated prices according to directives or government decisions of all property types.



Table 3-2: Sub-project site Data on PAP Livelihoods and percentage of affected assets (each of communes)

Name of family representative	Total land in use or owned (ha)	Planted species in total	Other activities	Lands or others objects of ARAP ALL			Yearly Incomes from all land owned or in use ALL and USD	Yearly incomes from lands or products subject of ARAP ALL and USD	% of incomes affected by project	Proposed Compensation in ALL and USD 1USD =126 ALL
				expropriated land value	Plants					
					Corn	White Bean				
		Wheat, Corn, White bean, Olives vegetable,	Emigration				ALL USD	ALL USD		ALL USD
		Wheat, Corn, White bean, Olives Vegetable,	employment in state				ALL USD	ALL USD		ALL USD

Table 3-3: Sub-Project site Entitlement Matrix (each of communes)

Name Family Head	Sub Project Area	Cadastral zone	No of Parcels	Legal status of parcels	Legal Status at IPRO	Total Size of Parcels (m <sup>2</sup> )	Area occupied (m <sup>2</sup> )	Cultivated plant areas/number			Estimated value (ALL and USD)			
								Maize (corn) (m <sup>2</sup> )	White Bean (m <sup>2</sup> )	No. olive trees	Land	Maize	White Bean	Olive trees
												ALL USD	ALL USD	ALL USD
Total											ALL USD	ALL USD	ALL USD	ALL USD

Note: The Consultant can add the data of other properties as building plots, houses, cultivated plants and other typologies subject of Abbreviated RAP

## 4 RESULTS OF THE CONSULTATIONS

### 4.1 Consultation with affected population

To ensure that the interests of the affected persons are fully entrenched in the Abbreviated RAP process and income restoration, the implementing agency has to adopt thorough consultation with the affected persons, representatives of any affected group, and the various administrative employees of communes all through the project area. Communication with the affected persons, as well as with other communities members who express interest in the project, will be maintained throughout the implementation phase up until project closure. The meetings with the PAPs are recorded in minutes and these are presented in Annexes of the Abbreviated RAP report.

### 4.2 Monitoring of Income Restoration

The income restoration strategies aim at ensuring that the affected persons are reinstated to their prevailing state at the beginning of the project and adequate measures are in place to assist them progress further. The monitoring process and the responsible parties are as they described in the Monitoring and Evaluation section of Abbreviated RAP document.

The key indicators of performance of the income restoration measures within the restoration strategies adopted are:

- Measurement of income / poverty variation among the affected persons;
- Social, political conflicts within the affected persons.

### 4.3 Mechanisms of consultations

In addition to documenting the expropriation procedures indicated above, once the tentative arrangement of the civil works is identified, the sub-project proponent (i.e. the administrative unit) will hold public consultations to discuss the expropriation and its implications. All landowners or occupiers of land that will be affected by the expropriation will be invited to these consultations, in which they will be offered choices about their options and rights pertaining to compensation and provided with technically and economically feasible alternatives.

### 4.4 Description of the implementation process

The implementation of expropriation activities will be linked to the implementation of the project, to ensure that loss of assets does not occur before the necessary mitigation measures and resources are in place. In particular, land and related assets will be taken only after compensation has been paid.

The PAP's have to be informed about the project and impact to their land, plants, etc. The methodology that will be applied is based on national legislation and WB Guidelines.

- Firstly, the consultant has to inform the PAPs about the project implementation and impacts, and receives feedback from them, to choose the best alternative to minimize the negative effect of the project in their livelihood. Secondly, the authority in favour of it will undertake the expropriation and will negotiate with affected people for an agreement on expropriation.
- The PAP's will be informed on the legal framework to be applied. The base principles will be the Article 41/4 of the Albanian Constitution that provides: "*The expropriations or limitations of a property right that are equivalent to expropriation are permitted only against fair compensation*", and Art. 1 "Right to property" of the European Convention on Human Rights: "*Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided by the law and by the general principles of international law*". In this spirit, the Law in power no. 8561, dated 22. 12. 1999 "On Expropriations and Temporary

Takings of the Private Property for Public Interest” provides the entire procedure on how an expropriation procedure begins, for which reason, from which subject and the right of the owners to contest the evaluation of the property made unilaterally from the state institutions.

- The PAP’s have to be informed that permanent expropriation of land are requested when the owners are deprived totally of their land, or the possibility to use it. The prices of permanent expropriations for specific regions are specified with a map approved by the Council of Ministers. Land values must be current market prices; real estate agents should be consulted on actual land prices in the area of sub-project. These prices should be actual amounts paid, not reduced amounts used to reduce taxes on land sales. Essential is that the values are objectively established; use of the zoning map can only be done if the values correspond to actual current values for land sales. For crops, the estimated value have to be calculated based on the expected yield and market unit price according to Statistical yearbook of MARDWA.
- During the consultations with PAP’s, the Consultant has to explain the legal procedures and institutional responsibility. Positively, MARDWA has to follow the legal procedure, on publishing the request for expropriation, informing on the complaints of the affected owners, and preparing the draft of the sub legal act for the Council of Ministers.
- The procedure will be considered complete, when the owners agree, through a signed agreement by both parts, for changes on land use and compensations;
- The decision for the expropriation will be approved by the Council of Ministers and will enter into force immediately, also it will be published in the Official Journal;
- The owners affected have the right of complaint to the Court for the compensation and if they do not follow this procedure, the decision of the Council of Ministers will be an executive title.
- During the interviews, the PAP’s will be informed about Grievance Procedure and compensation modalities. Any PAP who is dissatisfied with the compensation amount may seek redress through the Grievance Redress mechanism for which a local Special Commission is suggested to be formed to handle all issues related to grievances before running for official channels to address concerns. If a PAP still has an issue, he or she may initiate litigation in Courts.
- The Consultant has to explain in principle to the PAP’s that the procedures of expropriations and compensations will be completed before starting of works of the project.
- At last, after meetings, consultations and interviews of the PAP’s an agreement has been reached to compensate with ALL for affected land, plants will be inundated and the amount of compensation will be calculated.

#### **4.5 Arrangements for funding resettlement**

The overall responsibility for resettlement and expropriation of land and commodities falls under the Council of Ministers. The financial responsibility for the expropriation procedures, including the compensation to be paid, resettlement costs, etc., lies with the MARDWA. The Council of Ministers is responsible for issuing the expropriation decision and authorizing the funds required for compensation.

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## **5 INSTITUTIONAL RESPONSIBILITY AND GRIEVANCE PROCEDURE**

### **5.1 Responsible Institutions and/or Agencies**

The following agencies and institution are responsible for the coordination and delivery of each activity in the land entitlement policy:

- Immovable Property Registration Offices under the authority of the Central Registration Office, which are responsible for identifying and verifying property boundaries and ownership.
- Land Administration and Protection Offices (formerly Cadastre Offices) under the Region, which will clarify land allotment certificates for agricultural land that has not been formally registered and transferred to the Immovable Property Registration Offices.

### **5.2 Grievance Redress mechanisms**

A grievance redress mechanism for the project is suggested for addressing potential legitimate concerns of PAPs who may consider themselves deprived of appropriate treatment under the Project. The mechanism will be developed and would include:

- i) A recording and reporting system, including grievances filed both verbally and in writing,
- ii) Staff with responsibility at various levels of governments, and
- iii) A time frame to address the filed grievances.

The functioning of the grievance redress mechanism should be regularly monitored and evaluated during project implementation. For the purposes of the Abbreviated RAP, it is suggested to initially involve a commission of a person from PIU of MARDWA, one person from the Municipality and one person from water users to assist people with any grievances, fixing problems during implementation, etc., before the need to go to authorities.

The following are the main criteria for Commission selection:

- Good experience and understanding of irrigation and drainage schemes
- Good knowledge of assets values and compensations
- Familiarity with Albanian Legislation on Compensation and with WB Guidelines
- Good experience on procedures for grievances to Administrative bodies
- Satisfactory experience on grievances in Court.

The grievance mechanism should be an operation of easy access, at no or low cost, which involves people from the community, the proponent and the relevant authorities to manage and fix problems before official channels of redress are involved, which might take time and have a considerable cost. The commission would help organize this through setting up a PAP-Proponent-Authorities group to handle problems during implementation.

#### **5.2.1 Commission scope of work**

The objectives of the local commission to be appointed for the implementation of the Abbreviated RAP should be:

- Provide the capacities for field activity in the implementation of the RAP;
  - Educate the identified PAP regarding their entitlements and obligations under the RAP and ensure PAP obtain their entitlements;
  - Assist the PAP in the redress of grievances through the system implemented as part of the RAP
-

## 5.2.2 Commission tasks

The Commission will be responsible for assisting the PAPs during the resettlement and shall ensure that the RAP, with regard to the wellbeing of the affected persons, is implemented appropriately and effectively. The Commission will:

- Develop relations between the PAPs and the project authorities through regular meetings. All meetings and decisions taken are to be documented.
- Assist PAPs in getting the compensation for their land and properties acquired for the Project.
- The Commission will determine the entitlements of each affected person and compare it to the offer being made by the Project. If there is a discrepancy, between the two, the Commission will be responsible for assisting the PAPs in coming to some agreement and, if necessary, pursuing the matter through the grievance redresses mechanism.

## 5.2.3 Methodology

In order to carry out the tasks described above, the members of the Commission are to be stationed in the project area. Besides contacting PAPs on an individual basis to regularly update the baseline information, group meetings should be conducted by the commission on a regular basis. The frequency of such meetings will depend on the requirements of the PAPs, but should occur at least once a month, to allow the PAPs to remain up to date on project developments.

The Commission should encourage participation of individual PAPs in such meetings by discussing their problems and other aspects relating to their socio economic lives. Such participation will make it easier to find a solution acceptable to all involved.

## 5.2.4 Reporting

The commission shall submit an inception report, detailing plan of action, manpower deployment, time schedule, and detailed methodology within 30 days of the commencement of the assignment. The commission should also submit monthly progress reports on the activities carried out and proposed activities for the coming month including data on indicators as required.

On completion of the assignment the commission shall submit a final report summarizing the actions taken during the project implementation, the methodology and manpower used to carry out the work and a summary of assistance given to each PAP.

## 5.2.5 Time schedule

It is estimated that the commission services will be required some months before the implementation of RAP. However, this may be rescheduled based on the exact nature of the activity. If the involvement of a local NPO does not satisfy the grievance, then recourse to official administrative channels is made.

The Expropriation Law provides for an appeals process against the proposed award for compensation. Further appeals can be made to the district courts. The Office of the Ombudsman in Tirana receives complaints from citizens against government actions that affect their rights. The Project's staff will also play a role in resolving grievances (see *Table 5-1* below).

*Table 5-1: Sub-project site. Description of Expropriation Procedure Steps according to Albanian Legislation*

Steps	Institution	Description of responsibilities	Timing	Remarks
<b>RAP Planning</b>				
<b>Step I</b>	MARDWA General Directorate of Land and Water Administration (GDLWA)	Identification of PAPs, public information, calculation of Abbreviated RAP value		Information on project effects, needs on Abbreviated RAP, evaluation and verification of PAPs

Steps	Institution	Description of responsibilities	Timing	Remarks
	Consultant			
<b>Step II</b>	MARDWA - GDLWA Consultant	PAP Consultation		Explanation on assets to be affected, identification of the best way for compensation, explanation of time of compensation, main actors on implementation process, procedures to be undertaken and the rights for Grievances
<b>Step III</b>	MARDWA - GDLWA Consultant	Preparation of final Abbreviated RAP report		Preparation of Abbreviated RAP Report considering comments of WB and MARDWA
<b>Step IV</b>	MARDWA - GDLWA	Approval of final report		Formalizing the Abbreviated RAP report and including at project implementation ToR
<b>RAP Implementation</b>				
<b>Step V</b>	MARDWA GDLWA	Request for expropriation for public interest	1 week – after Abbreviated RAP approval	Fulfil of criteria provided by law, especially the necessary documents that prove the expropriation needs
<b>Step VI</b>	MARDWA - GDLWA	Commission of expropriation at MARDWA has to examine the request and documents  If the legal criteria are fulfilled the MARDWA starts the expropriation procedures.  If not, the request will be rejected.	2 weeks after Abbreviated RAP approval, requests for expropriation	Raising of Commission of expropriation, verification of documentation on proprieties, calculation and verification of compensation value
<b>Step VII</b>	<b>Commission</b>	Ensure that the Commission of expropriation decisions are based in Albanian Legislation and WB guidelines and considers PAPs requests	3 weeks after Abbreviated RAP approval	Evaluation of compliance between interested part requests
<b>Step VIII</b>	<b>MARDWA – GDLWA / PAPs/ Com- mission</b>	Compile the agreement considering pretends of any parts and legislation	4 weeks after approval of Abbreviated RAP	Give solution and incite agreements supporting PAPs requests upon legislation
<b>Step IX</b>	<b>MARDWA - GDLWA/ Commission</b>	Agreement with PAP's about expropriation.  Publication of the notice for the expropriation -Declamation  Examine the suggestions and the complaints of persons affect by the process  Prepare the draft decision for Council of Ministers.	5 weeks after approval of Abbreviated RAP	Important: the fair evaluation of the properties  The procedure must be followed carefully and respecting the right of the third persons to prevent the complaint to the Court  The expropriation it will be done for the persons that will accept to be compensated with the conditions published. Preparation of DCM on PAP compensation
<b>Step X</b>	<b>Council of Ministers</b>	Approve the decision of the expropriation for public interest; OR Reject the proposal to MARDWA with the suggestion to review, if it is not in conformity with the law. Pay the compensation to persons affected by the project	9 weeks after approval of Abbreviated RAP	DCM shall be implemented 1 month after declaiming on official newspaper
<b>Step XI</b>	<b>Commission</b>	Assistance on relationship between PAPs and Local and Governmental authorities, verifications, and supervision of Abbreviated RAP implementation	10 weeks after approval of Abbreviated RAP	Verification of compatibility of the agreement between interested parts.
<b>Step XII</b>	<b>Commission</b>	If needed, assistance of PAPs on grievance procedures for administrative bodies, RAP procedures, compensation values etc. and support PAPs grievances on the Court	11 weeks after approval of Abbreviated RAP	If PAPs will have grievances
<b>Step XIII</b>	<b>MARDWA - GDLWA</b>	Prepare the final report on RAP implementation	12 weeks after approval of Abbreviated RAP	Considering that compensations should be finished before starting the project implementation
<b>Step XIV</b>	<b>PAPs</b>	Opening a Bank Account and reporting it at the MARDWA	13weeks after approval of Abbreviated RAP	Institutional support of the compensation process
<b>Step XV</b>	<b>MARDWA -</b>	Pay the compensation to persons af-	14weeks after	Ensure that compensation are done in respect

Steps	Institution	Description of responsibilities	Timing	Remarks
	<b>GDLWA</b>	affected by the expropriation before the civil works begin	approval of Abbreviated RAP	(amount and time) of agreements signed by interested parties and before starting the project implementation
<b>Step XVI</b>	<b>Commission</b>	Ensure that the process implementation has considered all pretends by both interested parties	14weeks after approval of Abbreviated RAP	Ensure that compensation are done in respect (amount and time) of agreements signed by interested parties
<b>Step XVII</b>	<b>MARDWA - GDLWA, PAP, and Commission</b>	<b>Assignment of the disclosure process</b> according the interested parties demands and in respect of DCM	<b>15</b> weeks after approval of Abbreviated RAP finalization	Ensure a signed document that shows the Abbreviated RAP is finished and the compensation are done. This document also will verify that in the future the expropriate lands are ownership of MARDWA

## 6 MONITORING AND IMPLEMENTATION

### 6.1 Disclosure

Disclosure will be the end of the Abbreviated RAP implementation. This process should be ended before starting the project implementation. After finalization of compensation, the area taken will be registered in local cadastral office and in MARDWA as state land owned by MARDWA. The disclosure should be strictly correct with DCM related to the Abbreviated RAP under consideration and the interested parties (PAPs, Commission, MARDWA - GDLWA and local authorities) should have one copy of the signed agreements for Abbreviated RAP, PAPs compensation and assigned document of Abbreviated RAP disclosure with agreement of all parts.

### 6.2 Reporting

The selected commission should prepare time reports for each phase of Abbreviated RAP and report it to WB and MARDWA – GDLWA as well as at PAPs.

In the following Table 6-1 is given the reporting procedures according to timing after Abbreviated RAP approval and in respect of “Steps” represented in the Table 5-1.

Table 6-1: Sub-project site. Reporting procedures

Steps	Institution	Description of responsibilities	Timing	Remarks
<b>RAP Planning</b>				
Step I	Consultant	Identification of PAPs, public information, calculation of Abbreviated RAP value – First Draft Report	Three month after project starting	Information on project effects, needs on Abbreviated RAP, evaluation and verification of PAPs
Step II	Consultant	PAP Consultation and verification of assets and subject affected – Second Draft Report	Four month after project starting	Explanation on assets to be affected, identification of the best way for compensation, explanation of time of compensation, main actors on implementation process, procedures to be undertaken and the rights for Grievances
Step III	Consultant	Preparation of final Abbreviated RAP report	Five month after project starting	Preparation of Abbreviated RAP Report considering comments of WB and MARDWA GDLWA
<b>RAP Implementation</b>				
StepIV	Commission	Inception Report	3 weeks after Abbreviated RAP approval	Evaluation of compliance between interested part requests
Step V	MARDWA - GDLWA /PAPs/ Commission	First Draft Report	4 weeks after approval of Abbreviated RAP	Give solution and incite agreements supporting PAPs requests upon legislation
Step VI	MARDWA – GDLWA / Consultant	Second Draft Report.	5 weeks after approval of Abbreviated RAP	Important: the fair evaluation of the properties The procedure must be followed carefully and respecting the right of the third persons to prevent the complaint to the Court The expropriation it will be done for the persons who will accept to be compensated with the conditions published. Preparation of DCM on PAP compensation
Step VII		Draft Final Report	12 weeks after	Considering that compensations



Steps	Institution	Description of responsibilities	Timing	Remarks
	Commission		approval of Abbreviated RAP	should be finished before starting the project implementation
Step VIII	Commission	Final Report	14weeks after approval of Abbreviated RAP	Ensure that compensation are done in respect (amount and time) of agreements signed by interested parties

### 6.3 Monitoring and Evaluation

Monitoring and evaluation procedures have their crucial importance in an appropriate Abbreviated RAP implementation. The monitoring of Abbreviated RAP implementation will be focused on the following elements:

- Respecting of Abbreviated RAP planned
- Verification of findings and results
- Respecting of Albanian Legislation and WB guidelines of Resettlement policies
- Compatibility and agreements between interested parts
- Avoiding PAPs grievance

### 6.4 Monitoring program

Internal monitoring will be carried out routinely by GDKWA either directly or through the services of a consultant. The results will be communicated to WB through the quarterly project implementation reports. Indicators for the internal monitoring will be those related to process and immediate outputs and results. This information will be collected directly by MARDWA - GDLWA to assess the progress and results of Abbreviated RAP implementation, and to adjust the work program, if necessary. The monthly reports will be quarterly consolidated in the standard supervision reports to WB. Specific monitoring benchmarks will be:

- (i) Information campaign and consultation with APs;
- (ii) Status of land acquisition and payments on land compensation;
- (iii) Compensation for affected structures and other assets; if any
- (iv) Relocation of APs; if any
- (v) Payments for loss of income; if there is such impact
- (vi) Selection and distribution of replacement land areas; if compensation is land based
- (vii) Income restoration activities ; in case of loss of impact

## 7 TIMETABLE AND BUDGET

### 7.1 Timetable

The timetable for the Abbreviated RAP process is estimated to take around 15 weeks after Abbreviated RAP approval

### 7.2 Budget

The value of the agricultural land determined by the Government Act is an average value for all village lands; meanwhile these lands have different agricultural productivity qualities and as consequence different values. Prices of different properties will be calculated according to the appropriate values from prices of Government Acts, market values or the particular features that the plot offers ("calculating method" see Annex 1).

As the market value tends to increase every year, there is currently a gap between market and official values. The Consultant has to try to minimize this gap, considering the features of properties, the opinions of neighbours and local officials, the transactions at the registration offices, etc. According to the loss of agricultural production, which is the item that will be compensated, the expected yield and the average wholesale selling price will be taken into account, based on the market investigations.

The total cost of expropriations of the affected properties is given in Table 7-1 and Table 7-2 below.

Table 7-1: Sub-project site Total Cost Estimate of Abbreviated RAP

Item No	Budget items	Estimated cost ALL and USD
I	Compensation of land loss	ALL USD
II	Lost agricultural production payment	ALL USD
	<b>Total cost estimated of Abbreviated RAP</b>	<b>ALL USD</b>

Table 7-2: Sub-project site. Detailed Cost Estimate of Abbreviated RAP

Settlement Item	Agricultural Land		
	Size	Price/m <sup>2</sup>	Value ALL and USD
Land loss			
<b>Sub-Total I</b>			
Damage of agricultural production	Expected yield/kg	Price ALL /kg	Value ALL and USD
Maize			
White bean			
<b>Sub-Total II</b>			
<b>Total I+II</b>			

Note: Tables are indicative and can be completed with other items such as crops, fruit trees etc., subject of Abbreviated RAP

## 8 ANNEXES

### 8.1 ANNEX1 - Compensation Calculation Methods

The following are methods for calculating the compensation value of the agricultural land, and agricultural production.

#### 8.1.1 Agricultural land value.

The following steps have to be followed:

During the ESMP Consultant field visits, investigation will be made to assess if there was any selling-buying transactions for the agricultural land.

Meanwhile the land that will be affected is classified under category number X according to "Bonitet" (land classification according to agro productivity value) (source of information, the office of land management of the commune).

According to government decision, the criteria followed to determine the value of used lands are the Decisions of the Assembly no 183, date 21.04.2005 "On approval of the methodology for estimating the immovable property that is compensated and that that will serve for compensation"

The following factors will be taken into account:

- Calculating the net profit from the agricultural activity and deciding the potential price of the land under first category according to the Bonitet through profit capitalization.
- The potential price of the land (first category lands)  $Cmp1 = (100 \times \text{net profit}) \times \% \text{ bank interest}$
- Because of the land that will be compensated belongs to the X categories, the above value is multiplied with the coefficient of category
- The potential value of lands under category X  $Cmp2 = Cmp1 \times \text{coefficient of category}$

This value is corrected by:

- $K_1$ . Irrigation coefficient = 0.8
- $K_2$ . Distance from the market coefficient = 0.97
- $K_3$ . Development coefficient = 0.97
- $K_4$ . Exploitation coefficient = 1.15

The calculated value of the land is the result of:

- $Cm = Cmp2 \times K_1 \times K_2 \times K_3 \times K_4$

#### 8.1.2 Value of agricultural land according to Minister Council Decision

Value of agricultural land according to Minister Council Decision No 514, dated 30.07.2014 "On the approval of the property value for each region of the Republic of Albania" of Golem area is **467 ALL/m<sup>2</sup>**.

#### 8.1.3 Agricultural crops estimation.

Three steps

- Firstly, have to determine the size of area affected
- Secondly, have to determine yield of agricultural productions
- Thirdly, according to market investigations have to determine wholesale selling price of agricultural productions

The value of the production that will be compensated is: Yield x price

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## **8.2 ANNEX 2 - Photos of meeting with project affected persons (PAPs)**

### **8.3 ANNEX 3 - Signed questionnaires by PAPS**

## 8.4 ANNEX 4 - SA qualitative questionnaire used

### Pyetsori per kryefamiljaret dhe banoret qe pritet te preken nga rehabilitimi i skemave te ujitjes?

#### Household

#### Kryetari I familjes

1. Marital Status

Statusi civil

2. Education Status

Statusi i shkollimit

3. Working Status

Ku eshte punesuar

4. Occupation of Main Householder/Family Head

Punesimi I kryetarit te familjes (A eshte I punesuar dhe ku)

5. Is there any health problems in the household?

Ka ndonje problem me drejtimin e familjes?

6. IS this related to water quality?

A ka lidhje ky problem me cilesine e ujit?

7. Is there any unemployed members in household?

A ka te papune ne familje dhe sa kohe kane pa pune?

8. How many unemployed are female?

Sa te papunesuar jane femra?

9. Are any members of household working or living abroad? How long?

A ka ndonje anetar te familjes qe jeten dhe punon jashte? Per sa kohe?

10. Do they intend to be back?

A kane ndermend te kthehen?

11. Are they contributing in their family in the village, if yes how?

A kontribuojne ne familjen ne fshat dhe nese po si?

12. What influence does agriculture have on the family income?

Cfare ndikimi ka bujqesia ne familjen e tyre

13. Do you own land? Are they using their land for agriculture? What kind of agriculture?

A kane ne pronesi toka? A I perdorin per bujqesi? Cfar bujqesie?

14. What crops do you grow? Provide choice of crops

Cfar bimesh mbjellin?

15. How do you use agricultural products?

Si I perdorin produktet bujqesore?

16. Does the household own livestock?

A aplikojne blegtorine?

17. What type of livestock? Give choice i.e. sheep, goats, pig, chicken, cattle, bees etc

Cfar lloj blegtorie? Dele, dhi, derr, pula, lope, blete?

18. How do you use livestock products?

Per cfar I perdorin produktet blegtorale?

19. Is somebody in the family dealing with fishing?

A merret ndokush ne familje me peshkim?

20. In householder opinion by how much have the number of people living in the household changed in the last 5 years?

Sipas opinionit te kryefamiljarit, si ka ndryshuar numri I familjes ne pese vitet e fundit?

21. Does you family own a car, motorbike, cycle, tractor etc

A zoteron ndonjeri makine, motor, biciklete apo traktor?

22. Does your household own a television, frigorifer, radio?

A kane television, frigorifer, radio?

23. Are they using electrical energy, gas or wood?

Perdorin energji elektrike, gaz apo dru?

24. How is the energy supply condition? Is there energy interruption on the summer and winter? How long?

Si eshte furnizimi me energji? A ka nderprerje ne dimer dhe vere? Sa zgjat nderprerja?

25. Are they using static phone or mobile?

A perdorin telefon static apo cellular?

26. How much they spent per month for energy and mobile?

Sa shpenzojne ne muaj per energji dhe telefon?

27. Do you have access to water supply, electricity, telephone, sewer, Internet?

A kane akses me rrjete telefonie, elektricitetit, ujin e pishem dhe ujrat e zeza, internetin?

28. How does your household obtain water supply? Give choice. What is this water quality?

Si eshte furnizimi me uje te pishem? Si do ta preferonte kryefamiljari? Cfar cilesie ka?

29. What uses does the water have? Give choice

Si perdoret uji I pishem. Si do ta preferonit?

30. Do you ever buy water in bottles for drinking? If yes, when do you buy?

A perdorni uje me shishe per pirje? Ne se po, ku e blini?

31. Do you pay for your water supply to your home?

A paguani per furnizimin me uje?

32. Are they any school structure in the village? If not, how far is it? What condition is the school structure like in your village?

A ka shkollë ne fshat dhe ne cfare kushtesh eshte struktura shkollore ne fshat? Ne se jo sa larg eshte shkolla?

33. What condition is the medical centre/facility like in your village? If not how far is it

A ka qender shendetesore ne fshat dhe cfar mbulon, si I ka kushtet? Nese jo, sa larg eshte?

34. DO you get daily newspapers in the village, and what newspapers?

A merrni gazeta ne fshat dhe cilat gazeta?

35. Do you own or rent the property you live in?

A jeni pronare te shtepise ku banoni apo te prones qe shfrytezoni?

36. If you rent it, how much of your monthly income is used on rent? (in %)

Nese jeni me qera, apo perdorni toka dhe/apo ambiente/mjete me qera sa poaguani ne vit?

37. How much property do you own or use?

Sa dhe cfar pronash keni ne pronesi?

38. How much land do you own or use?

Sa toka keni ne pronesi?

39. How much do you think it is worth now? How do you think is the value of your assets

Sa mendoni qe eshte vlere e pronave tuaja

40. Do you wish to restore the reservoirs and dam and if yes are you agree to collaborate in this action?

A kerkoni te restaurohet rezervuari dhe nese po, do te bashkepunoni ne kete aksion?

41. Are you active in development work in your village (roads, water supply, infrastructure, draining and irrigation system construction and maintenance?)

A jeni aktiv ne punimet e zhvillimit ne fshat (rruge, ujesjelles dhe infrastructure, ndertimin dhe mirembajtjen e sistemeve t ujitjes dhe kullimit etj ?)

42. Are you a member of any associations?

A jeni anetar i ndonje shoqate?