



PLAVA VODA REGIONAL WATER SUPPLY PROJECT



Javno Preduzeće/Poduzeće Regionalni Vodovod

"PLAVA VODA"
d.o.o. Travnik

UPDATED RESETTLEMENT ACTION PLAN

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Table of Contents

1	INTRODUCTION	4
1.1	PROJECT SUMMARY	4
1.2	OBJECTIVES AND SCOPE OF THIS DOCUMENT	5
2	PREVIOUS AND PLANNED LAND ACQUISITION ACTIVITIES	6
2.1	ACTIVITIES IN 2011-2013.....	6
2.2	ACTIVITIES IN 2016-2018.....	6
2.3	ACTIVITIES IN 2019	6
2.4	ACTIVITIES IN 2021 AND FUTURE ACTIVITIES.....	7
3	LAW ON EXPROPRIATION OF FBIH.....	8
4	DETAILED ROUTE DESCRIPTION	10
4.1	MUNICIPALITY OF TRAVNIK	10
4.2	MUNICIPALITY OF NOVI TRAVNIK	11
4.3	MUNICIPALITY OF VITEZ	11
4.4	MUNICIPALITY OF BUSOVAČA	11
4.5	CITY OF ZENICA.....	12
5	METHODOLOGY AND APPROACH.....	13
6	PROJECT IMPACTS	14
6.1	OVERVIEW OF LAND ACQUISITION FOR THE ENTIRE PROJECT	14
6.2	SCOPE OF LAND ACQUISITION PER MUNICIPALITY/CITY	15
	MUNICIPALITY OF TRAVNIK	15
	MUNICIPALITY OF NOVI TRAVNIK	17
	MUNICIPALITY OF BUSOVAČA	18
	MUNICIPALITY OF VITEZ	19
	CITY OF ZENICA.....	20
6.3	KEY RESULTS OF FIELD OBSERVATIONS AND SURVEYS	21
7	KEY PRINCIPLES OF LAND ACQUISITION	27
8	COMPENSATION AND ENTITLEMENTS	28
8.1	ENTITLEMENTS MATRIX.....	28
9	DISCLOSURE OF INFORMATION AND PUBLIC CONSULTATIONS	31
9.1	DISCLOSURE OF INFORMATION AND CONSULTATIONS HELD TO DATE	31
9.2	PLANNED DISCLOSURE OF INFORMATION AND CONSULTATIONS	31
10	IMPLEMENTATION OF THE UPDATED RAP	32
10.1	IMPLEMENTATION RESPONSIBILITIES	32
10.2	COSTS.....	32
10.3	MONITORING AND REPORTING	33

1 INTRODUCTION

1.1 Project Summary

The Project. The Public Enterprise Regional Water Supply “Plava Voda” d.o.o. Travnik (“Public Enterprise”) is implementing the Plava Voda Regional Water Supply Project (“the Project”), which is receiving financing in the form of a loan from the European Bank for Reconstruction and Development (“EBRD”). Parallel financing for this investment will be provided by the Council of Europe Development Bank and the grant provided by the Swedish International Development Cooperation Agency.

Purpose of the Project. The purpose is to build a regional water system to directly serve three municipalities and one city (Municipalities of Travnik, Novi Travnik, Busovača, and the City of Zenica)¹, through the construction of:

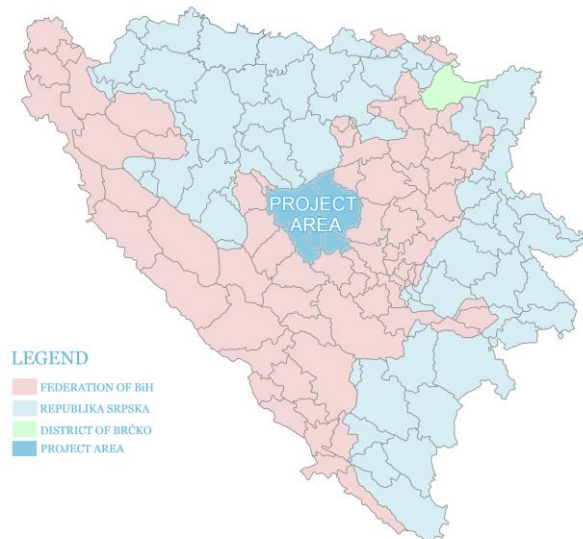
1. a new transmission main from the Plava Voda spring in Travnik to the existing reservoir “Putovići” in Zenica, including reconstruction of the reservoir Putovići,
2. the branch pipeline “Gostunj”, including construction of a new pumping station Gostunj and a new reservoir Gostunj,
3. the branch pipeline Nova Bila, including construction of a new pumping station “Kula-Nova Bila” and reconstruction of an existing reservoir Kula-Nova Bila
4. the branch pipeline Novi Travnik, including construction of a new pumping station Novi Travnik and a new reservoir “Pribilovići”, and
5. the branch pipeline Busovača, including construction of a new pumping station “Kula-Busovača” and a new reservoir Kula-Busovača and reconstruction of an existing reservoir “Hrastova Glavica”.

Project benefits. There is a high demand for clean and efficient supply of water in the mentioned Municipalities/City. Thus, the ultimate aim of the Project is to satisfy the needs of the population by providing reliable long-term water supply through joint efforts.

The construction of the regional water supply system “Plava Voda” will also enable the commissioning of the newly built water supply system “Putovići-Radakovo” in the City of Zenica, which was established as part of the project “Water Supply and Sewerage of BiH II”. The new system enables the connection of the water supply system in Zenica with the reservoir “Putovići”, to which water from the water supply system “Plava voda” will be delivered. Only after connecting these two water supply systems, it will be possible to properly supply water to the suburban settlements of the City of Zenica, which currently have problems with water supply.

Project history. The idea of constructing the regional water supply system “Plava Voda” dates back to the 1980s, but the first specific activities were initiated in 2011 regarding the development of Project documentation and obtaining the necessary permits. The Main Design was first prepared in 2012², followed by the preparation of an Expropriation Study. However, due to procedural issues, the Project was not implemented at the time but was recontinued recently. A chronological overview of Project related activities is presented in detail in Chapter 2 of this document.

Current Project status. The process is currently in the phase of selection of contractors by the Public Enterprise to design (i.e., update the 2012 Main Design) and build the system. Four bidders were shortlisted in the first stage of the procurement process. A Preliminary Expropriation Study³ was then developed based on



¹ The transmission main will also pass through the Municipality of Vitez but a branch pipeline for this Municipality is not foreseen.

² The Main Design was developed by the Hydro Engineering Institute of Sarajevo.

³ Prepared by the surveyor company Zedis d.o.o. in October 2021

the 2012 Main Design route and the proposed conceptual changes by the Public Enterprise in August 2021. The second stage of the procurement process (holding qualification meetings) during which technical solutions of the pipeline route will be discussed is planned soon. The procedure for selecting a contractor is expected to be completed in March 2022.

1.2 Objectives and Scope of this Document

The Public Enterprise has prepared and adopted this updated Resettlement Action Plan (“RAP”) with the aim of specifying the actions to be taken to properly compensate all affected people, in conformance with:

- The **laws and regulations in force in the Federation of Bosnia and Herzegovina (FBiH)**, in particular the Expropriation Law of FBiH, and
- EBRD’s **Environmental and Social Policy 2014**⁴, particularly Performance Requirement (PR) 5: Land Acquisition, Involuntary Resettlement and Economic Displacement.

This Updated RAP⁵ has been prepared based on the **2021 Preliminary Expropriation Study** and the **Resettlement and Compensation Framework (RCF)** developed in 2011 (updated in 2015). The RCF was designed to guide the land acquisition, compensation and resettlement process, and provides key definitions and a detailed description of the then applicable legal and institutional framework, the compensation criteria and procedures, grievance management, and reporting, monitoring and evaluation requirements.

⁴ Available at <http://www.ebrd.com/downloads/research/policies/esp-final.pdf>

⁵ The RAP was originally developed in 2015.

2 PREVIOUS AND PLANNED LAND ACQUISITION ACTIVITIES

This chapter provides information about all land acquisition, procurement and permitting activities for the Project in the 10-year period from 2011 to 2021.

2.1 Activities in 2011-2013

A Resettlement and Compensation Framework was developed in 2011 in line with EBRD requirements. Preparatory activities for initiating the expropriation process were undertaken by the Public Enterprise in 2012 by the development of an Expropriation Study the same year as required by the Law on Expropriation⁶.

Based on the Expropriation Study, the FBiH Government issued the *Decision on Public Interest for the Project* in January 2013⁷, following the cantonal decisions on feasibility of the Project issued in 2012 by both cantons (Zenica-Doboj Canton and Central Bosnia Canton).

2.2 Activities in 2016-2018

In 2016, the FBiH Government re-issued the *Decision on Public Interest for the Project*⁸. The scope of land acquisition was based on the 2012 Expropriation Study. Some land acquisition activities were undertaken in this period:

- The Public Enterprise announced an invitation in daily newspapers to all land owners in April 2018, in order to attempt negotiated settlements for transfer of ownership. After this, the expropriation procedure was formally initiated before the competent municipal/city authorities.
- The City of Zenica started the expropriation procedure by visiting the route in the cadastral municipalities of *Putovići* and *Janjići*, and held discussions with 18 affected land owners. After eight of them declared that they oppose expropriation (i.e., that they requested changes to the route due to impacts on residential and auxiliary facilities, and the creation of orphan land), the expropriation procedure was suspended.
- The municipalities of Travnik and Busovača started the expropriation procedure and issued Decisions on Expropriation for some state-owned land (for which compensation is not necessary).

Since the Public Enterprise did not ensure the planned financial means, the municipalities did not issue Decisions on Expropriation for privately owned land. The process was discontinued thereafter.

2.3 Activities in 2019

In 2019, the FBiH Government re-issued once again the *Decision on Public Interest for the Project*⁹, which expired in October 2021. The amount of financial means needed for land acquisition stated in the Decision is BAM 4,634,702.

During the same year, representatives of Novi Travnik, Travnik, Busovača and Zenica re-visited the route. They then proposed alternative solutions to the route based on:

- new circumstances on the route (legal or illegal construction of new facilities) which occurred since 2012 (when the Main Design was developed), and
- discussions about the concerns of the local communities.

In line with these proposals and with a view to minimise the impacts of land acquisition, the Public Enterprise published a tender¹⁰ to select a contractor which will update the 2012 Main Design and build the system.

⁶ The Study was developed by the surveyor company "Zedis" d.o.o. Zenica for the municipalities of Travnik, Novi Travnik, Vitez, Busovača and the City of Zenica.

⁷ "Official Gazette FBiH", No. 05/13

⁸ "Official Gazette FBiH", No. 42/16

⁹ "Official Gazette FBiH", No. 72/19

¹⁰ Prequalification process for selection of contractor was published in September 2019. Available at <http://jprvplavavoda.ba/news/prequalification-data-sheet/>

2.4 Activities in 2021 and Future Activities

Activities related to updating the route

In August 2021, the Public Enterprise prepared a conceptual proposal which involves some modifications to the 2012 Main Design aimed at changing the route at some points to minimise the impacts of land acquisition. Based on that, a Preliminary Expropriation Study was developed in October 2021. Since the spatial planning documents do not specify the detailed route of the regional water supply system, it was possible to adjust the route.

The procurement procedure for the selection of a contractor to update the Main Design and build the system continued. The tender documentation was changed in the part of the design where the route changes were made. According to the approved Action Plan for the Project by the EBRD, the contractor is estimated to be selected in March 2022.

Note: After the Main Design is prepared, it will be necessary to prepare the Final Expropriation Study on the basis of the updated Main Design.

Permits necessary for Project implementation

In 2021, some of the permits and consents necessary for Project implementation expired. The Public Enterprise has undertaken the following activities:

- Decision on Public Interest (renewed) – In November 2021, the FBiH Government re-issued the Decision on Public Interest for the Project¹¹.
- Environmental Permit (in progress) – a request for renewal of the permit was sent along with a new Environmental Impact Assessment Study to the Federal Ministry of the Environment and Tourism. The process is pending.
- Urban Consent (renewed) – the Urban Consent was renewed in February 2021. The Federal Ministry of Physical Planning agreed to issue a renewed consent provided that the Study of Archaeological Research is submitted subsequently before applying for a Construction Permit. The renewed consent also specifies the obligations of obtaining an approval of the Main Design by public utilities and competent authorities and the completion of the land acquisition procedure.

¹¹ "Official Gazette FBiH", No. 72/19

3 LAW ON EXPROPRIATION OF FBiH

This chapter provides a brief description of the current Law on Expropriation of FBiH as it was amended since the development of the most recent RAP in 2015.

Law on Expropriation of FBiH

The key provisions of the *Law on Expropriation of FBiH*¹² are summarised in Table 1 below.

Table 1: Key provisions of the FBiH Law on Expropriation

Public interest	Property can only be expropriated after public interest is declared for a project.
Pre-condition to start expropriation	Expropriation can only be started after the required funds have been secured and deposited with the bank or proof of existence of replacement properties provided.
Types of expropriation	Expropriation may be complete or incomplete: <ul style="list-style-type: none"> ▪ Complete expropriation allows the expropriation beneficiary to obtain legal title over the expropriated property, while the rights of the previous owner over the property as well as other rights over that property cease to exist. ▪ Incomplete expropriation does not entail change of ownership of land (in cases such as laying of water pipelines). It provides the beneficiary with usufruct rights on the land and structures, as well as the lease of the land for a definite period. At the end of the lease, usufruct rights over land are returned to the previous owner.
Right to request expropriation of remaining unviable land	Landowners affected by a partial loss of their property are entitled to request complete expropriation and the corresponding compensation in case partial expropriation would deteriorate the economic situation of the actual property owner or make the remaining part of the property useless or difficult to use.
Temporary occupation of land	Land occupation must be requested by a formal proposal indicating its purpose, the property proposed to be used, the owner of the property and the duration. Compensation must be provided in the amount of lease at market prices.
Negotiations	The Law explicitly encourages negotiated settlements, thus enabling the expropriation beneficiary and property owner to agree on transfer of ownership and compensation during the entire process.
Timing of compensation	Compensation must be provided prior to formal transfer of ownership.
Preferred type of compensation	As a rule, replacement property is the compensation preferred by the Law. It is defined as property in the same municipality or city which corresponds to the expropriated property in terms of market value, and which offers approximately similar conditions of usage as prior to expropriation. In case the property owner refuses such replacement property, or replacement property cannot be provided, compensation is paid in cash at market value of the property. The Law also defines the method of determining compensation for orchards, forests and agricultural plantations, etc.
Additional compensation	Property owners are also entitled to: <ul style="list-style-type: none"> ▪ <i>increased compensation based on "personal and family circumstances"</i>, which are taken into consideration if such circumstances are essential for the owner's livelihood, particularly in case a major part or whole of the land or commercial premises have been expropriated, thus endangering the livelihood of the former owner, or in case members of an agricultural household must move from the area where they had been living; ▪ former owners are entitled to <i>lost profits</i> they would have earned if they had continued using the expropriated property. Lost profits are calculated from the date the owner lost possession of the property until the date he/she received compensation. Both types of entitlements are defined on a case-by-case basis.
Compensation eligibility	As a rule, owners of buildings and land registered in the Land Register (so-called formal property) are entitled receive compensation at market value. Owners of informally built structures are not entitled to receive the compensation; however, they may demolish the structure and take away the materials within the time set by the responsible

¹² Official Gazette of FBiH, No. 70/07, 36/10, 25/12, 34/16

	<p>administrative department. The exception from this rule is when an informally built residential building is the only home of the owner and his/her closest family members or legal heirs, in which case such owners are entitled to compensation at market value. Additional conditions for eligibility are:</p> <ul style="list-style-type: none"> ▪ that the responsible authority had not passed a final decision to remove the building; ▪ that the informally built structure is registered in the official aerial survey of FBiH.
Access to property	<p>For reasons of urgency and in order to avoid major damage, the expropriation beneficiary may take possession of land even before the Decision on Expropriation becomes final and before compensation is paid, but solely on the basis of a decision by the FBiH Government. Prior to submitting a request to gain early access, the expropriation beneficiary must present to the owner the reasons for the urgency and offer a negotiated settlement that allows early access to the property.</p> <p>The request for an early access to property is submitted to the FBiH Administrative Commission of the Government, while the Federation Administration for Geodetic and Property Affairs prepares the proposed decision.</p> <p>If the case involves expropriation of a residential or commercial structure, the expropriation beneficiary may not file a request for an early access unless a replacement property is secured.</p> <p>An administrative dispute may be initiated against the Decision of the FBiH Government which allows early access. The dispute does not delay early access to the property.</p>

Expropriation Procedure

1. The expropriation beneficiary must publish a public invitation to property owners to try to reach a **negotiated settlement**. The parties then conclude a notarised purchase agreement.
2. In case a negotiated settlement has not been reached, the expropriation beneficiary files a **proposal for expropriation** to the relevant municipality. Even after this step, a negotiated settlement can still be signed.
3. Upon receiving the proposal, the municipality must **notify the owners** that the expropriation procedure has been initiated, together with a warning to the owners that they shall not be entitled to compensation of costs of their investments in land or buildings made after they received written notification that the expropriation procedure had commenced (except the costs of regular maintenance) – **cut-off date**.
4. The municipality must then **meet with the owners** to discuss expropriation, and also notify them that they have the right to file a request for expropriation of the remaining unviable part of the property.
5. If land registry data do not correspond to the actual ownership situation (often the case due to out-dated information in the land registry books¹³), the municipality must **sort out the title issues** prior to proceeding with further steps.
6. The municipality issues a **Decision on Expropriation**. Project Affected Persons (PAP) can appeal against this Decision to the Federal Administration for Geodesy and Legal Property Affairs. If still unsatisfied, PAP can initiate an administrative dispute before the cantonal court.
7. When the Decision on Expropriation becomes final, the municipality **must invite the PAP to agree on the amount of compensation**. If the parties come to an agreement, a formal agreement is signed.
8. If no agreement on compensation is reached within 2 months, the municipality refers the case to the municipal court to determine the compensation. PAP can appeal against the court's decision and take the case to the cantonal court (whose decision is then considered final but can still be disputed at the Supreme Court).
9. Formal transfer of legal title in the land register is carried out on the basis of a valid Decision and proof of payment of compensation or proof that the previous owner has acquired ownership over other corresponding property.

¹³ E.g., the person registered in the land registry is different from the actual owner/user who may be the heir, the person who purchased the property but failed to report such transfer, etc.).

4 DETAILED ROUTE DESCRIPTION

This chapter describes the route of the planned regional water supply system per each involved Municipality/City, as well as some current uncertainties such as the location of some reservoirs or pumping stations.

4.1 Municipality of Travnik

Main transmission line

The route of the main transmission begins at the Plava Voda spring in Travnik. The proposed route passes next to the Plava Voda channel all the way through the Central Square, and continues along the pedestrian path up to the bridge over the Lašva River. After crossing over the bridge, the pipeline enters the local road by the madrasah in Travnik, reaches and crosses the M5 regional road, and goes along the *Mostarska Street*¹⁴.

At the end of *Mostarska Street*, the pipeline crosses over the Lašva River, by suspension onto the existing bridge, where it crosses the M5 regional road. It then goes along the gullies of the M5 trunk road, up to the turning point for *Guća Gora*. From there, the pipeline passes along the route of the old "Jajce-Donji Vakuf" railway, through the *Putičevo* and *Prahulje* settlements. In the settlement of *Putičevo* a connection for the Gostunj reservoir is foreseen. The branch pipeline to the Gostunj reservoir is for the most part routed along the local road and is envisaged to cross over several state- and privately-owned land plots all the way to cadastral plot no. 183 (cadastral municipality Mosor), where the construction of the reservoir is planned. In the settlement of *Prahulje* the connection for Novi Travnik is located, followed by the connection for the Kula-Nova Bila reservoir, which is located 50 m further. On this section, the pipeline would be placed along an old railway which is in some places turns into local roads. It should be noted there are many private land plots with residential and auxiliary facilities (barns, greenhouses, garages, fences, etc.) on this route. The route of the Nova Bila branch mostly extends through arable areas to the location of the newly constructed Kula-Nova Bila reservoir.

The section from the connection for Nova Bila to the connection for Vitez is mainly located on an old railway. A crossing over the Bila River is foreseen on this section, by suspension of the pipes over the bridge on the M5 regional road. From the connection for Nova Bila, the route crosses over several smaller culverts or bridges of the old railway. In one part, the route of the pipeline bypasses the route of the old railway, as various structures have been built on it. The route passes behind these structures, partly along asphalted areas and partly along arable areas. After the bridge on the M5 regional road, it shortly continues along this road, enters the *Grbavica* settlement through a local road, and then returns to the old railway. It follows the old railway route up to the connection for Vitez, located near the underpass of the old railway.

Branch pipeline Gostunj (from the transmission main to reservoir Gostunj, including construction of a new pumping station Gostunj)

The new reservoir Gostunj is planned on state-owned land on the left bank of the Lašva River, some 3 km northeast of the main intersection in *Dolac na Lašvi* on the regional road M-5 (Lašva-Travnik). Due to land ownership and right of way issues, the branch pipeline route will, in principle, be routed along the local road. The pipeline route will intersect the regional road R-413a in one place, in which case it will be necessary to seek the approval of the Road Directorate for passing through the trunk of the road perpendicular to the axis of the regional road R-413a, as well as for a small part of the route. road belt (approx. 30 m) before the road intersection. The tentative length of the pipeline is approx. 3.1 km.

Considering the ascent of the route, it is planned to design a pumping station that will serve to deliver the water from the Plava Voda spring to the new reservoir Gostunj. Its location will be determined by hydraulic calculations and modelling, and its exact location will be determined by the contractor during the update of the Main Design.

¹⁴ It should be emphasised that a branch for the *Dolac na Lašvi* reservoir was planned by the 2012 Main Design before the end of *Mostarska Street*. However, this branch was abandoned in the meantime, and this will be taken into account when updating the 2012 Main Design.

Branch pipeline Nova Bila (from the transmission main to reservoir Kula-Nova Bila, including construction of a new pumping station “Kula – Nova Bila”)

The branch pipeline will be laid from the transmission main to the pumping station Kula-Nova Bila, and from the pumping station to the existing reservoir Kula-Nova Bila in Travnik. Due to land ownership and right of way issues, the branch pipeline route will, in principle, adhere to the route defined in the 2012 Main Design.

The existing reservoir Kula-Nova Bila is located in cadastral municipality Travnik-Putićevo.

The pumping station Kula-Nova Bila will serve to deliver the water from the Plava Voda spring to the existing reservoir Kula-Nova Bila. Its location will be determined by hydraulic calculations and modelling, and its exact location will be determined by the contractor during the update of the Main Design.

4.2 Municipality of Novi Travnik

Branch pipeline

The branch pipeline will be laid from the transmission main to the pumping station Novi Travnik, and from the pumping station to the new reservoir Pribilovići in Novi Travnik. Due to land ownership and right of way issues, the branch pipeline route will, in principle, adhere to the route defined in the 2012 Main Design.

The branch for Novi Travnik can be divided into three sections. It begins with turning from the main route of the old railway in the *Prahulje* settlement in Travnik, from where the route crosses over the M5 regional road, and enters into *Nevića Polje*. Going along the Gornji Vakuf-Travnik road, it reaches the bridge on the Lašva River. The next section of the pipeline goes through the pedestrian path along the road through the *Stojkovići* settlement, up to the *Budišići* settlement on the entrance into the town of Novi Travnik. In *Budišići*, it crosses the Gornji Vakuf-Travnik road, and passes by the local road in the settlement. On the exit from *Budišići*, it branches off the local road toward the *Pribilovići Hill*, up to the location foreseen for the Pribilovići reservoir. From the *Budišići* settlement up to the Pribilovići reservoir, the route is located partly along the old railway and partly along the local road.

Reservoir Pribilovići, including construction of a new pumping station Novi Travnik

The new reservoir Pribilovići will be located at the end of the branch pipeline Novi Travnik. The exact locations of the reservoir and the pumping station will be determined by hydraulic calculations and modelling, and its exact location will be determined by the contractor during the update of the Main Design.

4.3 Municipality of Vitez

Main transmission line

After the connection for Vitez, the pipeline continues along the route of the old railway, passes along the M5 regional road, and then crosses over it. At that point, it crosses the *Dubrovački* stream by suspension, extends through arable areas toward the *Ahmići* settlement, reaches the Lašva River and the border with Municipality of Busovača. After this crossing, the route continues along the railway through the settlements of *Selišta* and *Sajtovići* to the road leading to Busovača. It crosses this road and then the Kozica River, after which the connection for Busovača is located.

It should be noted that a branch pipeline for the Municipality of Vitez is not foreseen.

4.4 Municipality of Busovača

Main transmission line

In Busovača, the route of the main transmission line starts from the border with the Municipality of Vitez, where it crosses the Lašva River and continues along the old railway to the road leading to Busovača. The pipeline crosses this road and then the Kozica River, by suspension onto the existing steel bridge of the old railway, after which the connection for Busovača is located.

The branch for Busovača starts in the cadastral municipality *Skradno*, continues towards Busovača through the cadastral municipalities *Bare* and *Busovača* and forks towards the existing reservoir *Hrastova glavica* and the planned reservoir *Kula-Busovača*.

From the connection for Busovača, the alignment continues along the old railway through the settlements of *Sajtovići*, *Katići* and *Merdani*, and continues along the abandoned railway along the Lašva River to the border with the City of Zenica.

Branch pipeline to Busovača

It is planned for the branch for Busovača to have two sub-branches: one sub-branch to the existing Hrastova Glavica reservoir and one sub-branch to the new Kula-Busovača reservoir.

The sub-branch toward Hrastova Glavica there will be one crossing below the Kozica River. This route passes through arable areas, and continues below the Kozica River as well as arable areas, and then crosses the *Ivice Marušića Street* on the entrance into the town of Busovača. Passing through the *Kadića Strana* settlement, it climbs toward the hill and finally to the Hrastova Glavica reservoir.

The sub-branch route for the Kula-Busovača reservoir passes through arable land and forests in the *Kula* settlement, and reaches the location foreseen for the Kula-Busovača reservoir.

Pumping stations are also foreseen on both sub-branches.

4.5 City of Zenica

Main transmission line

The route starts from the border with the Municipality of Busovača and continues along the old railway all the way to the *Lašvanska* intersection. Here it crosses over the Lašva River by suspension onto the existing bridge structure, and continues parallelly with the existing railway Šamac-Sarajevo. The pipeline branches off the railway and continues along the local road "Doboj-Kaonik" to the *Janjići* settlement. It then goes along the local road *Sarajevska Street* to the point where the route crosses to the other side of the Bosna River, below the railway, over the M17 regional road and A1 motorway. However, the City of Zenica proposed in 2019 to reroute this section of the transmission main from the *Sarajevska Street* to the point where the route crosses to the other river side by relocating to the belt between the existing railway and *Sarajevska Street* in order to avoid the placement of the pipeline next to residential houses.

Note: The Public Enterprise confirmed this proposal as technically possible, and it will be considered during the update of the Main Design. In May 2020, Public Enterprise obtained the consent of the PE Railways of the FBiH for construction of a part of the main pipeline. The consent stipulates the conditions on the basis of which the works must be performed, especially at the points where the water supply pipeline and railway intersect. Also, the consent stipulates that the pipeline route must be at least 20m away from the existing railway line, given the fact that in the future it is planned to build an additional railway line next to the existing one.

The total length of the main pipeline route, parallel to the existing railway, is approximately 3.7 km. A large part of the main pipeline route is on average 15 m away from the axis of the existing railroad line. Only a small part of the pipeline, with a total length of approx. 830 m, passing through the settlement of *Janjići*, is planned to be in the trunk of a local road that is approximately 10 m away from the axis of the existing railway¹⁵.

After crossing the pipeline to the other side of the river, the route uses the existing earth road located within a cutting over the steep slope. It then enters the *Putovići* settlement through arable areas.

After this point, the pipeline route goes along the local asphalted road, and the route turns between two residential houses. From this point, the route goes along private land plots, intersects the local road, and continues through private land plots to the reservoir Putovići.

¹⁵ Estimation was based on measurements from orthophoto substrates. It should be noted that any placement of the pipeline along the railroad belt is conditioned by the request of the Public Enterprise Railways of FBiH to comply with the Law on Railway Safety and the conditions included in the tender documentation.

5 METHODOLOGY AND APPROACH

Census. A census of all affected land plots/assets and project affected people (PAP) was developed throughout the period from November 2020 to October 2021 in order to gather and analyse data and information required to identify all categories of impacts, the PAP and the expected loss of assets within the Project area.

The census was prepared on the basis of:

1. field observations during site visits along the entire pipeline route,
2. cadastral data provided in the Preliminary Expropriation Study,
3. ortho-photo maps of the pipeline route overlapped with affected cadastral plots,
4. tender documentation for the selection of the contractor to update the 2012 Main Design,
5. official reports of the municipalities of Travnik, Novi Travnik, Busovača and the City of Zenica related to concerns about passing of the pipeline through these territories¹⁶.

During the field visit, the expert team that observed the pipeline route also held brief discussions with the local population on their opinions and views regarding the Project.

Socio-economic survey. The survey was first carried out in the period 16-23 November 2020 in Novi Travnik, Travnik, Busovača, Vitez and Zenica, to solicit the opinions of the PAP about Project impacts and compensation payments as well as to obtain specific data on current livelihoods and living conditions of PAP, including the identification of vulnerable categories. An additional survey was conducted in the period 25-26 October 2021 in Travnik for the newly planned branch to the Gostunj reservoir.

The survey was conducted by a team of trained surveyors, supervised by a coordinator¹⁷. The surveyors used survey questionnaires prepared by land acquisition experts. Three types of questionnaires were used:

- I. Questionnaire for land owners or users living on affected land,
- II. Questionnaire for land owners or users not living on affected land, and
- III. Questionnaire for businesses (formal or informal).

Note: It should be noted that this is the third survey conducted for needs of the Project (2011, 2015 and now in 2020/2021 during the development of this updated RAP), and the weariness of the local population with regard to the implementation of the Project is noticeable. Therefore, the following approach was adopted for the survey sample:

- For the newly affected land plots (compared to the 2012 Main Design – in line with the new proposals given by the Municipalities/City): to conduct the survey on a sample of 100%
- For the unchanged parts of the route: to conduct the survey on a sample of 10% of PAP who were already surveyed twice in the past (in 2011 and in 2015)

¹⁶ The Municipality of Vitez has not submitted an official report on the situation on the pipeline route passing through its territory.

¹⁷ Given the situation caused by the corona virus (COVID-19) and respecting the measures defined by competent institutions to prevent the spread of the virus, telephone surveys were conducted based on available telephone numbers of PAP collected during the field visits.

6 PROJECT IMPACTS

This chapter describes the scope of planned land acquisition in line with both the 2021 Expropriation Study (as the most recent official study) and the accepted changes to the route proposed by the Municipalities/City. It also includes the results of field observations and the conducted socio-economic survey.

6.1 Overview of Land Acquisition for the Entire Project

For the purposes of building the Plava Voda pipeline through the territories of the Municipalities of Travnik, Novi Travnik, Vitez, Busovača and the City of Zenica, it will be necessary to carry out:

- **complete (permanent) expropriation** of only 11¹⁸ (8 privately owned and 3 state-owned) land plots positioned in the location of planned facilities (access road, pumping stations and reservoir) – in Travnik and Zenica;
- **incomplete (temporary) expropriation** of land plots along the pipeline route for the purpose of placement of the main transport pipeline and its branches.

The Project will not require the physical resettlement of any households and businesses. Most of the land plots on the pipeline route are located in the belt of the old railway that no longer exists, as well as regional roads, local paved and unpaved roads. 73% of the area to be affected is public (state-owned) land. None of the state-owned land plots are used by the local population¹⁹. The majority (56%) of affected land is construction land.

An overview of cumulative Project impacts is presented in the three tables below, whereas detailed information for each Municipality/City involved in the Project is provided in the ensuing text.

Table 2: Area of affected land plots by ownership

Type of land	Travnik	Novi Travnik	Vitez	Busovača	Zenica	Total	Percentage of total affected land
Public	81,702 m ²	30,942 m ²	76,040 m ²	72,152 m ²	39,421 m ²	300,257 m²	73%
Private	22,390 m ²	4,102 m ²	26,630 m ²	30,704 m ²	27,217 m ²	111,043 m²	27%

Table 3: Total area of affected property by type in m²

Type of land	Travnik	Novi Travnik	Vitez	Busovača	Zenica	Total	Percentage
Construction land	74,133	27,452	75,714	6,118	46,888	230,305	56%
Agricultural land	16,799	6,118	22,769	25,662	12,495	83,843	20.4%
Other*	7,616	57	1,405	65,888	2,433	77,399	18.8%
Forest land	5,544	1,417	2,782	5,188	4,822	19,753	4.8%
Total area	104,092	35,044	102,670	102,856	66,638	411,300	100%

* Other infertile soil, park, stream, river, pond or swamp

¹⁸ The exact number of land plots which will be subject of complete expropriation for the purpose of constructing new reservoirs and pumping stations will be known after the update of Main Design.

¹⁹ Based on field visits conducted during the development of this Updated RAP and the development of the Preliminary Expropriation Study

Table 4: Number of land plots subject to expropriation²⁰

Municipality/City	Number of private land plots	Number of state-owned land plots	Total no. of land plots
Travnik	94	67	161
Novi Travnik	93	20	113
Vitez	99	52	151
Busovača	159	36	195
Zenica	80	36	116
Total	525	211	736

Temporary occupation of land. It is expected that it will be necessary to temporarily occupy a number of private and state-owned land plots for constructing access roads and placement of staff, machines and material. In the event of state-owned land, the right to use such plots by the Public Enterprise will be regulated through an agreement with the Municipality or the Government of FBiH. In the event of privately owned land, separate contracts with owners of such land will be concluded (lease contracts or other form of transfer of ownership or use rights in accordance with the Law on Property Rights of FBiH), and adequate compensation will be paid in line Entitlement Matrix.

6.2 Scope of Land Acquisition Per Municipality/City

Municipality of Travnik

According to the 2021 Preliminary Expropriation Study, there are a total of 161 affected land plots in Travnik:

- 67 state-owned land plots: 66 of these will be subject to incomplete expropriation, and only 1 will be completely expropriated for constructing the Gostunj reservoir²¹;
- 94 privately owned land plots: all subject to incomplete expropriation.

No physical relocation of households or businesses is foreseen. No permanent impact on owners of agricultural land is expected as all private land will only be temporarily affected. It is possible that during the construction of the main pipeline, 7 privately-owned auxiliary structures (garages and sheds) may be affected (please see the following section 6.3 for more details). No permanent impact on businesses is expected but businesses located in the immediate vicinity of the planned route may experience temporary nuisances or access difficulties.

Also, the route of the planned main pipeline passes through a cemetery located before the turn for the regional road Guča-Gora. Only a small part of the land plot is planned to be affected but the exact position of the route in relation to the grave sites will be known after updating the 2012 Main Design. If it is determined that the route will pass directly through the grave sites, the Public Enterprise will hire an authorised public company to carry out possible exhumation in coordination with the Islamic Community in BiH.

The map below shows the route of the main transport pipeline and branch pipelines in Travnik (Figure 1).

²⁰ These data are based on the Preliminary Expropriation Study from 2021 developed to reflect parts of the route that have been abandoned (i.e., the branch for „Dolac na Lašvi“ in the Municipality of Travnik and the branch for Municipality of Vitez) or changed to minimise the negative impacts of land acquisition. Precise data on the affected land plots will be known after the update of the Main Design which will be developed.

²¹ Land plots that will be subject to complete expropriation for the construction of the pumping stations (Gostunj and Kula-Nova Bila) will be known after the update of the Main Design.

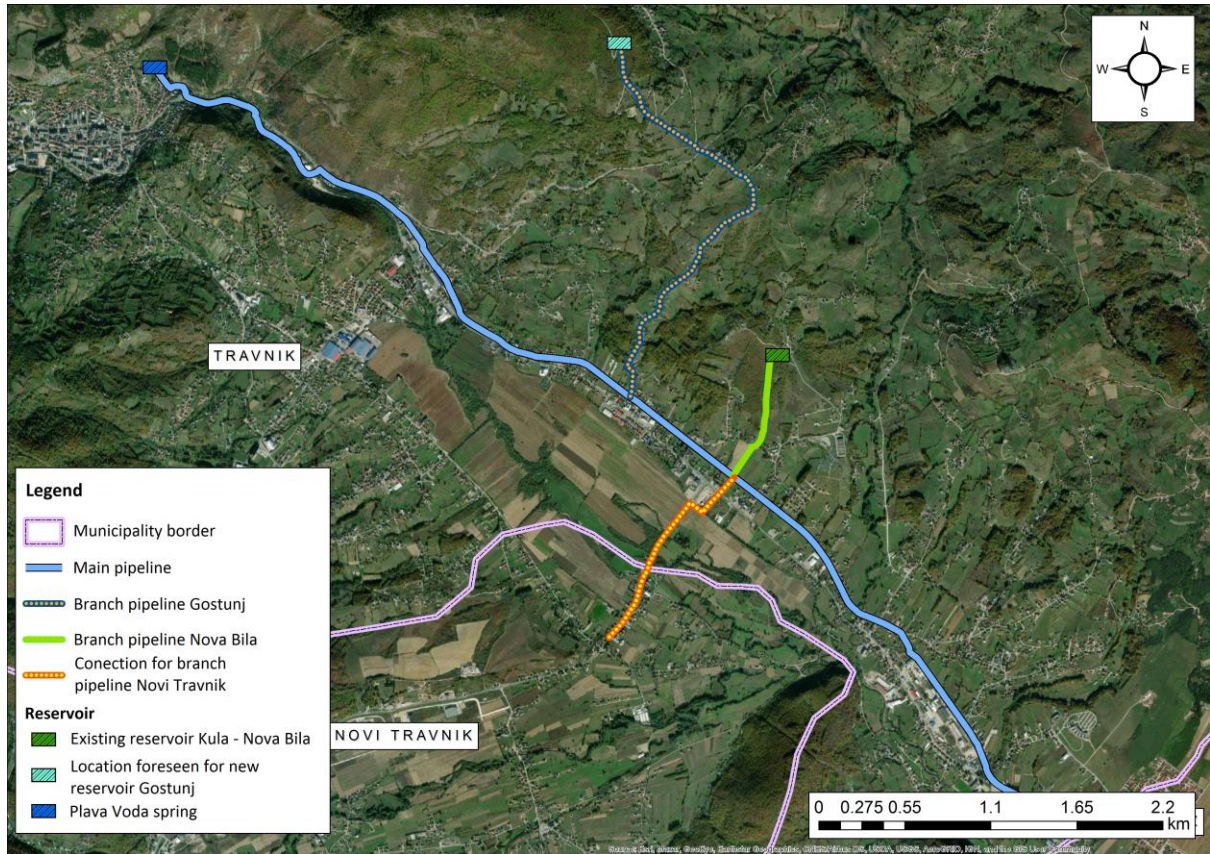


Figure 1 – The main pipeline route and the branch pipelines passing through the Municipality of Travnik

Municipality of Novi Travnik

According to the 2021 Preliminary Expropriation Study, there are a total of 113 affected land plots in Novi Travnik:

- 20 state-owned land plots: all subject to incomplete expropriation²²;
- 93 privately owned land plots: all subject to incomplete expropriation.

No physical relocation of households or businesses is foreseen. No permanent impact on owners of agricultural land is expected as all private land will only be temporarily affected. No permanent impact on businesses is expected, but businesses located in the immediate vicinity of the planned route may experience temporary nuisances or access difficulties.

The route of the planned branch pipeline in one part passes in the immediate vicinity of the Partisan Memorial Cemetery, which is located in the settlement of Budušići. After the Main Design update, the exact position of the route in relation to the grave sites will be known. If it is determined that the route will pass directly through the grave sites, the Public Enterprise will hire an authorised public company to carry out possible exhumation in coordination with the competent authorities.

The map below shows the route of the branch pipeline for Novi Travnik to the new reservoir Pribilovići (Figure 2).

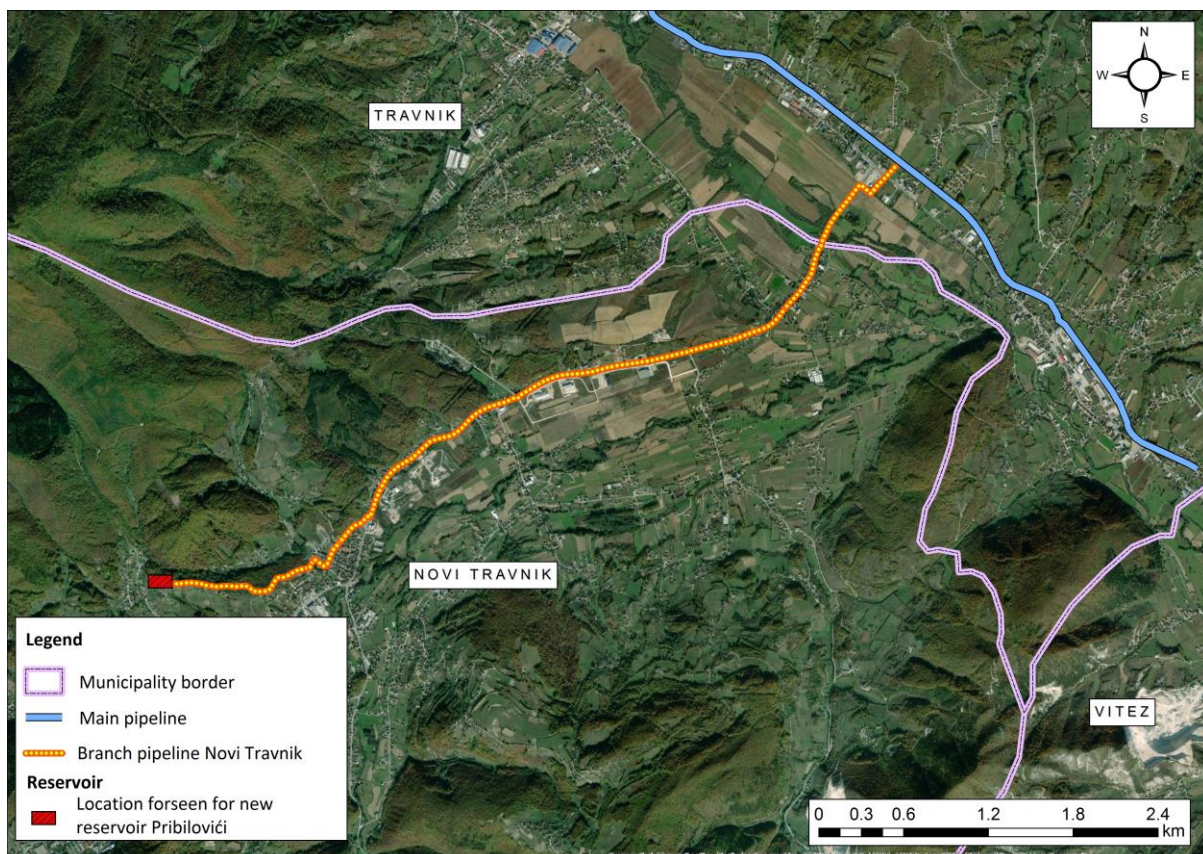


Figure 2 - The branch pipeline route passing through the Municipality of Novi Travnik

²² Land plots that will be subject to complete expropriation for the construction of the new reservoir Pribilovići and pumping station Novi Travnik will be known after the update of the Main Design.

Municipality of Busovača

According to the 2021 Preliminary Expropriation Study, there are 195 affected land plots in Busovača:

- 36 state-owned land plots: all subject to incomplete expropriation²³;
- 159 privately owned land plots: all subject to incomplete expropriation.

No physical relocation of households or businesses is foreseen. No permanent impact on owners of agricultural land is expected as all private land will only be temporarily affected. No permanent impact on businesses is expected but businesses located in the immediate vicinity of the planned route may experience temporary nuisances or access difficulties.

The map below shows the route of the main transport pipeline and branch pipelines in Busovača (Figure 3).

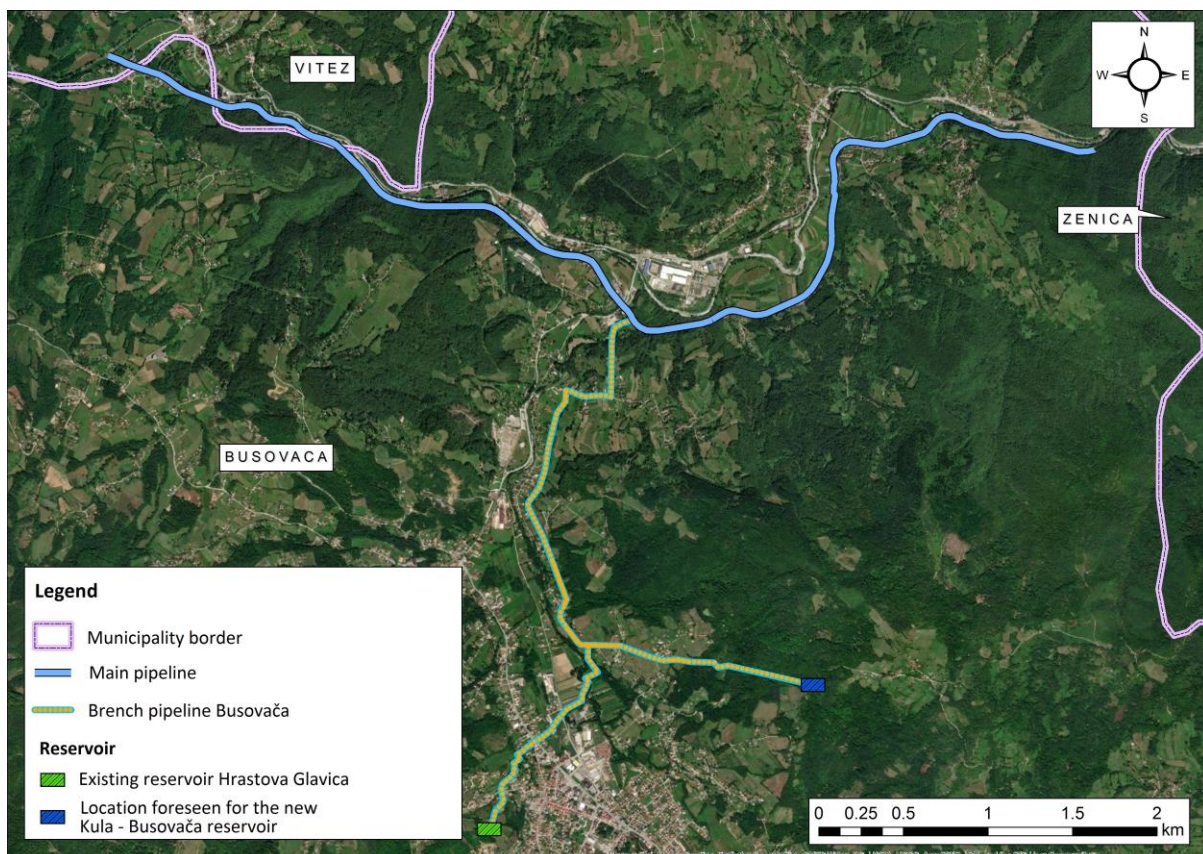


Figure 3 - The main pipeline route the branch pipeline route passing through the Municipality of Busovača

²³ Land plots that will be subject to complete expropriation for the construction of the new reservoir Kula-Busovača and pumping station Kula-Busovača will be known after the update of the Main Design.

Municipality of Vitez

According to the 2021 Preliminary Expropriation Study, there are 151 affected land plots in Vitez:

- 52 state-owned land plots: all subject to incomplete expropriation;
- 99 privately owned land plots: all subject to incomplete expropriation (but some concrete fences belonging to houses located along the route may be permanently affected).

No physical relocation of households or businesses is foreseen. However, in Vitez the route will pass through a highly commercial area where many businesses operate in the immediate vicinity and may experience temporary nuisances or access difficulties. In addition, some commercial auxiliary facilities (such as a glass veranda belonging to a restaurant) may be affected (please see the following section 6.3 for more details).

Figure 4 below shows the route of the main transport pipeline passing through Vitez (no branch foreseen).

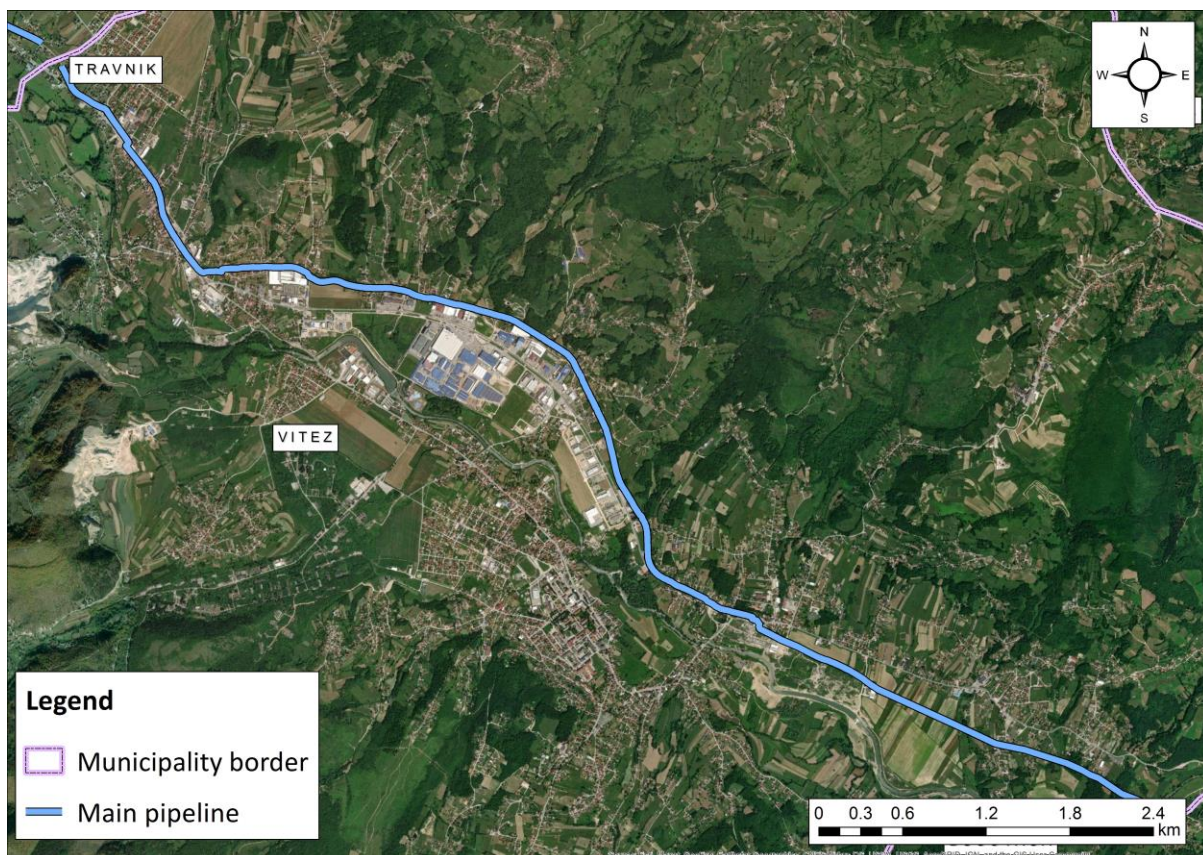


Figure 4 - The main pipeline route passing through the Municipality of Vitez

City of Zenica

According to the 2021 Preliminary Expropriation Study, there are 116 affected land plots in Zenica:

- 36 state-owned land plots: only 2 land plots will be subject to complete expropriation where permanent facilities are planned, while the rest will be subject to incomplete expropriation.

State-owned plots are the Putovići reservoir, the A1 motorway, the main road, local roads, parts of the road belt, the railway belt along the railway, forests and water.

- 80 privately owned land plots: 8 land plots will be subject to complete expropriation where permanent facilities are planned, while the rest (72 land plots) will be subject to incomplete expropriation.

The 8 land plots that will be completely acquired for constructing an access road to the main pipeline are located near the *Lašvanska* intersection. During the field visit, it was determined that there are no residential structures on these land plots, and that they mostly represent forest land and abandoned agricultural land. Since this is an uninhabited area, no one was found on these plots, nor was it possible to gather additional information through the socio-economic survey. However, these land plots will be affected partially (% of affected part ranges from 3.33% to 46.43% of total land plot area).

The 72 plots that will be temporarily affected are located near the existing Putovići reservoir, and then stretch along the local road that passes near the backyards of residential facilities with fences, gates, walls, auxiliary facilities (barns, greenhouses, canopies, garages), paved areas, yards and access roads. Other plots are arable land, meadows and uncultivated areas located in the Putovići settlement, as well as land plots along the road belt of the main and local roads and the Bosna River. The percentage of the affected parts of these land plots ranges from 1% to about 30%.

No physical relocation of households or businesses is foreseen. No permanent impact on owners of agricultural land is expected as private land will mainly only be temporarily affected. No permanent impact on businesses is expected but businesses located in the immediate vicinity of the planned route may experience temporary nuisances or access difficulties.

Figure 5 below shows the route of the main transport pipeline passing through Zenica.

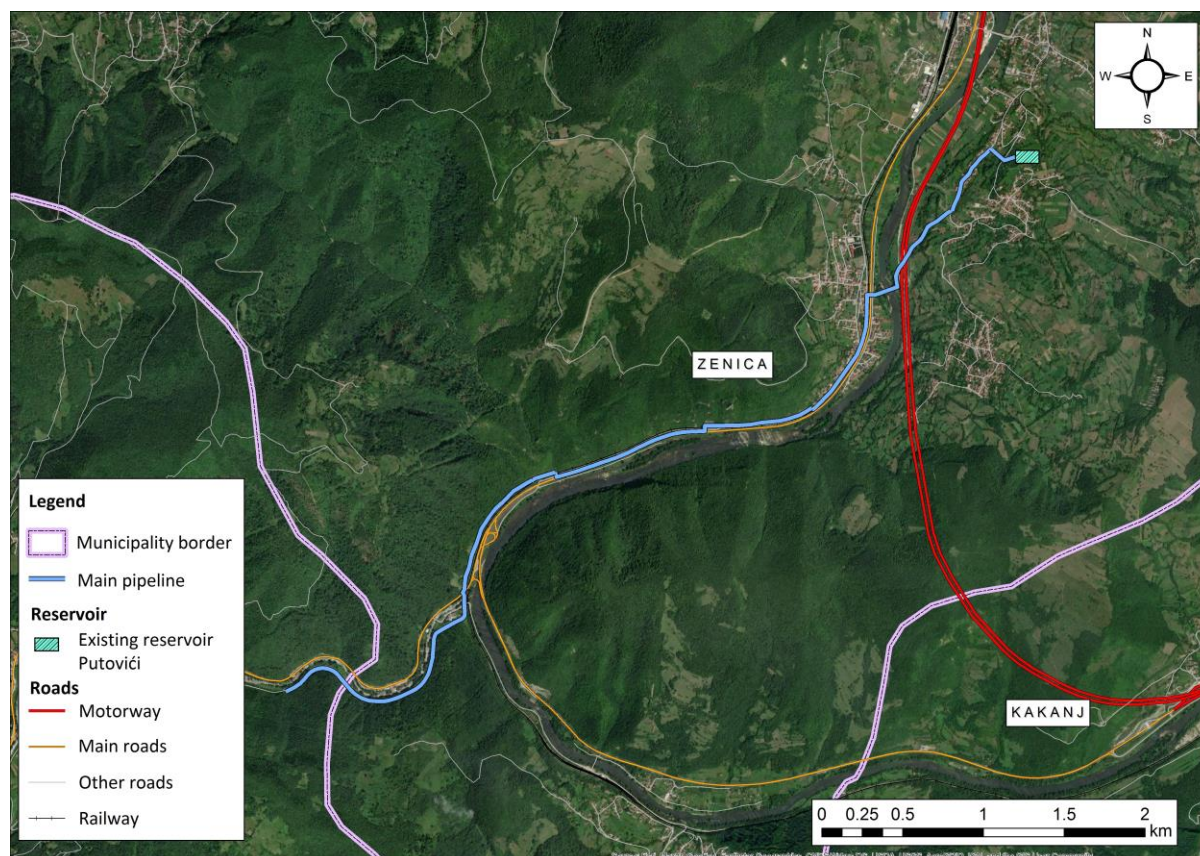


Figure 5 - The main pipeline route passing through the City of Zenica

6.3 Key Results of Field Observations and Surveys

During field visits conducted during the development of this Updated RAP²⁴, brief discussions were held with the local population living in the immediate vicinity of the planned pipeline route, based on which it may be concluded that the local population:

- is familiar with the planned Project, but has not been informed by the authorities whether their land will be affected and in what part;
- has expressed great doubt about the Project, given that it is a topic that has been discussed since the 1980s, and its implementation has still not started;
- is generally not opposed to the construction of the pipeline – on the contrary, supports the Project.

Such is the case in Zenica where the pipeline route according to the original 2012 Main Design affected a number of private land plots in the settlements of Putovići and Janjići, where there are several auxiliary structures fences, barns, garages, etc. (Figure 7, Figure 8, Figure 6 and Figure 10). In addition, one part of the original route was planned to intersect several agricultural plots in Putovići (Figure 10) that have the potential to be converted into construction land which would be prevented by the placement of the pipeline. In the same settlement, a part of the original route also passed between two residential houses (Figure 11), and the owners opposed this solution.

²⁴ The first field visit was carried out in November 2020 and the second field visit during the period September-October 2021.



Figure 7 – Garage in Janjići settlement



Figure 8 – Barn in Putovići settlement



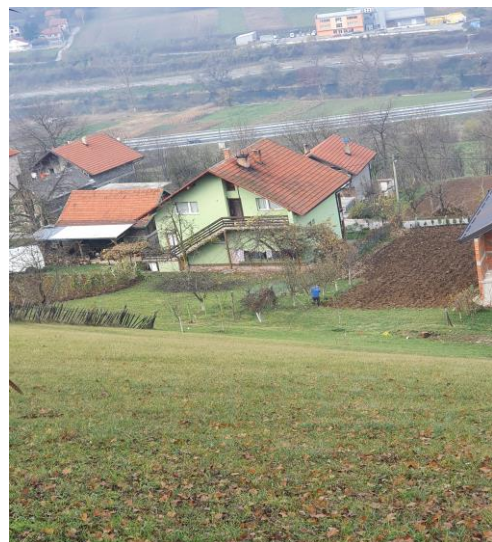
Figure 9 – Garage in Putovići settlement



Figure 10 - Arable areas in Putovići settlement



Figure 11 – Residential houses in Putovići settlement



The local population in the Putovići settlement pointed out that they would prefer relocation of the route to the Putovići reservoir which would bypass the residential facilities. This proposal was also considered by the City of Zenica in 2019 but was later abandoned. However, in order to reduce the scope of land acquisition, the changes to the route proposed by the Public Enterprise and the 2021 Preliminary Expropriation Study have largely met the demands of the local population in Zenica. In the Janjići settlement, the route is now in the belt between the existing railway and the existing local road in order to avoid residential structures located in immediate vicinity (Figure 12). Also, in the Putovići settlement, the pipeline route mostly goes along the local road so that impacts on private property will be minimised (Figure 13).



Figure 12 – Belt between the existing railway and the existing local road where the transmission pipeline should pass in the settlement of Janjići



Figure 13 – Local road in the Putovići settlement through which the pipeline is planned to pass

During the field visit in Vitez, several issues were noted on one part of the main pipeline route – there is a private auto salvage yard (Figure 14), a glass veranda as part of a private business cafe/restaurant (Figure 15), and a private concrete fence (Figure 16). Since the Municipality of Vitez has not provided its opinion these critical points of the route, it will be necessary to pay particular attention to these points during the update of the 2012 Main Design and evaluate micro alignment options to avoid impacts on these businesses.



Figure 14 - Auto salvage yard



Figure 15 - Glass veranda as part of a cafe/restaurant



Figure 16 - Private concrete fence

During the field visit and socio-economic survey in Travnik, 7 auxiliary facilities (garages and sheds) were identified in the settlement of Dolac na Lašvi which could be affected. These are not concrete structures, but wooden improvised structures. During discussions with the owners, they stated that they are not against the Project, but emphasised that they will demand the construction of new facilities in case of removal or damage to the existing facilities during construction.



Figure 17 – 7 auxiliary structures in Dolac na Lašvi settlement

No particular issues were noted in other Project areas during the field observations of the pipeline route.

As explained under the Methodology section, a socio-economic survey was carried out in November 2020 in all Municipalities/City, with an additional survey in October 2021 for the new section planned for the construction of a branch to the Gostunj reservoir. Approx. 100 PAP and businesses were contacted for the purpose of conducting the survey, but as many as 61 PAP refused to participate in the survey. As mentioned in the previous chapter, such a large refusal rate is presumed to be based on the fact that this is the third survey conducted for needs of the Project and the weariness of the local population is noticeable. 31 PAP and 10 businesses were successfully surveyed.

The key results of the survey are provided below, while the full results are available in separate Excel files which contain confidential data and information.

Households:

- More than one third of households surveyed stated that they were informed about the planned land acquisition but of these, more than half were informed by informal sources or from non-official sources.
- Only around 15% are 'completely satisfied' with the information received to date.
- All respondents stated that they are formal owners of land.
- The majority use their land for growing vegetables (mostly potatoes, onions and carrots) and fruits (mostly apples, plums and walnuts) for their own needs.
- The majority of respondents declared themselves to be Bosniaks (64.5%) followed by Croats (35.5%).
- Salaries and pensions are the main source of household income for the majority (83.87%).
- 22.5% of households have a member belonging to the category of vulnerable groups (physical disability, chronic disease, etc.).
- Almost half of the population (45%) has income less than BAM 800 (\approx EUR 400).

Businesses operating in the vicinity of the planned pipeline:

- 50% of businesses were not previously informed about the planned land acquisition activities, whereas the other 50% were only partially informed. Consequently, 70% of businesses do not know to what extent their land will be affected.
- 60% of businesses are 'completely dissatisfied' with the received information.
- 90% of businesses stated that the business is formally registered and that the business structure is legal (built with permits). One respondent stated that he/she was not sure about the status of the business or the facility itself.
- 50% of businesses have concerns about the possible slow implementation of construction works.

7 KEY PRINCIPLES OF LAND ACQUISITION

The Public Enterprise has undertaken to adhere to the following principles with respect to land acquisition and restriction of access to property in the implementation of the Project, which will enable full compliance with all EBRD requirements and the bridging of all gaps identified between such requirements and national legislation:

1. **Any involuntary land acquisition of property or restriction of access to assets** will be conducted in compliance with the applicable legislation in FBiH (in particular, the *Law on Expropriation*), the EBRD Environmental and Social Policy 2014 and its Performance Requirement 5 (*Land Acquisition, Involuntary Resettlement and Economic Displacement*) and good international practice. In case of any inconsistencies between national legislation and EBRD requirements, the higher standards will be adopted. Involuntary resettlement will be avoided where feasible, or minimised, exploring all viable alternative project designs.
2. **Maximum efforts will be made to sign negotiated settlements** with PAP in order to avoid expropriation. Such efforts shall be documented by the Public Enterprise.
3. **All affected persons will be informed, consulted and encouraged to participate** throughout the land acquisition process, in accordance with the information disclosure and consultation requirements defined in Chapter 9 of this document.
4. **The cut-off date will be the end date of the public notification on the commencement of expropriation** process which will be published by the Public Enterprise in local newspapers (and its website) notifying all owners and users of the commencement of expropriation process, the cut-off date and contact persons who can be approached by affected persons for further information. The cut-off date will also be published on bulletin boards of the involved Municipalities/Cities.
5. **Construction works will be timed to the extent possible to avoid the most favourable growing season** in order to minimise impacts on agricultural production.
6. All persons from the categories listed in the Entitlements Matrix (Chapter 8 of this document) will be provided **compensation and/or assistance**. Compensation will always be provided before expropriation beneficiary gains access to the land.
In the case of absentee owners, the Public Enterprise will make and document its efforts to find them and inform them about the process. These efforts may include efforts to reach them through their neighbours, publication of an ad in newspapers informing about the process, etc. If they cannot be found, and in accordance with local requirements, the compensation amount will be allocated in an escrow account and be readily available should the absentee owner reappear.
7. **Standards of living and/or livelihood of affected persons** will be improved or at least restored to the pre-displacement levels in the shortest period of time. The need for assistance for livelihood restoration will be identified (and documented) on a case-by-case basis by the Public Enterprise during individual visits to all PAP once the land acquisition procedure is initiated. Such assistance may include support in development of agricultural activities, identifying improvements which could help affected PAP to increase their yield and income on land or assistance in access to training, skills development.
8. **Assistance to vulnerable persons/households will be facilitated (and documented) by the Public Enterprise** as appropriate for each person/family according to their specific needs and/or situation, with support from the Municipal/City services in charge of social care, displaced persons and refugees. Such assistance may include additional individual meetings to explain eligibility criteria and entitlements or assistance during the payment process (i.e., making sure that compensation documents and payment process are well understood, etc.
9. **An efficient grievance mechanism** will be set up for complaints in the manner described in the RCF.
10. **Land acquisition implementation** will be monitored and evaluated as defined in Chapter 10.3 of this document.

8 COMPENSATION AND ENTITLEMENTS

8.1 Entitlements Matrix

Compensation entitlements for different categories of eligible persons and assets are summarised below in Table 5.

Table 5: Entitlements Matrix

TYPE OF PROJECT AFFECTED RIGHT OR PROPERTY OR LOSS	ENTITLEMENT
HOUSEHOLDS	
Permanent loss of land plot (owners)	Replacement property with similar or same characteristics or Cash compensation for land plot at replacement value for land plot + Cash compensation at construction value for auxiliary structures built without permits (summer kitchens, garages, sheds, etc.)
Permanent loss of land plot (non-owners)	<p style="text-align: center;"><i>PAP without formal land title:</i></p> 1. PAP without formal land title occupying the area at the time of the cut-off date will not be compensated for land, but will be compensated for any assets on the land at replacement value <p style="text-align: center;"><i>Tenants:</i></p> 2. An equivalent area of leased land for unexpired lease period or reimbursement for unexpired lease period plus compensation for any land improvements (such as irrigation or structures) built on the land. Compensation to be paid at replacement value
Partial loss of land plot	Request for full expropriation of the land plot if remaining land is unviable (pursuant to Article 11 of the Law on Expropriation)
Temporary land occupation and losses (owners and users)	<p style="text-align: center;"><i>Owners:</i></p> Affected land and infrastructure will be restored to pre-project conditions + Cash compensation for temporary land occupation in the amount of lease at market prices + Cash compensation for lost assets (e.g., structures, trees) + Compensation at market value for loss of net income from subsequent crops that cannot be planted for the duration of temporary possession (compensation for harvests lost at average yield/hectare) <p style="text-align: center;"><i>Informal users/occupants:</i></p> Affected land and infrastructure will be restored to pre-project conditions + Cash compensation for lost assets (e.g., structures, trees) + Compensation at market value for loss of net income from subsequent crops that cannot be planted for the duration of temporary possession (compensation for harvests lost at average yield/hectare)

TYPE OF PROJECT AFFECTED RIGHT OR PROPERTY OR LOSS	ENTITLEMENT
Loss of right of way	Compensation for reduced market value of the property ²⁵ + Compensation for any damages to the property
Loss of annual crops (land owner or user)	Right to harvest crops or (if harvesting is not possible) cash compensation for crops at replacement value
Loss of perennial crops / orchards (land owner or user)	Right to pick fruits, vegetables, etc. + Cash compensation for perennial plants and trees at replacement value
BUSINESSES	
Loss of land plot	Replacement property with similar or same characteristics or Cash compensation for land plot at replacement value for land plot + Cash compensation at construction value for auxiliary structures built without permits
Partial loss of land plot	Request for full expropriation of the land plot (pursuant to Article 11 of the Law on Expropriation)
Temporary land occupation during construction works (regardless of the type of business structure)	Affected land and infrastructure shall be restored to the pre-project condition + Cash compensation for temporary occupation of the land in the amount of a lease at market value + Compensation for any lost assets
Temporary losses of business income/rent during the construction works	Cash compensation for loss of income until the completion of construction works which directly impact the business operations of the business entity, in line with assessment of court experts
OTHER	
Undefined impact (permanent or temporary loss)	Any undefined impact shall be mitigated in accordance with the principles and objectives of the RCF. In case of discrepancies between FBiH legislation and EBRD policy in a particular case, the provision more favourable for the affected owner/user shall prevail.
Loss of public infrastructure	Public infrastructure will be replaced before destruction by infrastructure of the same or better specifications.

²⁵ Reduced market value represents a decrease in value of real estate due to establishment of right of way by the expropriation beneficiary, and is determined on a case-by-case basis. It is paid in the form of cash compensation defined by an official court expert.

9 DISCLOSURE OF INFORMATION AND PUBLIC CONSULTATIONS

9.1 Disclosure of Information and Consultations Held to Date

Project relevant information and documentation prepared to date have been regularly publicly disclosed through the website of the Public Enterprise (www.jprvplavavoda.ba).

The only public meetings held for the Project were in 2011. Over the past years, several neighbourhood meetings were held with the Local Community *Šumeće* (old town Travnik).

No other public meetings have been held.

9.2 Planned Disclosure of Information and Consultations

Consultations on draft Updated RAP. The Public Enterprise will inform the public about this draft Updated RAP by publishing it on its website and ensuring that it is also published on the websites of all the involved Municipalities/City. It will also be made available in paper copies at the addresses of all mentioned parties. Notice of publication of the Updated RAP will be posted on the bulletin boards of the involved Municipalities/City.

Not earlier than 14 days after disclosure, public consultation meetings will be organised by the Public Enterprise at the premises of each involved Municipalities/City to present the draft Updated RAP and discuss all land acquisition issues and concerns. The meetings will be organised outside of working hours to enable majority of PAP to attend, and will be announced through the following channels:

- the official website of the Public Enterprise,
- the official websites of involved Municipalities/City,
- local newspapers in wide circulation in FBiH,
- announcements on bulletin boards of involved Municipalities/City.

The announcements will indicate: (i) where the draft Updated RAP can be accessed, (ii) the date of the meeting, (iii) the contact details of the responsible person to whom any questions or comments can be submitted in writing, as well as the timeframe for submission of comments.

During the meetings, the Public Enterprise will present, in particular:

- The type and duration of construction works
- The status of land acquisition activities
- The key contents of the RCF and this Updated RAP (expected impacts, key principles, cut-off date, grievance mechanism).

Within another 2 weeks from the organised public meetings, the Public Enterprise will consider and incorporate any comments received in writing or during the consultations, as well as prepare and include in this Updated RAP a summary of comments/questions received and how they have been addressed.

Consultations on construction schedule. In addition, the Public Enterprise will schedule a public consultation meeting in every Municipality/City in the Project area prior to commencement of construction activities (following the selection of the contractor – which is expected in March 2022) to discuss Project details and the construction schedule. The time and venue of the meetings will be announced in the same way as stated above for consultations on this draft Updated RAP. Such meetings will be continuously organised every 6 months during Project implementation. In addition, the Public Enterprise will organise neighbourhood consultative meetings and individual meetings as necessary.

Announcement on negotiated settlements. In addition, once the land acquisition procedure is initiated, the Public Enterprise will issue a public announcement in daily newspapers to invite PAP to negotiated settlements. This announcement will also be published on the website of the Public Enterprise. All PAP will then be able to obtain additional information about their rights. PAP will be individually visited by the representatives of the Public Enterprise and Municipal/City authorities along with official court experts for valuation of property. They will be informed and consulted about the impacts of the Project on their property, particularly the precise water supply route with regards to each land plot.

10 IMPLEMENTATION OF THE UPDATED RAP

10.1 Implementation Responsibilities

This Updated RAP has been adopted by the Public Enterprise which has the ultimate responsibility for implementation of this Updated RAP, while all other parties involved in the Project, including the involved municipalities and the contractor to be selected are also required to implement the requirements of the RCF and this Updated RAP.

The responsibilities will be divided as shown in the Table below:

Table 6: Organisational responsibilities and arrangements

Task	Responsible Entity
Information disclosure to all Project Affected People and communities	Public Enterprise in cooperation with involved Municipalities/City
Valuation of property	Independent court experts to be hired by the Public Enterprise
Direct communication with and visits to owners and occupants	Public Enterprise and the involved Municipalities/City
Additional socio-economic surveying in case of any subsequent changes to the route	Public Enterprise
Negotiations and expropriation activities, prior to construction commencement	Public Enterprise as the expropriation beneficiary and the involved Municipalities/City
Provision of assistance to vulnerable persons /households	Public Enterprise in cooperation with the Municipal/City departments responsible for social care, displaced persons and refugees
Payment /provision of compensation packages	Public Enterprise
Monitoring, evaluation and reporting to EBRD	Public Enterprise
Monitoring and reporting in respect of temporary land occupation carried out after construction commencement	Contractor and Supervision Engineer for external monitoring during construction works
Grievance management	Public Enterprise, Grievance Commission

10.2 Costs

The costs of the land acquisition process will be financed through a loan from the Council of Europe Development Bank (CEB). The expropriation budget for the needs of construction of the pipeline is estimated by the Public Enterprise at the amount of EUR 600.000²⁶. A detailed budget will be prepared by the Public Enterprise after the Final Expropriation Study is developed, including the following items:

- Compensation for permanent acquisition of private land, including all crops and trees
- Compensation for temporary acquisition of private land including all crops and trees as well as compensation for reduced market value of property
- Compensation for any private auxiliary structures at replacement value
- Compensation for any commercial auxiliary structures at replacement value
- Any other compensation to businesses
- Costs of temporary land occupation during construction works
- Costs of undertaking procedures for relocation of grave sites at two cemeteries

The Public Enterprise will include the prepared budget in this Updated RAP.

Any temporary take of land or damages during construction works will be compensated by the Contractor. The process will be closely monitored by the Public Enterprise.

²⁶ This amount is foreseen in the Project Implementation Plan approved by the EBRD in June 2019.

10.3 Monitoring and Reporting

The Public Enterprise will monitor and evaluate the land acquisition process with a view of:

- verifying that all activities are developed according to the plan and that the set timelines are adhered to;
- assessing whether compensation/ restoration measures are sufficient;
- identifying any potential problems;
- Identifying ways to alleviate every identified problem.

The Public Enterprise will maintain a database on property acquisition. This data/information will be periodically updated in order to monitor progress of owners/occupants of properties.

The indicators to be used for monitoring and evaluation are:

- Overall spending on expropriation and compensation
- Number of PAP by categories (e.g., number of owners/users of affected land plots, number of affected households and businesses)
- Number of assets acquired, types and amounts of compensation provided, number and percentage of negotiated settlements signed
- Number of public meetings and consultations with affected people held
- Number of private land plots identified by the contractor as necessary to be temporarily occupied during construction works
- Types of assistance provided to vulnerable individuals/households in a timely manner – disaggregated by sex
- Number and amount of payments that restore loss of income
- Number and type of grievances in relation to land acquisition (number of grievances, key reasons for grievances, number of resolved/unresolved grievances, number and percentage of persons satisfied with the outcome) and number of court cases related to land acquisition – all disaggregated by sex
- Number of cases of provided livelihood restoration assistance – disaggregated by type and sex

The data and information gathered will be processed and reported in the Monitoring Reports prepared by the Public Enterprise and approved by EBRD. These reports will be made public on the website of the Enterprise and on a quarterly basis, without revealing any personal and confidential information on individuals. The first report will be produced 3 months after the beginning of the Project.