

ABBREVIATED RESETTLEMENT ACTION PLAN
Project: Building Resilient Bridges (BRB) P174595,
Subproject: "Viroi Bridge and Culvert"



ABBREVIATED RESETTLEMENT ACTION PLAN
Building Resilient Bridges Program (BRB)P174595
Subproject: "VIROI BRIDGE AND CULVERT"



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Abbreviations

ARA	Albanian Road Authority
BRB	Building Resilient Bridges
BMS	Bridge Management Systems
CERC	Contingent Emergency Response Component
CoM	Council of Ministers
DCM	Decision of the Council of Ministers
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESMF	Environmental and Social Management Framework
ESF	Environmental and Social Framework
ESS5	Environmental and Social standard 5 “On land acquisition, restriction on land use and involuntary resettlement”
GoA	Government of Albania
GRM	Grievance Redress Mechanism
IPRO	Immovable Properties Registration Office
LGC	Local Grievance Committee
LGU	Local Government Unit
MoIE	Ministry of Infrastructure and Energy
MoFE	Ministry of Finance and Economy
MPA	Multiphase Programmatic Approach
NRN	National Road Network
OMP	Operational Management Plan
PAP	Project Affected Persons
PMT	Project Management Team
RAP	Resettlement Action Plan
ARAP	Abbreviated Resettlement Action Plan
RPF	Resettlement Policy Framework
SA	Social Assessment
SAC	(former)Immovable Properties Registration Office / State Agency of Cadaster
SLA	Service Level Agreement
SAE	State Agency for Expropriation
WB	World Bank

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Definition of Resettlement-Related Terminology

Project in Brief	Definitions
<i>Application file</i>	Set of documents prepared to support the request for expropriation submitted to the SAE
<i>Case file</i>	Set of documents that the Expropriation Commission, established within the SAE finalizes in support of proposal for expropriation to the Council of Ministers
<i>Census</i>	A field survey to identify people who are genuine owners/ occupants of the land to be acquired under the project and thus will be eligible for compensation and/ or rehabilitation support as provided in this aRAP.
<i>Compensation</i>	Compensation is the payment in kind, cash or other assistances given in exchange for the acquisition of land including fixed assets, as well as other impacts resulting from project activities.
<i>Cut-off date</i>	Date of completion of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cutoff date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated.
<i>Expropriation Commission</i>	Special commission for application of the expropriation procedure in case of the sub activities.
<i>Expropriation Law</i>	Law No.8561/22/12/1999 ‘On Expropriation and Taking on Temporary Use of Private Property for Public Interest’ amended The expropriation Law No. 8561 date 22.12.1999, is amended by Law 11 date 12.02.2020. DCM 395 date 13.05.2020 “For the Organization and Operation way of Governmental Agency of Expropriation”
<i>Full replacement cost</i>	Method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. Depreciation of structures and assets should not be taken into account. For agricultural land it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes
<i>Land</i>	It refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the project.
<i>Land acquisition</i>	It means the repossession of or alienation of land, buildings or other assets thereon for purposes of the Project.
<i>Local Grievances Committee</i>	Local committee composed of three representatives: PAPs, Project; neutral expert to handle all grievances procedures in the affected areas and address PAPs concerns.
<i>Local Government Unit</i>	The LGUs include Municipalities and Administrative Units as per the new territorial division in force since June 2015.
<i>Project</i>	Building Resilient Bridges Program (BRB)
<i>Project Affected Person (s) (PAPs)</i>	PAPs are persons affected by land use or acquisition needs of the RAP in the framework of the project. These persons(s) are affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they must move to another location.
<i>Region</i>	The Project has a national coverage starting from the North to the South of Albania, depending on the Bridges locations proposed to be part of the rehabilitation and upgrade under the project financing. The subproject of which the aRAP in hand is prepared, is part of the Municipality of Gjirokastra.

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<i>Replacement cost</i>	It means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on Market rate (commercial rate) according to Albanian law for sale of land or property. In terms of land, this may be categorized as follows: (a) "Replacement cost for agriculture land" means the pre-project market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes. For other residential land and structures, it is the market price of materials used for rebuilding replacement house/works with the same or better area and technical standards of the affected house/structure, plus labor fees and registration and tax if applied. During the identification process for replacement cost, assets and materials are not depreciated as well as other benefit values from the project. When the domestic law cannot guarantee the standards for compensation at replacement price, it is necessary to include additional measures to meet the requirements on standards and replacement price. When this price calculation method is applied, depreciation of houses/structures and assets are not applied.
<i>Resettlement Action Plan (RAP), Abbreviated Resettlement Action Plan (ARAP) or "Resettlement Plan"</i>	It is a resettlement instrument (document) prepared when projects locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and/or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAP is prepared by the party (Potential Developer) impacting on the people and their livelihoods. RAP contains specific and legal binding requirements to resettle and compensate the affected party before implementation of the project activities. RAP is a site-specific report for the current known impacts and is prepared in conformity with the provisions of the RPF with the views of the PAPs.
<i>The Resettlement Policy Framework (RPF)</i>	It is an instrument to be used throughout the implementation of project activities as guidance tool. The RPF sets out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project.
<i>Resettlement Action Plan (ARAP) or "Resettlement Plan"</i>	the party (Potential Developer) impacting on the people and their livelihoods. RAP contains specific and legal binding requirements to resettle and compensate the affected party before implementation of the project activities. RAP is a site-specific report for the current known impacts and is prepared in conformity with the provisions of this RPF with the views of the PAPs.
<i>The Resettlement Policy Framework (RPF)</i>	It is an instrument to be used throughout the implementation of project activities as guidance tool. The RPF sets out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project.

Executive Summary

Introduction

The Government of Albania (GoA) through the Ministry of Finance and Economy (MoFE) and Ministry of Infrastructure and Energy (MoIE), seeks Funding for “Building Resilient Bridges” (BRB) Program, from the World Bank (the Bank). The proposed program is designed to enhance the overall performance of bridges in the Albanian NRN, while providing support to ARA to increase its capacity in managing road and bridge infrastructure through a robust RAMS and BMS. Bridges are identified as key-infrastructure, particularly vulnerable to climate events, and neglected due to the higher investments required for their improvement. In this context, the proposed program will finance the rehabilitation, upgrade, or reconstruction of priority bridges and structures of the NRN, to enhance their operational performance, safety and resilience to climate and geological hazards events exacerbated by climate change. In addition, to ensure sustainability of the investments, the program will finance technical assistance and capacity building activities to improve the capacity of ARA at managing the bridge and culvert assets while reducing the gender employment gap in the road construction sector. The program will have two phases (phase 1 up to 14 bridges and phase 2 up to 16 bridges) to be implemented at the overall period of the program of 8 years, and each phase will have a maximum length of 4 and 5 years respectively.

The rehabilitation/reconstruction of the 2 first-year bridges Beshiri and Viroi will be financed under phase 1, and will serve as a pilot. Knowledge and lessons learned from all related activities to the implementation of the two first-year bridges, will be incorporated into the rehabilitation/reconstruction of other bridges. This will allow the implementing agency, Albanian Road Authority (ARA), to learn by doing.

Under the proposed first year bridges is also the subproject of “Viroi Bridge and Culvert”, for which is being prepared the aRAP document

This aRAP was built based on the compensation and resettlement policy framework (RPF) of the project and the results from socio-economic surveys, inventory of losses and public consultation that has taken place so far. This Abbreviated Resettlement Action Plan (aRAP) also presents the criteria, eligibility for compensation of land and assets affected by the subproject, implementation arrangement, implementation plan, estimated cost, monitoring and assessment, participation in consultation of the community and grievance redress mechanism.

1. Policy framework and entitlement matrix. A resettlement policy framework (RPF) was prepared for the project. This policy framework was based on the current laws and regulations of the Government of Albania (GoA) as well as Environmental and Social standard 5 “On land acquisition, restriction on land use and involuntary resettlement” ESS5 of the World Bank ESF. This document will be a guideline for the implementation of resettlement in the subproject area. The general objective of the RPF and this abbreviated resettlement document is to ensure that all the people affected by the subproject receive fair compensation for their affected assets with replacement price and market price. Support will be provided to severely affected households, relocated households, households losing income sources and vulnerable households so they can restore their income level or living standard to at least pre-project level.

2.Impacts and Scope of Land Acquisition. The construction of the new bridge under the Subproject “Viroi Bridge and Culvert” causes impacts the acquisition impacts on land and trees, results to have low impact in communities

3.Mitigation measures for impacts caused by land acquisition and compensation. In order to minimize land acquisition impacts, the Design Consultant ARA/PMT and environmental and social experts has conducted consultation with the benefited communities and affected people during the preparation of investment design to ensure that the subproject will cause minimum impacts on land acquisition of the people in the project area. The actual impact could not have been avoided.

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4. Implementation arrangement. Resettlement, compensation and support works are managed and monitored internally by Albanian Road Authority (ARA) and Project Management Team (PMT) During the implementation process, there should be close coordination between the implementing agencies such as ARA, PMT and communal staffs, local social organization and people affected by the subproject.

5. Consultation and community participation. Representative of the affected people participated in the public consultation for information and impacts of the subproject. Responses from the public consultation were taken into consideration and updated in this RAP.

6. Grievance redress. During the implementation process, any concerns raised or complaints by affected people will be resolved based on the regulated procedure in the resettlement plan of the subproject. Complaints will be resolved directly by the local authority and project staffs in a fair and transparent manner with participation of the external monitoring agency. Those who file for complaints are not subjected to any administrative fees.

7. Monitoring and evaluation. There are two monitoring and evaluation tasks which will be conducted during the subproject implementation. Staffs from ARA and PMT will observe and monitor the implementation of RAP and internal monitoring activities.

8. Cost estimate 700,000 Lekë

Introduction

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The section of the road associated with the Viroi bridge has a length of $L \sim 400\text{m}$, and it is a part of the national road SH4 that connects Albania with Greece. In current conditions the traffic on this segment is uncomfortable and unsafe. The traffic safety issue is increased by the fact that the road before, and after, this segment is wider. Additional problem with this segment is that it is often blocked for traffic during the rainy season, due to the small discharge capacity from the culvert adjacent to the main road, and also of the span of the existing bridge. During the heavy rainfall, the lake water level even rises above the road level and blocks the traffic.

Subproject Description

Viroi is an artificial lake near Gjirokastra where the national road of Tepelene – Gjirokaster – Kakavije crosses. The road follows the crown of the dam that created the lake and one of the greatest problems this section presents is the elevation of the dam crown. Due to harsh climate changes across all region and major changes in

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the amount of rain / snow in the area this section of 350 m every year is subject to flooding. One of the flooding reasons despite the elevation of the dam is also the discharge capacity of the existing culvert and bridge. This bridge and road section is very important to the national network because of the connection with Kakavija border crossing point which is the main road connection corridor to Greece. A very considerable amount of goods is traded through Kakavija and crosses in this particular road section. From the experience of the previous years the blockage of the traffic consisted in several hours due to heavy rain / snowfall, what is translated to significant delays in transport of goods and passengers resulting in extra charges and financial costs. Despite this, being one of the busiest segments in the national network (approx. 5000 cars/24h) will result in huge impact for the road users and transport of goods.

ARA has taken measures to complete the design for a proper solution to the situation, which involves creating a new alignment in this road section by constructing one new box culvert battery (4x4m) and one new bridge (2x17m).

The current proposal includes:

- The existing culvert/bridge is planned for total reconstruction,
- The existing road is straightened and a new bridge is planned for this purpose.

The objectives of the works according to the ARA's FS and Designs are:

- to reconstruct approx. 400 m of road while creating engineering measures to protect the new road from the river floods;
- to increase the width of the road to 2x3.5m of asphalt pavements, 2x1.5 paved shoulders and 2x1.5 unpaved shoulders;
- to increase traffic safety and divert non motorized traffic, pedestrians and cyclists to the existing road section;
- to create better conditions for people to visit the lake.



Figure 1: Images of Viroi Bridge

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In current state, the section of the road associated with the Viroi bridge has a length of $L \sim 400\text{m}$, and it is a part of the national road SH4 that connects Albania with Greece. This segment has two consecutive horizontal curves, the road cross section is narrow -its width is $2 \times 3\text{m}$ (6m in total), with no pedestrian pathways and parapet walls on each side. All of these properties make the traffic on this segment uncomfortable and unsafe. The traffic safety issue is increased by the fact that the road before, and after, this segment is wider.



Figure 2: Existing and the new segment of the road



Figure 3: Location of the existing and the new bridge and culvert

Additional problem with this segment is that it is often blocked for traffic during the rainy season, due to the small discharge capacity from the culvert adjacent to the main road, and also of the span of the existing bridge. During the heavy rainfall, the lake water level even rises above the road level and blocks the traffic.

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Figure 4: Lake Viroi water level over the road segment and the bridge



Figure 5: Damages to the structures and the lake bed after the high water levels.

Based on the project design and systematically conducted site visits, is evidenced that the construction of the new bridge will impact some meter squares in the parcels of three family.

Prior of conducting consultations with the Project affected people (PAP), ARA/PMT and its social expert were trained and familiarized with the World Bank Environmental and Social framework ESF and specifically on ESS5 “On land acquisition, restriction on land use and involuntary resettlement” to enhance their performance on such aspects.

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1 LEGISLATIVE FRAMEWORK

1.1 Albanian legislative framework. Legal requirements regarding land acquisition

On Article 41/4 of the Albanian Constitution¹ it is provided: "The expropriations or limitations of a property right that are equivalent to expropriation are permitted only against fair compensation" Furthermore, on the European Convention on Human Rights, it's provided in the Art. 1 "Right to property" of the Protocol 12: "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 it's in power Law no. 8561, dated 22. 12. 1999 updated on 2020 , "On Expropriations and Temporary Takings of the Private Property for Public Interest"³ amended. The mentioned law provides the entire procedure 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.

Anyway, an international agreement ratified by law has priority on application in front of a common law. (Art. 122-point 2 of the Albanian Constitution⁴) Furthermore, if a law creates a collision with an international agreement ratified by law, it will be applied the international agreement. This principle provides a guarantee that the international loan agreement signed between the Albanian Government and World Bank, has priority on application in front of the common law, especially in front of the mentioned law "On expropriation....".

At this moment the law that is in force for the regulation of expropriation in Albania is the Law no.8561 date 22.12.1999 "On Expropriations and Temporary Takings of the Private Property for Public Interest", which has been recently amended by the Law 11/2020 date 12.02.2020 "For some changes and additions to the law no.8561...".

This amendment is published on the Albanian Official Journal on 10th of March 2020, and has entered into force on date 25 of March 2020 (15 days after the law has been published).

The basic changes that have been approved on the law "On expropriation" through the amendment -the law no. 11/2020 date 12.02.2020, are described as follows:

First, for the very first time it recognizes the right to define and calculate the compensation of the properties under private ownership, expropriated for public interest, based on the stipulations of the international agreement rectified by law for the realization of projects. Specifically, provisions in this RPF will govern compensation of private properties affected under the Project, as part of the international agreement between the Republic of Albania and the World Bank on the Project.

Second, a new agency is being established that is called State Agency for Expropriations and referring to the article 11, point 5 of the Law 8561, dated 22.12.1999, amended by law no.11/2020, dated

¹ Albanian Constitution, Article 41/4, http://www.pp.gov.al/web/kushtetuta_perditesuar_822.pdf

² European Convention on Human Rights, Article 1 "Right to property", http://www.echr.coe.int/Documents/Convention_ENG.pdf

³ Law No. 8561, dated 22. 12. 1999 "On Expropriations and Temporary Takings of the Private Property for Public Interest", http://www.energija.gov.al/files/userfiles/Koncesione_2/2015/Ligji-8561.pdf

⁴ Albanian Constitution, Article 116, http://www.pp.gov.al/web/kushtetuta_perditesuar_822.pdf

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12.02.2020, it is an institution under the dependency of the minister responsible for the urban development, and has the main responsibilities as follows:

- a. Plan and administer the requests for expropriation from the respective institutions;
- b. calculate the value of the compensation for each property affected by the expropriation;
- c. supervises the progress of the expropriation procedures;
- d. create a data base for all the expropriation procedures and the payment of each expropriation cost;
- e. is entitled to enter in negotiations with the subjects that will be expropriated, regarding the value of the expropriation compensation and the time limit for the liquidation of this value, precise rules for the manner of handling the negotiations with the expropriated subjects are defined by the Council of Ministers, based on the proposal of the minister responsible for the urban development.

In the context of this project, preparation of an expropriation plan including calculation of compensation, as well as supervision of expropriation process and negotiations with people affected by expropriation, will be carried out by ARA/PMT or competent consultants hired by ARA, in line with this RPF (See Section 3.3 below).

The Council of Ministers by Decision no.395, dated 13.05.2020 has defined the manner of organization and functioning of the State Agency for Expropriation.

Another change is that, the request for expropriation shall be submitted to the State Agency for Expropriations, and not to the competent ministry as was foreseen before the approval of the amendment - Law no.11/2020, dated 22.12.1999. Meanwhile the proposal in the Council of Ministers for the approval of the request for expropriation is done by the minister responsible for the urban development, which regarding the actual structure of the Government, refers to the minister of the infrastructure and energy.

A short resume of the principles provided by law no. 8561, dated 22.12.1999 "On expropriation...", amended by Law no. 11, dated 12.02.2020 is provided below:

- a. The project aims public interest (Art. 8/ç of Law "On Expropriation...")⁵;
- b. The beneficiary subject in the expropriation process will be the relevant Municipality of each city (Art. 9 of the Law "On Expropriation...")⁶
- c. The Municipality needs to submit the request with a list of necessary documents to the State Agency for Expropriations (SAE);
- d. The State Agency for Expropriations (SEA) has to follow the legal procedure, on publishing the request for expropriation, collecting the complaints of the affected owners, and preparing the draft of the sub legal act for the Council of Ministers;

⁵ Law no. 8561, dated 22. 12. 1999 "On Expropriations and Temporary Takings of the Private Property for Public Interest", Article 8ç , http://www.energija.gov.al/files/userfiles/Koncesione_2/2015/Ligji-8561.pdf

⁶ Law no. 8561, dated 22. 12. 1999 "On Expropriations and Temporary Takings of the Private Property for Public Interest", Article 9 , http://www.energija.gov.al/files/userfiles/Koncesione_2/2015/Ligji-8561.pdf

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- e. The procedure will be considered complete, when the owners through a statement approve the transaction of the property in favor of the GoA;
- f. The proposal in the Council of Ministers for the approval of the request for expropriation is done by the minister responsible for the urban development.
- g. The decision for the expropriation (for the owners that do not agree with 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;
- h. The owners affected have the right of complaint to the Court for the compensation and if they don't follow this procedure, the decision of the Council of Ministers will be an executive title.

Two other legal considerations are to be emphasized:

a. ***The devaluation of property***⁷

During the land acquisition for public interest, it might happen that some properties will not be necessary to be taken from the owner, but in the same time the owner will not be able to enjoy the property like earlier and thus he has the right to be compensated for the devaluation of his property. This instrument is not applied so often in practice, but it is provided by law 8561, and as per article 18 is stated "Compensation is given for the value of the depreciation of the property in cases when the expropriation for public interest is accompanied by the depreciation of the part of the property that has not been expropriated or of the property located near the one that is expropriated. The cases, ways and calculations of the amount of compensation are determined by the instruction of the Council of Ministers."

b. ***The provisional taken on possession of the property***⁸

During the land acquisition it might happen that certain properties are needed to be taken in possession for temporary use, such as the case for expansion of the village road to allow large vehicles to pass during the works for the implementation of the project. In such cases, the part of private land needed will be temporarily acquired and returned to the original owners after the project, but on payment of rent. The request on a temporary possession of a property needs to be addressed to the State Agency for Expropriations, describing the property, the reason, the term and the compensation for the owner. The owner has the right to raise a complaint to the court against such decision.

The Council of Ministers Decision No. 138 dated 23. 3. 2009 provides the legal criteria for the evaluation of properties affected by expropriation.

⁷ Law no. 8561, dated 22. 12. 1999 "On Expropriations and Temporary Takings of the Private Property for Public Interest", Article 18, http://www.energija.gov.al/files/userfiles/Koncesione_2/2015/Ligji-_8561.pdf

⁸ Law no. 8561, dated 22. 12. 1999 "On Expropriations and Temporary Takings of the Private Property for Public Interest", Article 27-37, http://www.energija.gov.al/files/userfiles/Koncesione_2/2015/Ligji-_8561.pdf

⁹ The Council of Ministers Decision No. 138 dated 23. 3. 2000, http://www.transporti.gov.al/files/userfiles/Shpronesimet/VKM_138_date_23_03_2000.doc

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- a. **Land:** The estimation of expropriated of urban lands, lands within the yellow line town and administrative unit properties shall be determined according to the prices approved by Council of Ministers Decision deriving from Law No. 133 date 2015 "On the treatment of property and finalization of the process of compensation of property".
- b. **Residential properties:** Value of expropriation compensation for residential properties shall be based on the average sales price according to the records of the State Agency of Cadaster.
- c. **Industrial and Agricultural properties:** The value of expropriation compensation for industrial and agricultural properties shall be based on the average sales price according to the records of the Ministry of Infrastructure and Energy / State Agency for Expropriations. Depreciation of property must be subtracted from the price.
- d. **Agricultural land, forested areas, etc:** The estimate value of compensation for agricultural lands, forested areas, pastures and grasslands shall be determined based on the prices approved by Council of Ministers Decision complementary to the Law No. 133/2015 On the treatment of property and finalization of the process of compensation of property". In cases where there are no prices approved for certain regions, the evaluation for agricultural lands, forested areas, pastures and grasslands is determined based on the average sales price available at State Agency of Cadastre
- e. **Fruit trees:** For fruit trees the estimated value is calculated considering costs of investment and expenses. This value is calculated per unit (number of fruit trees) or unit per land surface (m² of vineyard, nursery etc.). The investment present in the land, the total expenses and different amortization factors are foreseen by special Ministry of Agriculture directives.¹⁰
- f. **Crops:** For crops the estimated value is calculated based on the expected yield and market unit price.¹¹
- g. **Illegal constructions:** For investments made by property owners who are not registered at the former IPRO State Agency of Cadastre (without a title), the entity which initiates the expropriation has the right to complete the procedure if: the owners of the property have either (i) started an administrative process at the former Agency for Legalization and Integration of Informal Properties (ALUIZNI) according to Law No. 9482, dated 3.4.2006 "On legalization, urbanization and integration of informal properties (updated"¹²; in case the illegal building (or additional works on the existing building) have been previously declared and have been qualified later for legalization permit from former ALUIZNI, based on the criteria set in the Council of Ministers Decision No.438, dated 28.6.2006 "On the criteria,

¹⁰ The Council of Ministers Decision No. 138 dated 23. 3. 2000,

http://www.transporti.gov.al/files/userfiles/Shpronesimet/VKM_138_date_23_03_2000.doc

¹¹ The Council of Ministers Decision No. 138 dated 23. 3. 2000,

http://www.transporti.gov.al/files/userfiles/Shpronesimet/VKM_138_date_23_03_2000.doc

¹² For more, please refer to the Full Version of the Law:

http://www.planifikimi.gov.al/sites/default/files/Ligji_nr.9482_per_legalizimin,_urbanizimin_dhe_integrimin_e_nderitimeve_pa_leje,%20i%20ndryshuar_1.pdf

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procedures and required documentation that determine legalization of informal properties”¹³; or (ii) are in the process of taking a legalization permit, etc.

1.2 World Bank’s Standards on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS 5)

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

The World Bank standards also require the application of the local laws for the valuation and compensation of losses as far as they fit the principles of the WB (Achieving the replacement cost for lost assets). For all losses of assets attributable directly to the project, the ESS5 requires that full compensation at replacement value needs to be provided.

The World Bank recognizes that involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. The Bank’s ESS 5: Land Acquisition, Restriction on Land and Involuntary Resettlement includes safeguards to address and mitigate the economic, social, and environmental risks arising from involuntary resettlement. The objectives of the WB’s ESS5 are the following:

- i. To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- ii. To avoid forced eviction.
- iii. To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost³ ; and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- iv. To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.⁴
- v. To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- vi. To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

The following resettlement principles will be adopted for this project:

- i. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and

¹³ For more, please refer to: <http://www.aluizni.gov.al/vendim-nr-438-per-percaktimin-e-kritereve-te-procedurave-dhe-dokumentacionit-te-zbatueshem-per-te-kualifikuar-objektet-ne-ndertim-qe-legalizohen-ose-jo/>

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risks. Measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative alignments which are less impacting,

(ii) ensure the appropriate technology is used to reduce land requirements,

(iii) modify the designs, cross sections, and geometrics of components to ease out and ensure involuntary resettlement is avoided or minimized.

ii. Prepare a Resettlement Action Plan (RAP) elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

iii. Carry out meaningful consultations with displaced persons and concerned government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the 3
Replacement cost" is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

iv. Pay compensation and provide all resettlement entitlements before physical or economic displacement and before commencement of civil works in that stretch of the road-project. Implement the resettlement plan under close supervision throughout project implementation.

v. Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons.

vi. Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring report

2 Identification of Impacts and Proposed Mitigations

2.1 Purposes and principles of the Abbreviated Resettlement Action Plan

The RAP was prepared in line with the World Bank ESF standards, concretely ESS 5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, as well as the applicable Laws and Regulations of GoA. In this aRAP, the followings are identified: the number of project affected people (PAP) by the project construction and its adverse impacts, mitigation measures for these impacts, compensation and other supports for the people affected by the project.

The aRAP was prepared to comply with the following:

- ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement of World Bank;
- Project Resettlement Policy Framework (RPF);
- Taking in consideration Policies of the Government of Albania on resettlement and land acquisition;
- The RAP involved:
 - Ensuring least scope PAPs
 - Surveying's of impacts
 - Inventory of losses and the socio-economic conditions of the affected people in the project area;

Records of consultations with affected people.

A meeting was held on 18 April, with PAPs from the project site where the subproject will be implemented. Both, social and economic impacts from the project were explained to PAPs. In addition, the consultant explained and discussed with PAPs about the overall compensation rates and evaluation methodology used and mitigation measures.

The RAP will be updated after the public disclosure as appropriate.

2.2 Census survey and PAP identification

A total of 3 parcel owner are affected by the improvement and upgrading of Bridge and road infrastructure.

Identified PAPs are:

The parcel of PAP 1 is affected by the project 41m² out of 1000 M² that he owns.

The parcel of PAP 2 is affected by the project 42m² out of 1000 M² that he owns.

The parcel of PAP 3 is affected by the project 5 m² out of 1000 M² that he owns.

The impact of the project on the three affected lands has no effect on the PAPs monthly income or livelihood. Specifically, the PAPs are engaged in different professions that secure their monthly incomes.

PAP1 works as an agronomist and owns an Agricultural Pharmacy, PAP2 is an economist and PAP3 is retired and receives a pension.

The improvement and upgrading of bridge and road infrastructure have minimal impact on three parcel owners in the vicinity. Despite the ongoing development, these individuals experience only nominal disruptions to their daily routines and property usage.

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With construction efforts carefully managed, any inconveniences such as noise, dust, or restricted access are kept to a minimum, ensuring that the parcel owners can continue their activities with relative ease. Moreover, the project's execution considers the surrounding community's welfare, reflecting a balanced approach to infrastructure enhancement.

Furthermore, property values in the area may remain stable or even increase as a result of the improved infrastructure, offering potential long-term benefits to the affected parcel owners. Overall, the minimal impact on these individuals underscores the success of the project in mitigating adverse effects while fostering community development and progress.

Table 2. PAP's identification and social-economic survey

	Name Surname	Age	Work
PAP 1		65 Years	Agronomist
PAP 2		53 Years	Economist
PAP 3		66 years	Pensioner

2.3 Land acquisition impacts

The overall land surface permanently affected is estimated to be an overall of **88 m²**.

Figure below provides Illustration of the overall surface affected for PAP 1 and PAP 2, PAP 3 are not affected in any tree.

2.4 Permanently affected Objects

There are not any affected objects

2.5 Impacts on Trees and Crops

During the census, the trees have been identified. Below is presented a table which contains the inventory of trees

Table3. Identification of Trees

Trees	Fruit Tree :			
	Name of the tree	Parcel of PAP1	Parcel of PAP2	Parcel of PAP3
	Fig Tree		1	-
	Pear Tree	1		-
	Persimmon Tree	1		-
	Quince	1	1	-
	Cherry Tree	1	1	-
	Plum Tree	1	1	-

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		Total:	5	4	-
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These impacts are assessed as insignificant since the trees didn't generate incomes and have been used for family consumption purposes. They do not cause adverse impacts in incomes as based on the census survey agriculture activities is not a livelihood activity for neither of the families.

2.6 Impacts on business activities

These subproject does not have impact on business activities.

3 Eligibility to Compensation

3.1 General Principles

The key project principles for compensation, assistance and resettlement include:

- Acquisition of land and other assets will be minimized as much as possible. In case land acquisition is unavoidable, compensation and assistance will be provided for affected people satisfactorily.
- Compensation will be determined based on an independent valuation of land in a timely manner and in consultation. All fees and transfer tax on land will be exempted or included in the compensation package for the land and trees.
- The affected people has selected in-cash compensation and will be compensated at full replacement cost.
- Affected people will be provided with full assistance

3.2 Methodology

The methodology used by ARA/PMT environmental and social team included a participatory approach of qualitative data, where meetings were organized and key informants were interviewed.

The methodology used for the preparation of the aRAP is described below:

- ✓ Consultation with the affected people on the Project area was done as part of the participatory approach.
- ✓ A field survey carried out to identify and determine the number of Project Affected Persons (PAPs) which fulfill the criteria for eligibility for compensation,
- ✓ Cadastral and Orthographic maps that identified features as population settlement, infrastructure, and land use pattern.

3.3 Land based Compensation

Land-based compensation option is not provided according to the Albanian legislation in force.

3.4 Cash Compensation

The cash compensation option is provided by principle of replacement costs. PAPs were consulted and prefer the cash compensation for the expropriation.

- Compensation rates are calculated, based on real sales assessment (not formal records) through consultation with real estate agents and asking prices for the properties being offered for sale as well as in consultation with affected populations to ensure that rates are fair and adequate;
- Compensation for land and trees are sufficient to enable affected people to replace with at least in same quality and quantity.

3.5 Risks of Impoverishment

NO vulnerable groups have been identified.

For more details on the methodology and source of information used for estimation of the ARAP budget, see Annex 1: "Evaluation of the Expropriations".

3.6 Eligibility to compensation

In line with the ESS5 of the World Bank ESF, following groups of people are eligible for compensations and/ or other types of mitigation measures, if they are found to occupy or use the land on cut-off date (which is the date of the commencement of the Census 18/04/2024):

- a) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country) (N/A);
- b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets-provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan (N/A);

Affected persons classified under paragraph (a) and (b) shall be provided compensation, rehabilitation assistance for the land.

3.7 Entitlement Matrix

Entitlements

Lack of title/ permits:

There are three landowners affected: PAP1 and PAP2 are affected by the loss of trees, while PAP3 remains unaffected due to the small portion of their parcel affected by the project.

Loss of Income: (N/A)

There are no affected PAPs who will suffer loss of income from the expropriation.

Loss of Structures:

There are no affected PAPs who will loss structure

Loss of State Properties:

In the case of loss of state property, according to the Albanian legislation, no expropriation will take place. It will be transferred without payment to the Public Utility through a Decision of the Council of Ministers. There is no use of the state-owned parcel by the private persons. The legal situation is regulated by several legal acts including the law no. 10 119, on 23.04.2009 "On Territorial Planning".

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Table 5: Entitlement Matrix

Types of Impact	Eligible people	The right of compensation
Loss of land	Owner of the land	Compensation in cash (as agreed with PAPs), at replacement cost (includes transaction costs)
Loss of trees	Owner of the lost tree	Compensation in cash based on the type, age and production value of affected trees.

3.8 Compensation Rates

Adequate compensation rates have been drawn by ARA/PIT based on the prevailing market rates and official data from the ASHK local office, of the affected facilities in the aRAP document, and asking price of the comparable assets, data obtained by the real estate agency.

The land owned by the PAP1, PAP2 and PAP3 is classified as "Vineyard", according to the General Local Plan of Gjirokastrë, the area is classified as Natural Environment Zone (MN) reflected in Annex 3. The territorial system in this zone is designated as an Urban System (UB), with the predominant use being for social and recreational activities. Other permitted uses include residential development.

Following our discussions with real estate agencies reflected in Annex 2, we have been informed that the price for land of the "Vineyard" type, located within the urban system territory, ranges between 5,500 and 6,000 lek per square meter.

Considering the property's location within a designated tourist zone, offering a wide range of potential uses, including development opportunities (such as construction), as well as its proximity to urban areas and favorable access to water, the land affected by the project will be subject to expropriation at a rate of 6,000 lekë per square meter.

This compensation rate has been determined through a comprehensive evaluation process, relying on the direct comparison method. The price reflects the supply-demand dynamics for the year 2024 and considers the land's intended use. The estimation incorporates real sales data, gathered through consultations with real estate agents, and includes feedback from affected populations to ensure the compensation rates are both fair and adequate.

The assessment of the fruit trees was conducted by licensed agronomists from the Extension Agency Office in Lushnjë, as well as from the Directorate of Agriculture in the Municipality of Gjirokastrë. This evaluation was based on the age of the trees and their production potential. In accordance with these criteria, the price at which the expropriation of these trees will take place has been determined

Table 6. Summarized information of the overall compensation value to be obtained for each of the PAPs is presented in the table below.

PAP	Family representative	Overall Compensation Amount	Type of Loss estimated for compensation
PAP1		246,000 lekë + 106,000 lekë	Land + Fruit Trees

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PAP2		252,000 + 66,000 lekë	Land + Fruit Trees
PAP3		30,000 Lekë	Land

Please see for more details Annex 1: Evaluation of the Expropriations

4 INSTITUTIONAL RESPONSIBILITIES

The MoIE and PMT/ARA as the implementing agency, have ultimate responsibility for the follow up of implementation of all project components along with other institutions. Due the presence of GAPs between Albanian Legislation and World Bank ESS5 On "On land acquisition, restriction on land use and involuntary resettlement", the aRAP has been prepared from an experienced social expert contracted from PMT unit to make sure that the procedures, evaluation and expropriation/displacement costs will be adequately applied as per the WB standards (ESS5) requirements.

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

- Immovable Property Registration Office for the Project area, 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 Cadaster 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.
- ARA will be responsible for the coordination of the implementing procedures and execution of the compensation.

An evaluation and expropriation commission for Project land acquisition was established by ARA/PMT. The expropriation commission prepared the Case file for the submission to the MIE.

4.1 Description of the Implementation Process

The implementation process follows the below stages:

	Planned Activity	Performed by	Proposed date
1	PIT send a request at Gjirokastra municipality for a public consultation with the affected owners	PIT /ARA	15.04.2024
2	PIT organized the meeting with the affected owners	PIT	18.04.2024

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3	The assessment and identification in the field were carried out	PIT	19.04.2024
4	The World Bank Social Expert conducted an assessment of the situation on the site	PIT / WB Social Expert	23.04.2024
5	PIT prepare Draft RAP and send it for approval to WB	PIT	29.04.2024
6	World Bank Approve the RAP	WB	May 2024
7	PIT agreement with PAP's about expropriation price	PIT / PAPs	May 2024
8	Translation of RAP in Albanian I and publication on the official website of ARA	PIT	May 2024
9	PIT Send the RAP to expropriation sector at ARA to prepare the draft decision for Council of Ministers.	PIT / ARA	May 2024
10	The council of Ministers approves the DCM and makes available the necessary funds	GoA	
11	Monitor the implementation of RAP Prepare the final report on RAP implementation	PIT	

5 PUBLIC CONSULTATIONS AND FEEDBACK

Based on the design provided by the design consultancy, site investigations held during April 2024, identified the need for expropriation of land and trees which are necessary for the sub project.

5.1 Communication with PAPs

A series of individual meetings were held with PAPs from the project site where the subproject will be implemented. Both, social and economic impacts from the project were explained to PAPs. In addition, the social specialist of the PIT team explained and discussed with PAPs about the overall compensation rates and evaluation methodology used and mitigation measures.

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Figure 5. Verifying the design on site with the designer and creating contacts with local community

6 IMPLEMENTATION SCHEDULE

The implementation schedule for major activities has been prepared. The schedule includes a timeframe from disclosure of the ARAP to the monitoring and evaluation of project implementation.

Table 7. ARAP Implementation Schedule for this Project

	Planned Activity	Performed by	Proposed date
1	ARA prepare Draft RAP and send it for approval to WB	ARA	April
2	WB Approves the RAP	WB	
3	ARA submits the expropriation files to SAE	ARA	

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5	The RAP is published on the ARA website and on the Municipality of Gjirokastra website	ARA/Gjirokastra website	
6	Formalization and execution of RAP/ARAP to enable compensation	ARA/SAE	
7	The SAE (MoIE) set up the commission and prepare the DCM for the expropriation	SAE	
8	- Agreement with PAP's about expropriation. - Publication of the notice for the expropriation –Declaration - Examine the suggestions and the complaints of PAPs - Prepare the draft decision for Council of Ministers.	MoIE/ SAE	Prior to start of works
9	Ensure that the - Expropriation Commission decisions are based in Albanian Legislation and WB guidelines and considers PAPs requests	ARA / Grievance Committee	Prior to start of works
10	The council of Ministers approves the DCM and makes available the necessary funds	GoA	Prior to start of works
11	- ARA provides a clearance memo for start of works that ensures that compensation / mitigation measures are implemented before any impacts related to land acquisition take place	ARA	Prior to start of works
12	Opening a Bank Account and reporting it at the MoIE	PAPs	tbd
13	Monitor the implementation of RAP Prepare the final report on RAP implementation	ARA	During the process and in the end of it.

The ARAP will be disclosed by ARA, which will make hard and soft copies available to stakeholders and distribute it through the official website.

7 BUDGET AND FUNDING ARRANGEMENTS

The overall cost for compensation under this subproject is 700,000 lekë

A breakdown of the budget is given in Annex 1.

The implementation cost of this ARAP will be covered by the Government of Albania. The financial responsibility for the expropriation procedures, including the compensation to be paid, resettlement costs, etc., lies with the MoEI.

The overall responsibility for resettlement and expropriation for the Project is under the Council of Ministers (CoM). The Council of Ministers is responsible for issuing the expropriation decision and authorizing the funds required. The land acquisition transfer must be fully completed, and payment made, before any Works can be executed on the expropriated property.

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Grievance mechanism was reassured and clarified to all present PAPs in order to address any mitigation measure. The Expropriation Law provides for appeals process against the proposed award for compensation. In addition, the Urban Planning and Construction Police laws allow for administrative appeals against a decision for demolitions of illegal construction. 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 staff will also play a role in resolving grievances.

8 LIST OF ANNEXES:

8.1 Annex 1 Evaluation of the Expropriations

PAP 1

Questionary:

Questions from Social Expert:

The Owner of Land :

Name Surname:

Gender: **M**

Education: **Bachelor**

Do they know any person who is the owner of the land? **No**

Where do they work if they do? **is Agronomist and owns a Agricultural Pharmacy**

Do they use the land to generate monetary income? **No**

Do they have the legal papers for the land ? **yes**

Value for fruit trees

Values are obtained for 10-year-old trees with placement supplies.

Table 5. The value for fruit trees

Nr	Fruit trees	Per-tree cost	PAP1	Price (ALL)
1	Quince	18,000	1	18,000
2	Cherry tree	18,000	1	18,000
3	Plum tree	10,000	1	10,000
4	Pear tree	20,000	1	20,000
5	Persimmon tree	40,000	1	40,000
6	Total		5	106,000

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The land Evaluation

The value of 1 square meter, for today's market value is 60 euro in the required area, doing the market study in collaboration with the appraisers of Real-estate assets will be:

1 square meter / todays value = 6,000 lekë/m²
Value of the land for the PAP1 = 41 m² x 6000 lekë = 246,000 lekë

Total final compensation for the PAP1

246,000 lekë + 106,000 lekë = 352,000 lekë
Land + compensation for trees

PAP 2

Questionary:

The Owner of Land :

Name Surname:

Gender: **M**

Education: **Bachelor**

Do they know any person who is the owner of the land? **No**

Where do they work if they do? **is Economist**

Do they use the land to generate monetary income? **No**

Do they have the legal papers for the land ? **yes**

Their Data:

Value for fruit trees

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Values are obtained for 10-year-old trees with placement supplies.

The Value for fruit trees.

Nr	Fruit trees	Per-tree cost	PAP2	Price (ALL)
1	Cherry Tree	18,000	1	18,000
2	Fig Tree	20,000	1	20,000
3	Quince	18,000	1	18,000
4	Plum Tree	10,000	1	10,000
5	Total		4	66,000

The land Evaluation for the PAP3

1 square meter / todays value = 6000 lekë /m²
Value of the land for PAP2 = 42m² x 6000 lekë = 252 000 lekë

Total final compensation for the PAP2

252,000 lekë + 66,000 lekë = 318,000 lekë
Land + compensation for trees

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PAP 3

Questionary:

Questions from Social Expert:

The Owner of Land :

Name Surname:

Gender: **M**

Education: **Highschool**

Do they know any person who is the owner of the land? **No**

Where do they work if they do? **is pensioner**

Do they use the land to generate monetary income? **No**

Do they have the legal papers for the land ? **yes**

Their Data:

1 square meter / todays value = 6,000 lekë/m²
Value of the land for the PAP3 = 5m² x 6,000 lekë= 30,000 lekë

Total final compensation for the PAP3

30,000 lekë
Land

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Collected Data for Valuation

Information from the General Local Plan of the Municipality of Gjirokaštër defines the land categories for lands of PAP1, PAP2 and PAP3.



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NJËSITË MN.4.1-4.2 Zonë e Ligenit Viroi - Zonë turizmi	
Zona: Zona e mjedisit natyror (MN)	
Sistemet e territorit: Sistemi Urban (UB)	
Zonimi i përdorimit miks të tokës: Turizmi - Rekreacioni (T)	
Përdorimi mbizotërues: Aktivitete sociale dhe rekreative (AR)	
Përdorimet e tjera të lejuara: Banimi (A)	
PARAMETRA TE PËRGJITHSHËM (të njësisë)	
Nënkategoritë/aktivitetet/funksioni i lejuar të tokës	Lejohet vetëm mirëmbajtja dhe zgjerimi i banesave ekzistuese (A.I)
Përdorimet e ndaluara të tokës	Ndalohen të gjitha përdorimet që nuk janë në përputhje me ato më sipër.
Lloji i ndërhyrjes në territor (sipas përcaktimeve të rregullores së planifikimit)	Nuk propozohen ndërhyrje.
Parametrat e zhvillimit të përgjithshëm	-
Gjelbërimi/banorë	-
Parkimi/banorë	12 m ² / përdorues
Nr. Banorësh	-
Nr. përdoruesish	400 përdoruesish/ditë
Shërbimet	rekreative-turizëm
RREGULLORE PLANIFIKIMIT (të parcelës)	
Madhësia e parcelës	min S=8000 m ²
[i]	0,30
Ksht	40%
Numri i kateve	3 kate + çati deri në 1,20m.
Lartësia e strukturave	10,00m. + çati deri në 1,20m.
Kufiri i rrugës (Dr)	-
Kufiri i parcelës (Dp)	25,00 m
Distanca nga ndërtesa të tjera	50,00 m
Tipologjia e ndërtimit	Komplekse ndërtimore, banesa individuale
Vija e kuqe/ndërtimit	-
Fasada e parcelës	25,00 m
Kshp	-
Numri minimal i vendparkimeve publike në përputhje me rregulloren e planifikimit	-
Kshr	-
Kushte për infrastrukturën	-
Kushte të tjera, sipas rastit, të përcaktuara në rregulloren e planifikimit dhe legjislacionit të posaçëm sektorial.	Hartimi i PDV-së mund të vazhdojë vetëm pas përfundimit të procesit të legalizimit nga ALUIZNI.