

# **Resettlement Action Plan**

Subsection Ozimica –  
Poprikuše, Part 2



**Mostar,  
March 2023**

**Bosnia and Herzegovina  
Federation of Bosnia and Herzegovina  
Federal Ministry of Transport and Communications**

**Public company Motorways in Federation of Bosnia  
and Herzegovina**

**Motorway on Corridor Vc**

**Resettlement Action Plan for  
subsection Ozimica – Poprikuše, Part 2**

**Section: Medakovo - Poprikuše  
Subsection: Ozimica – Poprikuše (Part 2)**

**March 2023**

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## ABBREVIATIONS

3d	three-dimensional
APs	Affected persons
BiH	Bosnia and Herzegovina
C.M.	Cadastral municipality
EB	Expropriation Beneficiary
EBRD	European Bank of Reconstruction and Development
EIA	Environmental Impact Assessment
EIB	European Investment Bank
ESS	Environmental and Social Standards
FBiH	Federation of Bosnia and Herzegovina
GRM	Grievance redress mechanism
JPAC /PC Motorways/Company	Public Company Motorways of the Federation of Bosnia and Herzegovina
LARF	Land Acquisition and Resettlement Framework
LARP	Land Acquisition and Resettlement Plan
LC	Local Community
MoM	Minutes of meeting
PAH	Project Affected Households
PAP	Project Affected People
PAPs	Project Affected Persons
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
SES	Socio-economic Survey

## List of Definitions for Terms Used in This Document

CENSUS AND SOCIO-ECONOMIC SURVEY	<p>The census is a process for compiling a 100% sample of individuals, households and businesses (formal or informal) which will be physically and/or economically displaced by a project. The socio-economic survey is used to determine and analyse the socio-economic conditions of individuals, households and businesses (formal or informal) which will be physically and economically displaced by a project.</p> <p>The information gathered is the baseline, which serves as a reference point against which income restoration and the results of other rehabilitation efforts can be measured.</p>
CUT-OFF DATE	The date after which anyone who moves into the project area is no longer entitled to compensation and/or assistance.
ENTITLEMENT	Compensation and assistance which affected people have the right to receive during resettlement. Entitlements are defined for each individual project, and are listed in the form of an Entitlements Matrix, i.e. a table containing information on who is entitled to what type of compensation and/or assistance.
CATEGORIES OF DISPLACED PERSONS	<p><i>Category 1:</i> those who have formal legal rights to the land (including customary and traditional rights recognised under national laws).</p> <p><i>Category 2:</i> those who do not have formal legal rights to land at the time of the census, but who have a claim to land that is recognised or recognisable under national laws.</p> <p><i>Category 3:</i> those who have no recognisable legal right or claim to the land they occupy.</p>
INVOLUNTARY RESETTLEMENT	<p>Resettlement is involuntary when land is acquired through the application of state powers. Actions may be taken without the displaced person's informed consent or power of choice.</p> <p>Involuntary resettlement refers to: (a) physical displacement (i.e. physical relocation of residence or loss of shelter), and/or (b) economic displacement (i.e. loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition or restriction of access to natural resources.</p>
PHYSICAL DISPLACEMENT	Loss of house/apartment, dwelling or shelter as a result of project-related land acquisition which requires the affected person(s) to move to another location.
ECONOMIC DISPLACEMENT	Loss of assets (including land) or access to assets that leads to loss of income or means of livelihood as a result of project-related land acquisition or restriction of access to natural resources. People or enterprises may be economically displaced with or without experiencing physical displacement.
LIVELIHOOD RESTORATION	Measures that will be undertaken to assist physically and economically displaced PAPs to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
MOVING ALLOWANCE	Cash compensation for costs directly associated to moving/relocation of a household or business.
PROJECT AFFECTED PERSONS (PAPs)	Refers to all persons impacted by the involuntary resettlement, including all members of a household (women, men, girls, boys, incl. several generations in the case of extended households); the owner and employees of a business; members of an ethnic minority group; tenants; land owners and sharecroppers; informal settlers (i.e. lacking formal titles); holders of customary land-rights; informal business-operators and their employees/assistants. Eligible PAPs may be in any of the following situations: (i) have formal legal rights to the land/structure they occupy; (ii) do not have formal legal rights to land, but have a claim to land that is recognized or recognizable under the national laws (e.g. ancestral, traditional lands); (iii) are dependent on the impacted land for their livelihood by way of customary access to natural resources; (iv) have no recognizable legal right or claim to the land or structure they occupy; and/or (v) economically displaced persons who face loss of assets or access to assets.
REPLACEMENT COST	Replacement Cost refers to the value determined to be fair compensation for: (i) land, based on its productive potential; (ii) houses and structures, based on the current market price of building materials and labor without depreciation or deductions for salvaged



	building material, and (iii) residential land, crops, trees, and other commodities based on their market value. Such cost needs to further account for any removal costs, utility connection costs, taxation costs imposed on new housing/re-established businesses etc. Where markets do not exist, surrogate values must be determined.
LAND ACQUISITION/ RESETTLEMENT FRAMEWORK	<p>A document developed when the exact nature or magnitude of the land acquisition or restrictions on land use related to a project with potential to cause physical and/or economic displacement is unknown due to the project development stage. The purpose of a framework is to describe the likely impacts associated with land acquisition and outline the principles which will be followed to address these.</p> <p>Once the individual project components are defined and the required information becomes available, the framework serves as a basis for the development of a detailed plan (see item below).</p>
RESETTLEMENT ACTION PLAN (RAP)	Resettlement Action Plan (RAP) is the document in which the promoter of a project or other responsible competent authority describes the impacts of the involuntary resettlement, specifies the procedures that will be followed to identify, evaluate and compensate the impacts and defines the actions to be undertaken during all phases of the resettlement
VULNERABLE PEOPLE	Individuals and/or groups who are at a higher risk of being unable to anticipate, cope with, resist and recover from project-related risks and/or adverse impacts are considered vulnerable. Vulnerable individuals or groups may include women, children, the elderly, the poor, ethnic, religious, cultural or linguistic minorities, or indigenous groups.

## 1. INTRODUCTION

### 1.1. Description and Context of the Proposed Project

The Motorways of the Federation of Bosnia and Herzegovina (“JPAC”) is a public company in the Federation of Bosnia and Herzegovina (FBiH), working on the development of the motorway which is a part of the Trans-European Corridor Vc connecting Budapest (Hungary) and Port of Ploče (Croatia). The total length of Corridor Vc in FBiH is approximately 321 km. Construction has already started, and by now 92 km of motorway have already been constructed and are in use. The constructed parts refer to subsections: Kakanj - Zenica south, North Sarajevo – Sarajevo, section of West Sarajevo - Tarčin as well as section Zvirovići - Bijača (from Medjugorje loop to the crossing border Bijača.)

The Corridor Vc motorway is considered as a priority project for Bosnia and Herzegovina (BiH), likely to entail major positive economic impacts for the country as a whole. The driving force behind the construction of the Corridor Vc motorway is to improve connectivity of BiH with its neighbouring countries and to enhance its potential for economic development. The picture below is a map of the Corridor Vc on which the constructed sections are marked, those that are under construction, tendered sections as well as those projects that are in preparation. An interactive map can be found at this link: <https://mapa.jpautoceste.ba>.

Figure 1: Corridor Vc in BiH and locations of the project section Ozimica - Poprikuše



The Project is situated in the north-east part of BiH (see Figure 1), about 100 km north of the city of Sarajevo and just west of the town of Žepče where it passes through the outskirts of the town, crossing the river Bosna, the railway line and the main road M17.

The Project involves land acquisition and resettlement, and the exact scope is known for municipality Žepče of the section Ozimica - Poprikuše as the expropriation studies in line with local legislation have been prepared by JPAC.

The project has strong support from the government and is expected to enable BiH to integrate better with the European economic and social structure. Other expected direct and indirect benefits include the following:

- increased efficiency in the transportation of goods;
- enhanced trade and economic competitiveness;
- increased opportunity for regional private sector investments;
- employment;
- increased tourism potential;
- reduce environmental impacts when compared to current traffic routes.

The Corridor Vc has been financed by the loan funds of The European Bank for Reconstruction and Development (EBRD), The European Investment Bank (EIB), OFID - OPEC Fund for International Development and other financial institution as well as with own funds of PC Motorways.

### 1.2. Objective and Scope of the Document

The JPAC has prepared and adopted this Resettlement Action Plan for subsection Ozimica – Poprikuše (11,9 km), Part 2 (RAP) with the aim of setting out the principles for addressing the potential impacts of land acquisition within the Corridor Vc Project, in conformance with:

- The laws and regulations in force in FBiH,
- Land Acquisition and Resettlement Framework (LARF) from March 2017<sup>1</sup>
- EIB's Environmental and Social Standards: Standard 6 and Standard 7<sup>2</sup>

This RAP specifies the procedures to be followed by the Company and the Municipalities, and the actions they will take to compensate affected people and communities. This document also provides a description of the households and land plots that will be affected by property acquisition for needs of the construction subsection Ozimica - Poprikuše.

The objectives of this RAP are to:

- mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of and access to land by providing compensation for loss of assets at replacement cost and ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;
- improve or, at a minimum, restore the livelihoods and standards of living of displaced persons to pre-Project levels;
- improve living conditions among displaced persons through provision of adequate housing;
- establish organizational arrangements and procedures to monitor the implementation of resettlement plan and take corrective actions as necessary;

<sup>1</sup> <http://arhiva.jpautoceste.ba/images/larf.pdf>

<sup>2</sup> [http://www.eib.org/attachments/strategies/environmental\\_and\\_social\\_practices\\_handbook\\_en.pdf](http://www.eib.org/attachments/strategies/environmental_and_social_practices_handbook_en.pdf)

- identify the gaps between national law and EIB requirements and to propose measures to overcome such gaps;
- provide clear procedures for application project specific grievance redress mechanism.

Resettlement Action Plan for subsection Ozimica – Poprikuse, Part 2 (RAP) refers to the Expropriation Study from September 2022 submitted by Consortium Trasa d.o.o. Sarajevo, Institute for Construction IG d.o.o. Banja Luka, Saraj Inženjering d.o.o. Sarajevo, Routing d.o.o. Banja Luka, which includes the entire section Ozimica - Poprikuse. **During preparation this document the main emphasis of the research applied to the road section from km 0+000 to km 5+860.00. No research and neither expropriation was conducted along this section during preparation of RAP Part 1.**

In the continuation of the section (i.e. through part of c.m. Žepče Van and through c.m. Papratnica, c.m. Želeče and c.m. Željezno polje), after chainage 5+860.00, the change of the expropriation line refers to minimal changes due to the construction of access roads, landfills<sup>3</sup> or just optimization of the project. Since this part has already been processed for the most PAPs, the survey in this cadastral municipalities related only to residential buildings that subsequently entered the expropriation zone<sup>4</sup>. Below are two pictures that show the change in the expropriation line after the creation of the Main Design and the inclusion of new residential buildings which are marked with red arrow and discussed in detail in the report below.

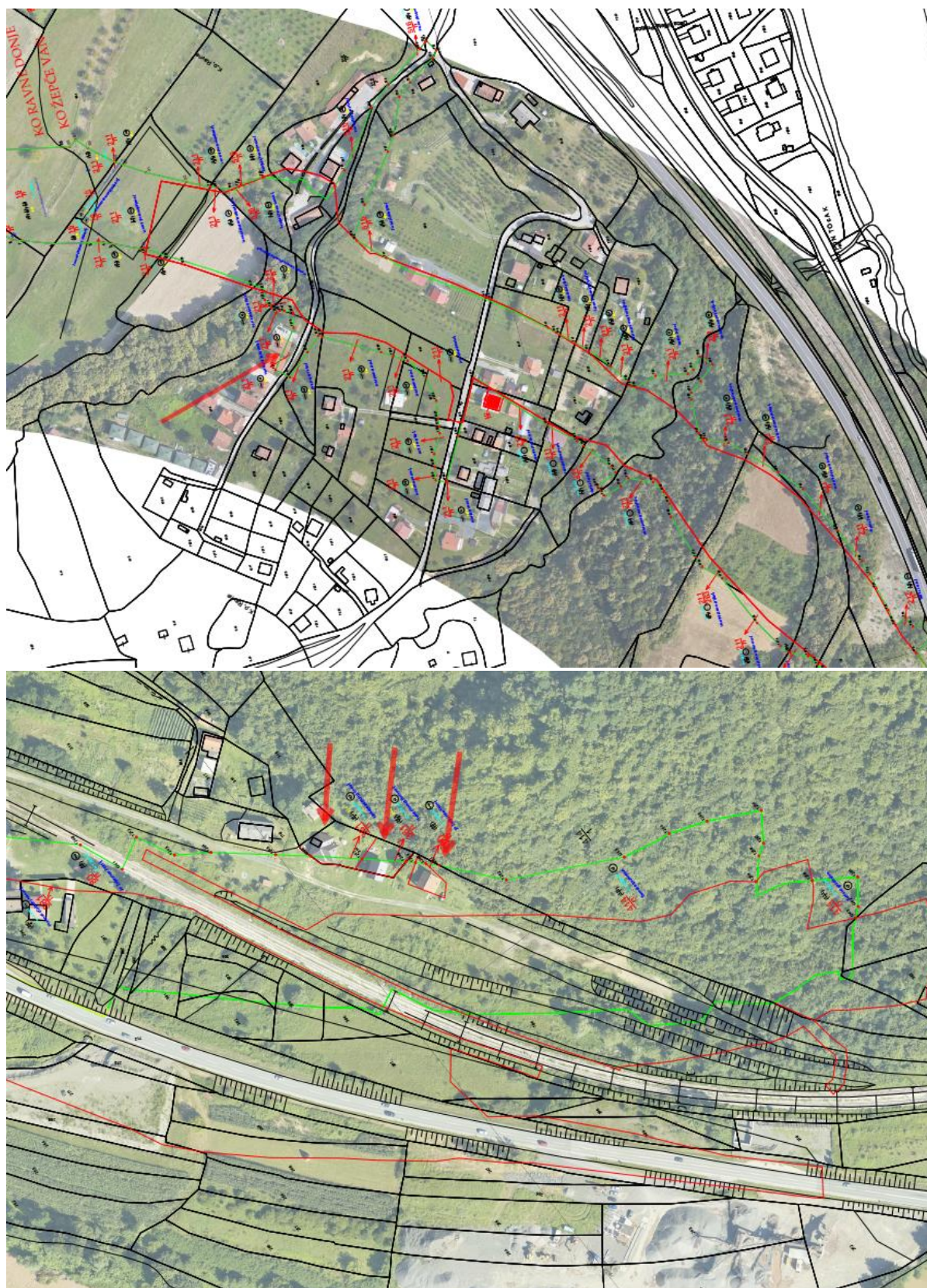
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<sup>3</sup> Landfill in c.m. Želeče is considerable area of entirely state-owned (hilly area with no informal users). As per the private land parcels already expropriated and cash compensated under RAP Part 1 will be additionally affected. However this additional impact will require acquisition of insignificant portions from the land parcels (smallest 6 m<sup>2</sup> up to largest 988 m<sup>2</sup>). The median size of additional impact is around 100 m<sup>2</sup>.

<sup>4</sup> In the area processed in RAP Part 1, as a result of project changes, there are 5 more houses that subsequently entered the expropriation zone. More information about the mentioned houses will be provided in chapter 4.2.3 Results of Socio-economic Survey for Households to Be Resettled.



Figure 2: Residential buildings that entered the expropriation zone after the completion of the main project and are located in the area covered by RAP Part 1 (red arrows)





### 1.3. Review of previous activities on the preparation of planning documentation for the motorway on the Ozimica - Poprikuše section including RAP Part 1

For the Ozimica – Poprikuše section, the Ministry of Communications and Transport of Bosnia and Herzegovina financed the development of planning study documentation for the Motorway on Corridor Vc in the territory of Bosnia and Herzegovina, from Svilaj to the southern border with Croatia, which is divided into 6 LOTs. As part of this documentation, which was done by the Consortium IPSA Institute Sarajevo and IGH Zagreb, the following was done:

- Technical study
- Conceptual solution
- Conceptual design
- Environmental study
- Prefeasibility study
- Feasibility study

The Ozimica - Poprikuše section was treated as part of LOT 2 Doboj south (Karuše) - Sarajevo south (Tarčin), for which the conceptual design was done by the IPSA Institute in 2006. In the course of 2013/14, an analysis of the existing conceptual design was carried out, route optimization was carried out, and books of the conceptual design of the route were delivered. In the same period, a supplement to the feasibility study for the mentioned section was completed. And in 2019, IPSA Institute prepared the project documentation for the modification of the final part of the Ozimica - Poprikuše section, approx. 1.1 km long, and the expropriation and parcelization study from the end point of the Poprikuša - Ozimica section, approx. 6 km in length to the north (half the length of the section).

For this last part, a document named Resettlement Action Plan for subsection Ozimica - Poprikuše, Part 1 was created in November 2020. It was approved by creditors and published on the website of JP Autocesta FBiH<sup>5</sup>.

### 1.4. Subsection Ozimica - Poprikuše – An overview

Mentioned section from the beginning (Ozimica) to the Tatarbudžak is mainly located in the corridor of the route, which was previously adopted by the local community. From Tatarbudžak, the route descends to the area of Šećin Han between the corridor of the main road (M17) and the railway on one side and the river Bosna on the other.

Furthermore, the route mainly stretches along this corridor until the beginning of the next section of Poprikuše - Zenica North. The route tangents settlements Varošiste, Šećin Han, Brezovo Polje and ends in Golubinja. On the connection of the sections, interchange named Poprikuše is foreseen and it belongs to the next subsection Poprikuše - Nemila.

The subject of interest of this RAP designated as Part 2 is the entire section of Ozimica – Poprikuše of 11.9 km which is entirely located in the territory of Zenica-Doboj canton, municipality of Žepče.

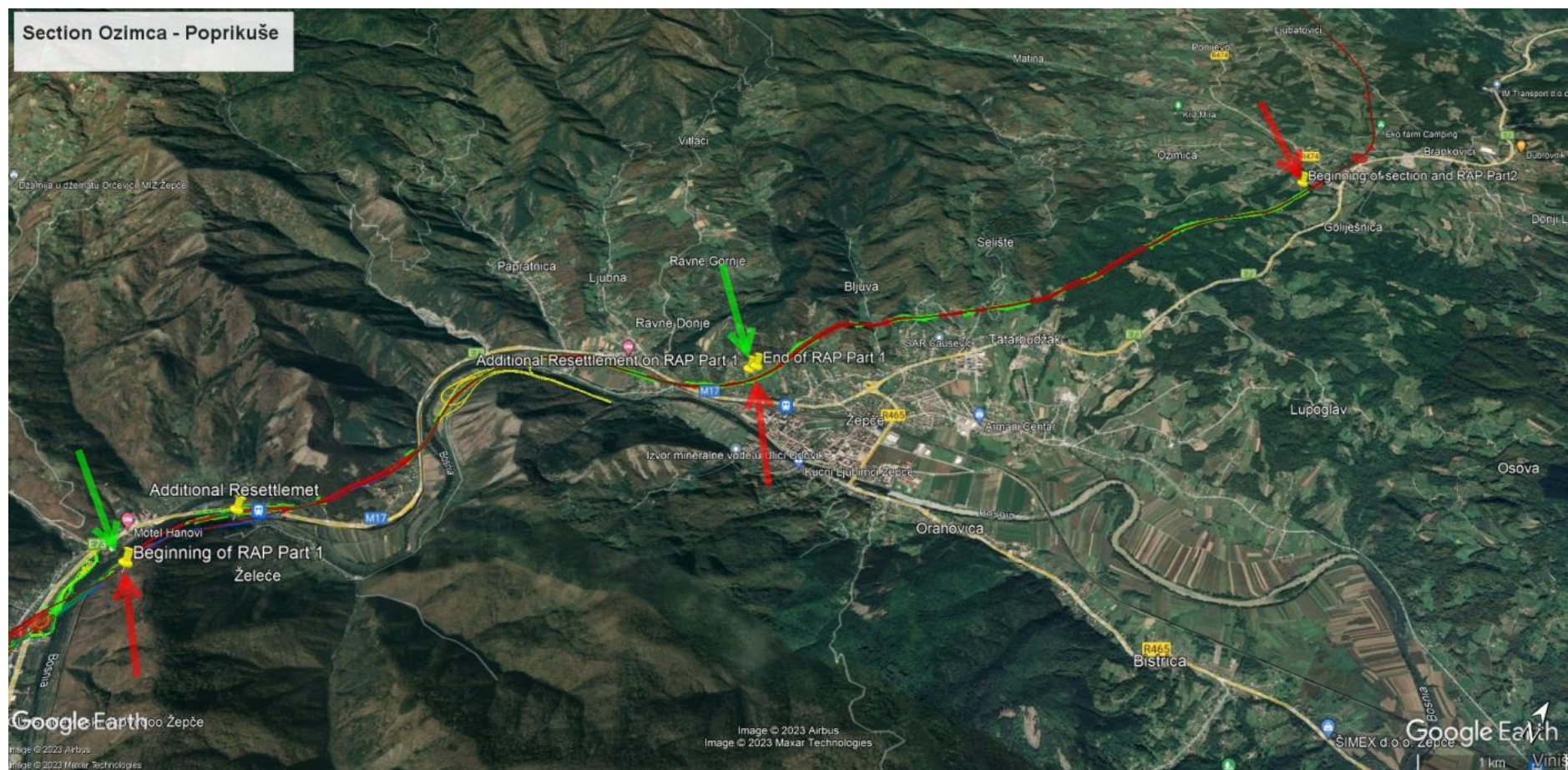
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<sup>5</sup> <https://www.jpautoceste.ba/wp-content/uploads/2021/05/Resettlement-Action-Plan-RAP-subsection-Ozimice-Popriku%C5%A1e-Part1-2020.pdf>

The picture below is a 3d view of the section Ozimica - Poprikuše where the end of the section in Golubinja is marked with a green and red arrow. The second green and red arrow indicates the part to which the expropriation is mostly completed, and which is located about 6 km north of the end of the section. Beginning of subsection Ozimica – Poprikuše, just after Ozimica Interchange is marked with a red arrow.

Additional changes to the project and expropriation line will be explained in more detail in the section description below.

Figure 3: 3d view of the section Ozimice - Poprikuše. The sub-sections where the expropriation is mostly completed and processed in RAP Part 1 are marked with green arrows, while the red arrows mark the locations, (sub-sections) covered under RAP Part 2. The map shows the areas subject to additional resettlement located within the RAP Part 1 chainage but dealt under the RAP Part 2.





The text below describes in detail the entire section Ozimica - Poprikuše from the Main Design.

The beginning of the section connects to the end of the Medakovo - Ozimica motorway section after Ozimica Interchange. From the initial chainage at km 0+000.00 to the exit portal of tunnel T1, the alignment ascends with a longitudinal gradient of 3.95% for a total length of 389.0m and a gradient of 2.37% for a length of 2023.41m. On this section, the Motorway runs along the cut at km: 0+800 where a maximum cut of 28 m is achieved. After this point, motorway sections alternate running in the embankment and the cut to the entrance to the T1 tunnel (right tube: L=735,0m; left tube L=737,0m). At the section leading to the T1 tunnel, it is necessary to regulate the existing watercourses and enable them to cross the road body. Regulation of the existing watercourses was done parallel to the foot of the Motorway embankment on the right side on the sections from km:1+120 to km:1+300 and from km: 1+440 to km: 1+700. After exiting the T1 tunnel, the Motorway cuts into the hill again through the T2 tunnel (right tube: L=260,0m; left tube L=262,6m). Exiting the T2 tunnel, the Motorway constantly descends through a hilly area towards the valley of the Bosna River, where different longitudinal gradients of the grade line alternate depending on the configuration of the terrain (Figure 4).

Due to the alignment after the T2 tunnel having the grade line gradient of 1.2%, there are valleys that need to be bridged by the proper facilities. Three bridges/viaducts were designed in this section from chainage km: 2+900 to chainage km: 4+000 M1 (L=182m/182m), M2 (L=78m/78m) and M3 (L=168m/168m). The M2 bridge crosses the existing local road and stream. This facility enables the passage of the stream and the local road at two points. In order to achieve the continuity of the local road that passes under the M2 bridge, an overpass is planned over the Motorway at the chainage km 3+515. Between the M1 and M2 bridges, the Alignment alternates between an embankment, a cut and a side-cut, where the securing of the road body is planned depending on its position and situation on the ground. The M3 bridge crosses a populated valley. A design solution was adopted, which with its height, length, dimensions of the structure and the position of the piers will mitigate the negative effect on the environment. Between the M3 and M4 bridges, it is planned to pass the local road under the highway trunk by constructing the PP1 underpass at the chainage km: 4+185. Along the stretch from the chainage km. 4+280 to km 4+480 it is planned to build the Motorway in a cut up to approx. 20.0m high.

After leaving the cut, the Motorway Alignment crosses the valley with a bridge M4 (L=285m/245m). This bridge represents the highest obstacle on the Ozimica - Poprikuše section, where the height of the piers reaches up to 40m. After the M4 bridge, the motorway enters the T3 tunnel (right tube: L=405,0m; left tube L=395,44m). In the tunnel, the longitudinal gradient of the Alignment changes from 0.7% to 3.06%. This longitudinal gradient is maintained until the descent towards the valley of the river Bosna, i.e. the M5 bridge. The route between the T3 tunnel and the M5 bridge intersects the existing connections of the settlement with the Main Road. It is necessary to enable the reconnection of the settlement by reconstructing the existing local road and by building the PP2 passage under the Motorway at the chainage km: 5+972. (Figure 5)

From there, the Alignment descends towards the Bosna River valley and crosses the M17 Main Road and the two-track railway with the M5 bridge. An unfavourable angle of intersection of the bridge with the existing infrastructure was achieved, which significantly

complicates the design solution of the bridge construction and the position of the piers. When designing the grade line, care was taken to leave a sufficient height above the existing electrification of the railway, in order to be able to offer a solution for carrying out the bridge spanning structure without interrupting railway traffic. By lowering the alignment into the valley of the river Bosna, it became possible for it to run along high embankments with the passage of existing waterways and local roads above the high-water level marks. From there the alignment ascends slightly towards tunnel T4, where longitudinal gradients of 0.7%, 0.5% and 1.33% alternate. At chainage km 7+655 the design of the M6 Bridge (L=29m/29m) is planned, in order to pass the local road and the existing regulated stream. At the location of the recrossing over the Bosna River, the construction of the M7 Bridge (L=258m/258m) is planned, with which the local road will also be bypassed.

An on/off ramp (junction) of the Žepče-Tuzla expressway is planned on the section between the M6 bridge and the M8 bridge. The Designer considered the possibility of connecting the expressway (Interregional Interchange/Node) and that proposal was submitted to the Employer for further consideration. The Designer did not have at his disposal the grade line position of the future Expressway and Interregional Interchange/Node, so he could not consider the planned junction in detail. At the meetings held with the representatives of the Employer, the Designer proposed that, due to the future connection of the Interchange to the designed Motorway, it would be possible to create on-off ramps by designing the M7 and M8 bridges with an expanded carriageway. The Employer adopted the Designer's proposal.

Once the Motorway resumes running along the embankment from the right bank of the Bosna River, it is possible to achieve crossing over the river, the railway line and the M17 highway via the M8 bridge (L=368m/398m). After this bridge, the Alignment enters the tunnel T4 (right tube: L=740,0m; left tube L=749,20m) *Figure 6*.

There is a convex fracture of the grade line in the tunnel. At the Auditor's request, the top of the vertical fracture T9 was moved from the M9 bridge to the T4 tunnel, thus avoiding vertical rounding on the long M9 bridge, with which the Designer agreed. Immediately after exiting the T4 tunnel, the Alignment crosses the M9 bridge (L=496.5m/521.3m), in order to avoid collision with the river Bosna and the main road M17.

After the M9 bridge, the Motorway stretches along an embankment to the undercut of the T5 tunnel, where it diagonally crosses over the railway line at km 10+940. The intersection with the railway line is solved with the inclined underpass PP3 with a length of L=143m.

Previously, the position of the T5 tunnel was copied from the Conceptual Project (IPSA Institute Sarajevo, 2019). The alignment of the axis of the carriageway at the exit portal of the T5 tunnel with the axis of the next section and of the Golubinja bridge was achieved.

The design of the grade line in the T5 tunnel is conditioned by fitting it into the next section, i.e., into the vertical curve R=9000m, which was applied on the Golubinja 1 bridge and which encroaches the Ozimica - Poprikuše section. Hence, it was necessary to adjust the applied vertical radius on the Golubinja bridge with a grade line, which did not give us the freedom to correct the grade line in the tunnel proper. After conducting investigative work on the T5 tunnel and presenting the results, the Tunnel Designer and the Designer of G21 Mission agreed that the adopted position of the route is unfavourable for the construction of the tunnel, due to the small overburden above the tunnel tube on the first half of the tunnel. The proposal was to move both axes into the slope, in order to increase the overburden above

the tunnel tube and enable easier construction of the tunnel. The Designer of the Alignment moved the axis towards the slope by approx. 25 m. The movement of the axis caused the movement of the M9 bridge, as well as the position of the underpass for the passage of the railway line. Tunnel T5 solution was adopted (right tube: L=630,0m; left tube L=765,39m).  
Figure 7

The end of the section represents the connection to the Abutments of the Golubinja 1 bridge at the chainage km 11+897.79 (right roadway), i.e., km 11+984.72 (left roadway).

### STRUCTURES AT THE ALIGNMENT

It is necessary to build 9 (nine) bridges and viaducts on the section of the Motorway at Ozimica - Poprikuše section:

- Bridge M1
  - Right Structure(L=182.00m): km 2+921.12-3+103.12 (right axis)
  - Left Structure(L=182.00): km 2+922.88-3+104.88 (left axis)
- Bridge M2
  - Right Structure(L=78.00m): km 3+609,55-3+687,56 (right axis)
  - Left Structure(L=78.00m): km 3+620.57-3+698.57
- Bridge M3
  - Right Structure(L=168.00m): km 3+822.00-3+990.00 (right axis)
  - Left Structure(L=168.00m): km 3+833.03-4+001.03 (left axis)
- Bridge M4
  - Right Structure(L=285,00m): km 4+497.00-4+782.00 (right axis)
  - Left Structure(L=245,00m): km 4+509.65- 4+754.65 (left axis)
- Bridge M5
  - Right Structure(L=296.00m): km 6+520.80-6+816.98 (right axis)
  - Left Structure(L=345.00m): km 6+482.79-6+827.56(left axis)
- Bridge M6
  - Right Structure(L=29.00m): km 7+643.92-7+674.18(right axis)
  - Left Structure(L=29.00m): km 7+639.85-7+670.32(left axis)
- Bridge M7
  - Right Structure(L=258.00m): km8+030.00-8+287.56 (right axis)
  - Left Structure(L=258.00m): km 8+015.38-8+273.67 (left axis)
- Bridge M8
  - Right Structure(L=368.00m): km 9+029.55-9+397.93 (right axis)
  - Left Structure(L=398.00m): km 9+030.58-9+428.09 (left axis)
- Bridge M9
  - Right Structure(L=497.501m): km 10+285.00-10+782.50 (right axis)
  - Left Structure(L=522.30m): km 10+280.12-10.802.42 (left axis)

The route also includes 5 (five) tunnels with two tubes with length of 260.00 m to 765.39 m:

- Tunnel T1
  - Right Tunnel Tube L=735.00m (km 1+715.00-2+450.00)
  - Left Tunnel Tube L=737.00 m (km 1+714.50-2+451.50)
- Tunnel T2
  - Right Tunnel Tube L=260.00m (km 2+600.00-2+860.00)
  - Left Tunnel Tube L=260.00 m (km 2+602.82-2+865.44)

- Tunnel T3
  - Right Tunnel Tube L=405.00m (km 4+835.00-5+240.00)
  - Left Tunnel Tube L=395.44 m (km 4+842.13-5+237.57)
- Tunnel T4
  - Right Tunnel Tube L=740.00m (km 9+520.00-10+260.00)
  - Left Tunnel Tube L=749.20 m (km 9+516.87-10+266.05)
- Tunnel T5
  - Right Tunnel Tube L=630.00m (km 11+205.50-11+850.00)
  - Left Tunnel Tube L=765.39 m (km 11+159.59-11+924.98)

An overview of the Underpasses and Overpasses is provided to ensure the connection of local roads on both sides of the Motorway. The Underpasses are marked by the Motorway km markers where they intersect the Motorway.

- Overpass NPP1, km: 3+517 (passage of Local Road 1 over the Motorway)
- Underpass PP1, km: 4+184 (passage of Local Road 2 under the Motorway)
- Underpass PP2, km: 5+972.80 (passage of Local Road 3 under the Motorway)
- Underpass PP3, km:10+948 (passage of a two-track railway under the Motorway in the settlement of Želeća).



Figure 4: Beginning of subsection Ozimica – Poprikuše through a mostly uninhabited part covered mostly by forest with tunnels T1 and T2 and bridge M1

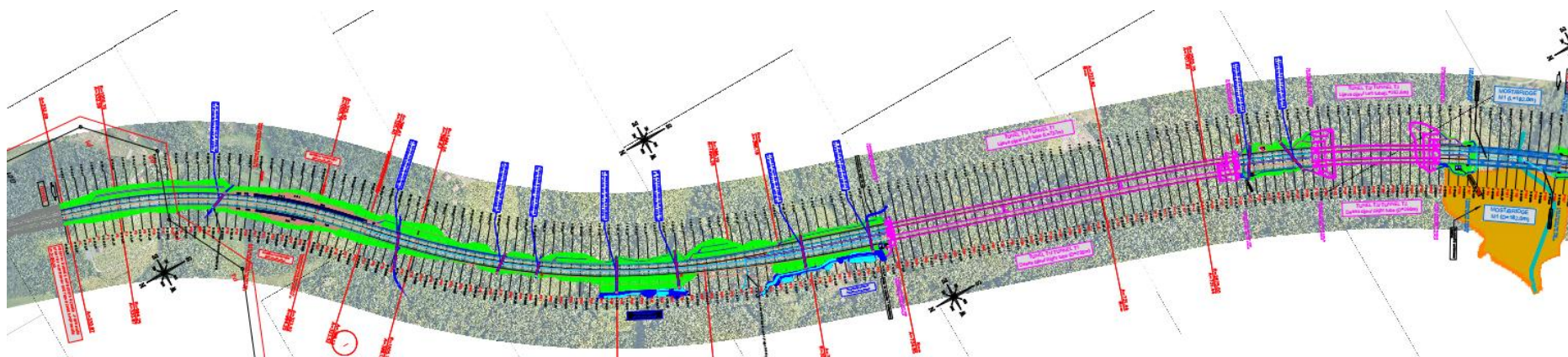


Figure 5: Continuation of subsection Ozimica – Poprikuše where the motorway vertically intersects part of the settlements of Varošište, Opšenič, Bljuva, Donje Ravne all the way to the M5 bridge

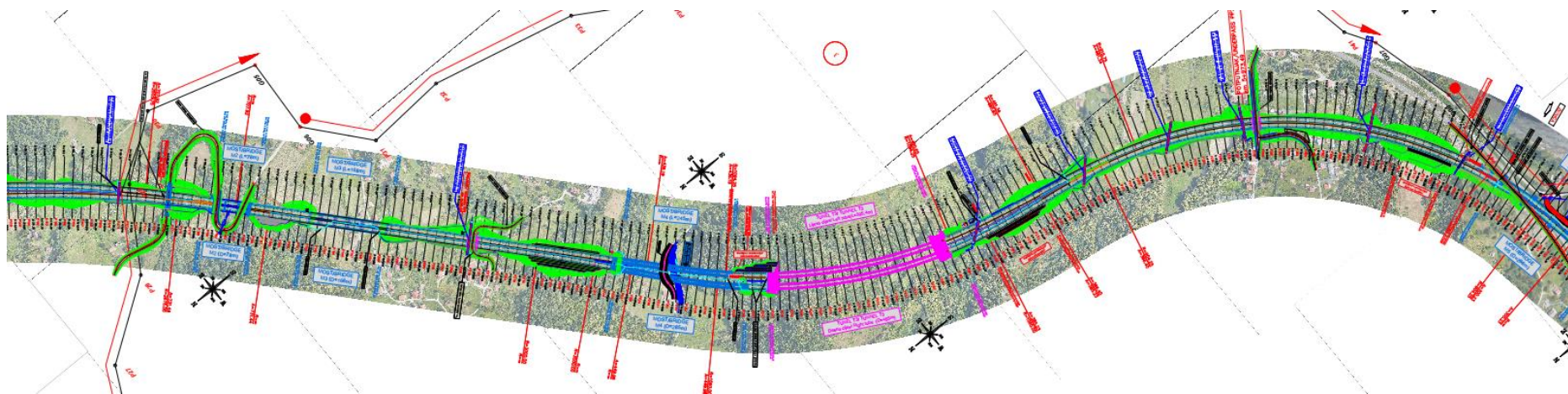


Figure 6: Middle of subsection with Bridges M5, M6, M7 and M8 through c.m. Papratnica up to the entrance in tunnel no. 4 in the area of Brezovo Polje. The expropriation and resettlement of private plots are almost completed here. The additional expropriation is for the construction of the access road and landfill and it will be done with the same owners that were processed in RAP Part 1.

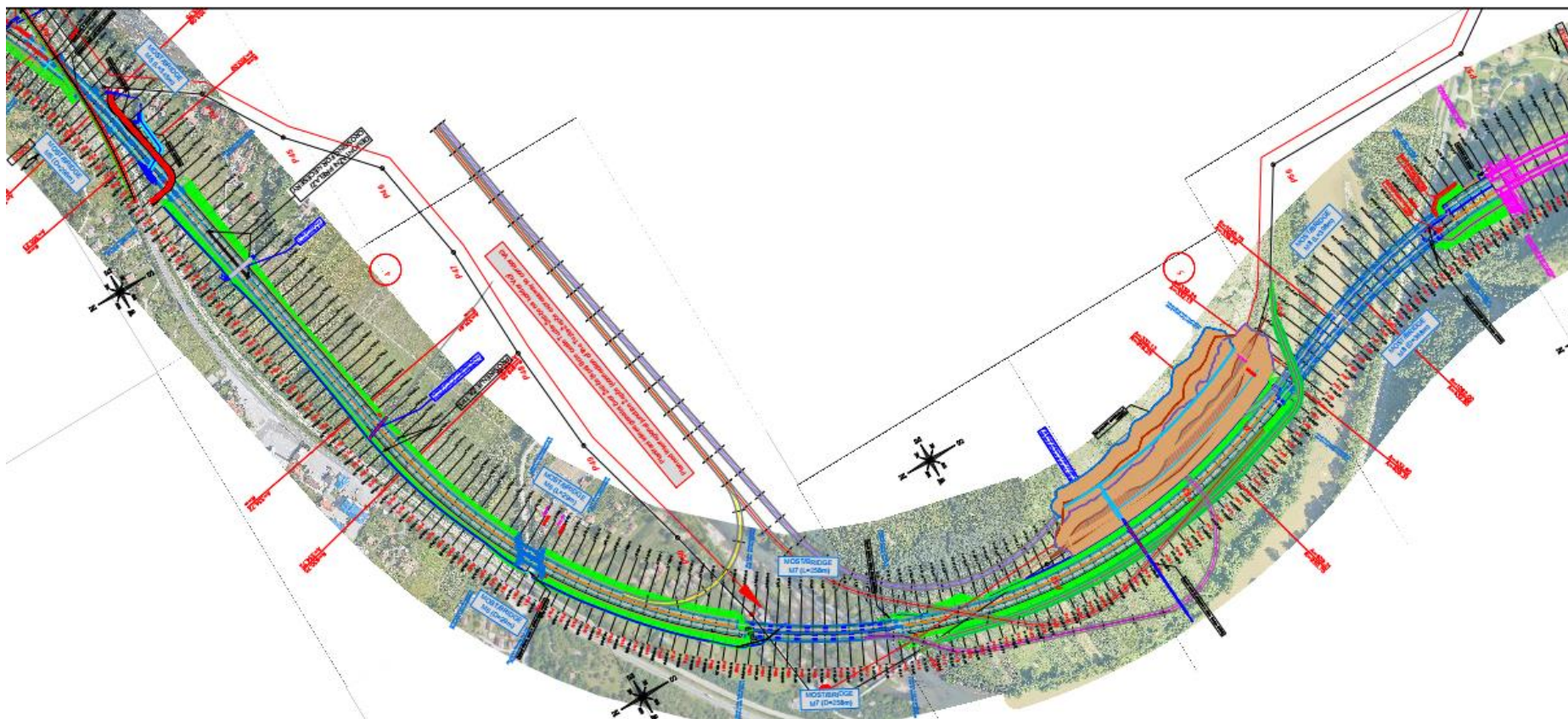
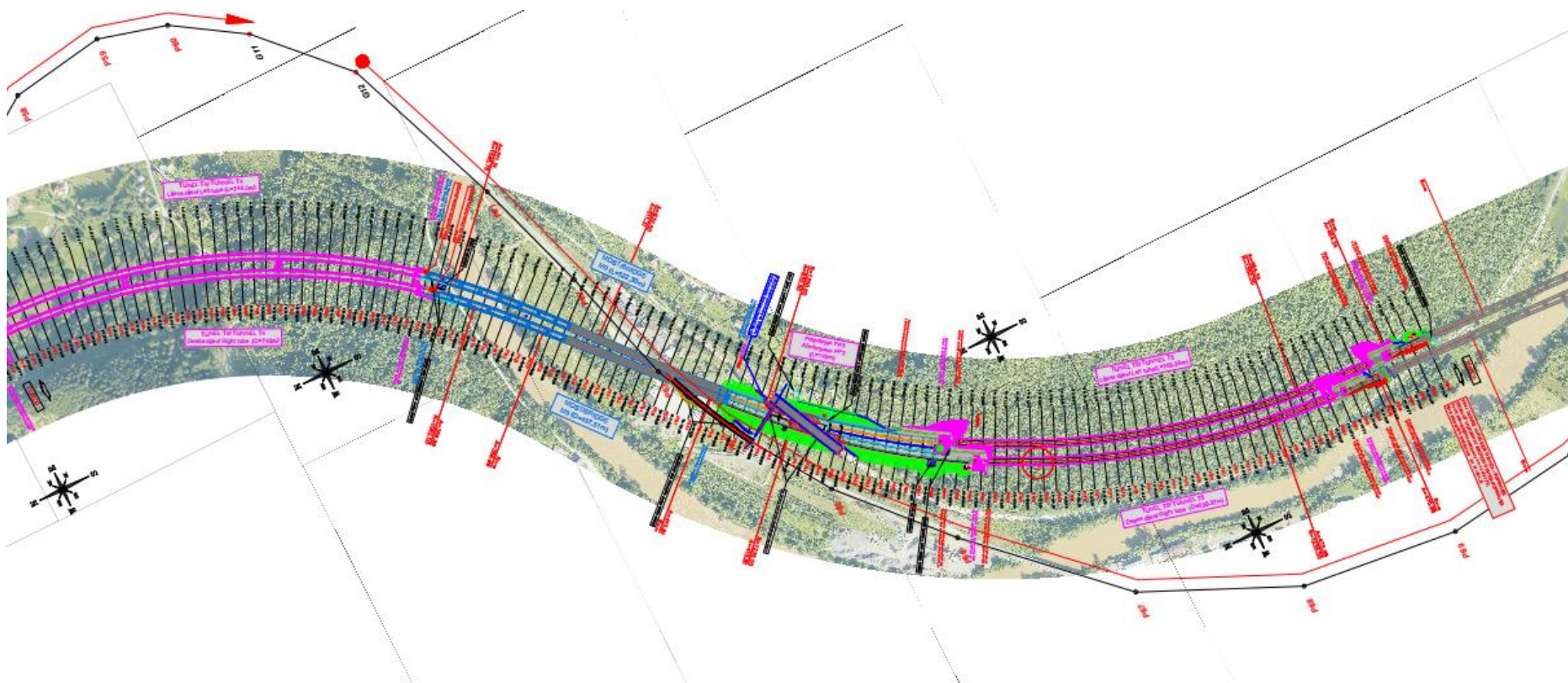




Figure 7: End of subsection with bridge over Bosna river (No. 9) crosses over existing main road, railway and tunnel Želeča. Before the entrance to the Tunnel T5, and next to the underpass for the passage of the railway line, we have additional expropriation and resettlement, which are processed by this RAP.



### 1.5. Amendments to the alignment

After the Employer submitted the available documents, the Designer began reviewing the submitted documentation and drafting the Initial Report. Along with the project documentation review activities, the surveying of the corridor of the future Alignment commenced. Once the digital model of the terrain was delivered, the inspection of the designed alignment (as given in the Conceptual Design) was carried out.

Certain axes corrections were made, primarily on the approaches to tunnels, where the aim was to keep the separation of axes as short as possible before and after the tunnel. By narrowing the road trunk proper, considerable savings in space and construction work were achieved.

In the longitudinal sense, a certain correction of the Motorway grade line was carried out, which aimed to reduce construction works and optimize the position of the grade line in relation to the terrain conditions through which the Motorway passes. All this, as well as the construction of underpasses, access roads and landfills, leads to additional expropriation and physical relocation in the part where it was already done before.



## 2. LAWS AND REGULATIONS

### 2.1. Overview

The following laws / policies are applicable to the proposed road project:

- Legislation of BiH and FBiH:
  - The Law on Expropriation of FBiH (Official Gazette of FBiH No. 70/07, 36/10, 25/12 and 34/16),
  - The Law on Proprietary Rights of FBiH (Official Gazette of FBiH, No. 66/13, 100/13);
  - The Law on Construction Land of FBiH (Official Gazette of FBiH, No. 25/03, 16/04, 67/05),
  - The Law on Agricultural Land of FBiH (Official Gazette of FBiH, No. 52/09)
  - The Law on Extra-Judicial Proceedings of FBiH (Official Gazette of FBiH, No. 2/98, 39/04)
  - The Law on Administrative Procedures of FBiH (Official Gazette of FBiH, No. 2/98, 48/99)
  - The Law on Land Registration of FBiH (Official Gazette of FBiH No. 19/03 and 54/04)
  - The Law on Land Survey and Cadastral of Property in FBiH (Official Gazette of SRBH, No. 22/84, 12/87, 26/90 and 36/90 and Official Gazette of SRBH, No. 4/93 and 13/94)
  - FBiH Law on Social Protection, Protection of Civilian War Casualties and Protection of Families with Children (Official Gazette of FBiH, No. 36/99, 54/04, 39/06)
  - The Law on Gender Equality in FBiH (Official Gazette of BiH, No. 16/03, 102/09)
- The EIB's applicable policy

### 2.2. Law on Expropriation of FBiH

The *Law on Expropriation of FBiH*<sup>6</sup> regulates the conditions and procedure for expropriation of property for construction of facilities in public interest, compensation eligibility and amounts, handling of grievances and disputes, and other issues pertaining to the expropriation process..

The key provisions of the Law may be summarized as follows:

#### ▪ Public interest and purpose of expropriation:

**Property can only be expropriated upon the establishment of public interest for projects that bring greater benefit for the public** (Art. 3 and 5). Expropriation may be carried out for the needs of FBiH, cantons, cities, municipalities, public enterprises and public institutions, unless otherwise provided by the Law.

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<sup>6</sup> Official Gazette of FBiH, No. 70/07, 36/10, 25/12 and 34/16

- **Expropriation process:**

**A condition to start expropriation is the existence of evidence that the required funds have been secured** and deposited with the bank in the assessed total sum for payment or proof of existence of replacement properties (Art. 24).

**The procedure for expropriation starts with a proposal for expropriation**, submitted by the Expropriation Beneficiary to the relevant Municipality (“the expropriation authority”). The proposal contains data on the property for which expropriation is proposed, the owners of such property and the purpose for which expropriation is proposed.

**Negotiated settlements are explicitly encouraged by the Law** (Art. 23). The expropriation beneficiary is required to publish a public announcement to invite the property owners and try to reach a prior amicable sale-purchase agreement with the affected owner. The signed agreement on compensation has to include the timing and rate at which cash compensation will be paid or in kind compensation provided (Art. 26). If no agreement on compensation is reached within 2 months of the validity of the Decision on Expropriation (or less if the Municipal Administration decides as such), the Municipal Administration submits the valid Decision together with other relevant documents to the competent Court, at the territory of which the expropriated real property is located, for the purpose of determining the compensation. The competent court ex officio decides in non-contentious proceedings on the amount of compensation for the expropriated real property.

- **Process of identifying factual owners/users:**

After the submission of the expropriation proposal by the expropriation beneficiary to the municipality, the municipality appoints a committee for conducting the expropriation procedure. The committee is responsible for resolving the so-called “preliminary issue”, i.e. the issue of ownership, prior to issuing the decision on expropriation, which is the result of out-dated information in land registry books (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.). The committee organizes a site investigation in the presence of the expropriation beneficiary, official court valuers of property and the identified property owner and user and informs the participants that public interest has been declared for the project and that an expropriation proposal has been submitted. A written record of the site investigation is prepared. The committee also invites the identified owners and users, organizes a meeting in the municipality and issues a decision on the resolution of the preliminary issue (i.e. identifies the actual and current owner or user to whom the compensation will be provided). As the last step, the committee issues a decision on expropriation on the basis of the mentioned record and the documentation submitted together with the expropriation proposal. Affected people are entitled to lodge a complaint against this decision with the municipality, which is forwarded to the Federal Administration for Geodetic and Property Affairs as the second instance authority.

- **Information and consultation requirements:**

Prior to the submission of the expropriation proposal, **the expropriation beneficiary is required to publish a public announcement and invite all property owners for purposes of attempting a negotiated settlement** (Art. 23). **Affected owners are informed throughout the expropriation process, i.e. that a proposal for expropriation has been submitted** (Art. 25). Before the decision on expropriation is passed, **the Municipal authority**

has to invite the affected persons with formal legal rights to a meeting to present any facts which may be relevant for expropriation (Art. 27).

▪ **Types of expropriation:**

**Expropriation can be temporary (incomplete) or permanent (complete).**

Complete expropriation allows the expropriation beneficiary to obtain legal title over the expropriated property, while the rights of the previous owner over the real property as well as other rights over that real property cease to exist.

Incomplete expropriation provides the beneficiary with usufruct rights on the land and structures, as well as the lease of the land for a definite period of time. At the end of the lease, usufruct rights over land are returned to the previous owner.

**Owners affected by a partial loss of their real properties are entitled to request complete expropriation and the corresponding compensation**, in case that 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 (Art. 11), and must be informed of such right by the Municipal authority. The right to request expropriation of the complete property may be submitted until the issuance of the Decision on Expropriation in the first instance, as well as during the appeal procedure if the affected owner was not informed of such right.

▪ **Compensation**

**Compensation is provided at market value of the affected property** (Art. 12), determined on the basis of prices of property in the given area, calculated as the market price which could be achieved for a specific real property, depending on the supply and demand at that particular moment in time (Art. 46).

The Law sets out in detail how compensation is determined for buildings, orchards and vineyards, forest land and timber, agricultural, construction and city land.

**Compensation is provided in the form of replacement property** (Art. 45), **but may be provided in cash if so requested by the affected owner or if suitable replacement property cannot be identified** (Art. 46). Property owners are entitled to compensation for any losses of benefits they would otherwise have from that property (Art. 54).

**Compensation is generally provided to formal owners of property. However, owners of illegally built residential facilities are also entitled to compensation (in the amount of the construction value of such facility)** if such facility represents the only residential structure for the builder and the members of his/her immediate family, provided that:

- the competent authorities did not issue a decision on removal of facility,
- the illegally built residential facility is registered on the official orthoimage of the territory of FBiH in the scale of 1:5000 developed by the Federal Administration for Geodetic and Property Affairs.

**Personal and family circumstances of the owners whose property is pending expropriation, as well as circumstances which may have adverse economic effects, can be taken into account when determining the amount of compensation, which may be increased above the market value (Art. 47).** This provision addresses livelihood restoration beyond the sheer compensation of the lost asset by providing flexibility based on a case-by-case assessment of personal circumstances.

Compensation costs are borne by the Expropriation Beneficiary (EB). **Compensation arrangements must be settled prior to the formal transfer of ownership of the expropriated property. In exceptional cases involving the construction/reconstruction of public infrastructure facilities, the Government of FBiH may allow taking possession of property prior to the effectiveness of the decision on expropriation or the payment of compensation,** at the request of the EB and due to reasons of urgency or prevention of more significant damage<sup>7</sup>. The exception does not apply to residential or commercial structures for which an equivalent replacement has not been provided by the EB. In such event, the EB is required to inform the affected owner of its intention to request the taking possession of property.

#### ▪ **Grievance procedure**

The Law foresees the rights of affected citizens to appeal at many stages of the expropriation procedure, beginning with administrative and judicial appeals (i.e. against the decision on public interest (Art. 16), the decision on expropriation (Art. 30) and regarding compensation (Art. 60). Explained in detail in *Section 7.2*

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[www.jpautoceste.ba](http://www.jpautoceste.ba)

It is also the obligation of the Contractor to actively participate in resolving complaints during the execution of works and to keep records of the above. It is recommended to the Contractor that during the implementation of this project there is one person who will be in charge of grievances management because the section partly passes through settlements where a larger number of complaints can be expected.

Grievance procedure in FB.

### **2.3. Other Related Legislation of FBiH**

The Law on Proprietary Rights<sup>8</sup> regulates the general issues of acquiring, using, disposing of, protecting and terminating ownership rights and other proprietary rights and possession rights, including the issues of restricting such rights, the right of servitude, co-ownership and

<sup>7</sup> This issue has also been addressed in the RCF which states that compensation shall, as a rule, always be effected prior to land entry or taking of possession, but allows an exception: “upon request of the expropriation beneficiary who has produced valid reasons for urgent need to take possession of the expropriated real property, FBH Government can decide that the real property is turned over to the expropriation beneficiary before the effectiveness of the decision on expropriation, if it establishes that this is necessary due to the urgency of the situation or in order to avoid larger damage.”

<sup>8</sup> Official Gazette of FBiH, No. 66/13, 100/13

joint ownership rights, the procedure for acquiring property rights over land and/or structures erected on someone else's land. The Law states that ownership rights and other proprietary rights may only be limited or taken away in public interest and under the conditions defined by the Law in accordance with the principles of international law. A significant provision of the Law is that occupants of property acquire ownership rights upon 10 years of conscientious and legal occupancy, or upon 20 years of conscientious occupancy. In addition, the Law provides that the conscientious builder of a structure on land owned by another person is entitled to acquire such land, if the land owner did not oppose to the construction. The land owner is in this case entitled to request to be compensated for the market value of the land.

The Law on Construction Land of FBiH<sup>9</sup> allows for the legalization of informally constructed structures on construction land in state ownership on which a structure has been built. This Law enables the subsequent issuing of a permit for construction, by the Municipal Council, in accordance with the Law on Spatial Planning. Legalization of informally constructed buildings is further regulated by decrees taken at cantonal level, and implemented at municipality level.

The Law on Agricultural Land of FBiH<sup>10</sup> contains the basic definitions and principles regarding the management, protection, use, planning, and records related to agricultural land. The Law provides that a right of way may be established on agricultural land, as decided by the city or municipal council. The owners of such land are entitled to compensation in accordance with the Law on Expropriation.

The Law on Extra-Judicial Proceedings of FBiH<sup>11</sup> prescribes the rules by which courts decide upon personal, family, property-related and other rights and legal interests resolved in extra-judicial proceedings. The courts determine the amount of compensation for expropriated property in extra-judicial proceedings. The petitioners may conclude an agreement about the compensation form and range, i.e. the amount of compensation, and the court will then base its decision on such agreement, if the court finds that the agreement is not contrary to the regulations which prescribe the proprietary rights over real estate.

The Law on Administrative Procedures of FBiH<sup>12</sup> regulates the procedures applied by administration bodies in deciding upon citizens' rights and obligations within the framework of administrative procedures. Parties are entitled to appeal against decisions adopted in the first instance. Only the Law may prescribe that appeals are not permitted in certain administrative issues, if the protection of rights and legality is ensured in some other way. In its Article 54, the Law gives the possibility to appoint a temporary representative if a party does not have a legal representative or if an action is to be taken against a person whose place of residence is unknown, and who does not have a proxy. The temporary representative is appointed by the body which manages the procedure, if so required by the urgency of the case. The body managing the procedure will notify the body of custody immediately thereof, and if the temporary representative is appointed to a person whose place of residence is unknown, it will disclose its conclusion on a notice board or in other usual manner (by means of newspapers or other media). A temporary representative can be appointed to a commercial

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<sup>9</sup> Official Gazette of FBiH, No. 25/03, 16/04, 67/05

<sup>10</sup> Official Gazette of FBiH, No. 52/09

<sup>11</sup> Official Gazette of FBiH, No. 2/98, 39/04

<sup>12</sup> Official Gazette of FBiH, No. 2/98, 48/99

corporation, institution or other legal entity. The appointed person is obliged to accept the representation and may refuse it solely for the reasons as prescribed in special regulations.

The Law on Land Registration of FBiH<sup>13</sup> regulates keeping, maintenance and setting up of land registries, as well as the registration of real estate and proprietary rights in land registries in FBiH. Proprietary rights and other rights come into effect only upon registration in land registry. In the expropriation process, the issued Decision on Expropriation represents the legal basis of registration in the land registry. In addition, expropriation may be registered in the form of conditional registration.

The Law on Land Survey and Cadastral of Property in FBiH<sup>14</sup> regulates survey of land, buildings and other structures, establishment and maintenance of registry of land, buildings and other structures, records and registration of property. Records of property possessors are kept in the land registry.

The Law on Social Protection, Protection of Civilian War Casualties and Protection of Families with Children<sup>15</sup> of FBiH regulates Social welfare, which in terms of this law is an organized activity in the Federation, aimed at ensuring the social security of its citizens and their families in need. The persons or families in need due to a forced migration (among others<sup>16</sup>) are entitled to a temporary, one-off and other financial assistance or natural assistance if they meet two conditions:

- they do not have enough income to support themselves,
- they do not have family members who are legally obligated to support them, or if they have, that these persons are not able to support them.

The right to the assistance shall be exercised by the competent authority of the municipality where the persons and the family are resident.

The Law on Gender Equality in BiH<sup>17</sup> promotes and guarantees the equal treatment of sexes and equality of opportunities for all in both the public and private domain, and prohibits direct and indirect discrimination on grounds of gender.

## 2.4. The EIB applicable Policy

The EIB requires that all the projects it is financing are acceptable in environmental and social terms by applying appropriate safeguards to all its operations. The EIB Environmental and Social Handbook (2018) provides an operational translation of those standards grouped across 10 thematic areas.

The two relevant Environmental and Social Standards (ESS) are:

<sup>13</sup>Official Gazette of FBiH, No. 19/03, 54/04

<sup>14</sup> Official Gazette of SRBH, No. 22/84, 12/87, 26/90 and 36/90 and Official Gazette of SRBH, No. 4/93 and 13/94

<sup>15</sup> Official Gazette of FBiH, No. 36/99, 54/04, 39/06

<sup>16</sup> A person or family in need, which is due to special circumstances require an appropriate form of social welfare, in terms of Article 12, paragraph 1, item 9) of this Law, is a person or family who finds himself in a state of social needs due to a forced migration, repatriation, natural disaster, the death of one or more family members, return from medical treatment, release from prison or execution of the educational measure (Article 18.)

<sup>17</sup> Official Gazette of BiH, No. 16/03, 102/09



- **ESS 6 (Involuntary Resettlement)**, which seeks to mitigate any adverse impacts arising from loss of assets or restrictions on land use. It also aims to assist all affected persons to improve or at least restore their former livelihoods and living standards and adequately compensate for incurred losses.
- **ESS 7 (Rights and Interests of Vulnerable Groups)**, which seeks to protect all vulnerable project-affected individuals and groups, whilst seeking that these populations duly benefit from EIB operations.
- **ESS 10 (Stakeholder Engagement)**, outlines a systematic approach to stakeholder engagement that the promoter is expected to build and maintain by way of a constructive relationship with relevant stakeholders. Stakeholder engagement is an inclusive and iterative process that involves, in varying degrees, stakeholder analysis and engagement planning, timely disclosure and dissemination of/access to information, public consultations and stakeholder participation, and a mechanism ensuring access to grievance and remedy.

**Key requirements of ESS 6 are the following:**

- Avoid or, at least minimise, project-induced resettlement whenever feasible by exploring alternative project designs;
- Avoid and/or prevent forced evictions and provide effective remedy to minimise their negative impacts should prevention fail;
- Ensure that any eviction which may be exceptionally required is carried out lawfully, respects the rights to life, dignity, liberty and security of those affected who must have access to an effective remedy against arbitrary evictions;
- Respect individuals', groups' and communities' right to adequate housing and to an adequate standard of living, as well as other rights that may be impacted by resettlement;
- Respect right to property of all affected people and communities and mitigate any adverse impacts arising from their loss of assets, or access to assets and/or restrictions of land use, whether temporary or permanent, direct or indirect, partial or in their totality. Assist all displaced persons to improve, or at least restore, their former livelihoods and living standards and adequately compensate for incurred losses, regardless of the character of existing land tenure arrangements (including title holders and those without the title) or income-earning and subsistence strategies;
- Uphold the right to adequate housing, promoting security of tenure at resettlement sites;
- Ensure that resettlement measures are designed and implemented through the informed and meaningful consultation and participation of the project-affected people throughout the resettlement process; and,
- Give particular attention to vulnerable groups, including women and minorities, who may require special assistance and whose participation should be vigilantly promoted.

**Key requirements of ESS 7 are the following:**

- Affirm, respect, and protect the rights and interests of vulnerable individuals and groups within the designated operational scope, throughout the project life cycle;
- Adopt a gender-sensitive approach to the management of environmental and social impacts, that takes into account the rights and interests of women and girls, men and boys;
- Identify and avoid adverse impacts of EIB operations on the lives and livelihoods of vulnerable individuals and groups, including women and girls, minorities and indigenous peoples. Where avoidance is not feasible, to reduce, minimise, mitigate or effectively remedy impacts;
- Ensure that vulnerable individuals and groups are duly and early on identified and that engagement is meaningful; and
- Enable vulnerable groups, including women and girls, minorities and indigenous peoples to benefit from EIB-financed operations.

Key requirements of ESS 10 are the following:

- Establish and maintain a constructive dialogue between the promoter, the affected communities and other interested parties throughout the project life cycle;
- Ensure that all stakeholders are properly identified and engaged;
- Engage stakeholders in the disclosure process, engagement and consultations in an appropriate and effective manner throughout the project life cycle, in line with the principles of public participation, non-discrimination and transparency;
- Ensure that the relevant stakeholders, including commonly marginalised groups on account of gender, poverty, educational profile and other elements of social vulnerability, are given equal opportunity and possibility to voice their opinions and concerns, and that these are accounted for in the project decision-making; and,
- Duly verify and assess that the quality and process of engagement undertaken by third parties on the project conform to the provisions included in the present standard.



## 2.5. Analysis of Gaps and Solutions

The table below presents the analysed gaps between EIB Environmental and Social Standards and the *Law on Expropriation*, with solutions to bridge these gaps to ensure compliance of this document with EIB requirements.

Table 1: Gaps and solutions

Issue	EIB requirement	Gap between EIB requirement and local legislation	Measures to bridge the gap
Avoiding involuntary resettlement	Project-induced involuntary resettlement should be avoided by analysing alternative project designs and locations. If it is unavoidable, the promoter, with full involvement in the decision-making process of all stakeholders, and in particular the affected people, should adopt adequate steps to minimise and mitigate its adverse impacts from an early stage.	Law on Expropriation does not contain specific provisions on avoidance of expropriation. Project designing processes typically seek to avoid or minimise resettlement and expropriation in practice within efforts to reduce costs and facilitates the expropriation process.	From an early stage activities are undertaken to minimise or avoid resettlement. In this narrow area of the Bosna River Valley, in some parts it is impossible to avoid resettlement therefore we have some houses affected on this section.
Negotiated settlements	To help avoid expropriation and the need to turn to public authorities to enforce relocation, both private and public sector promoters are advised to use negotiated settlements and facilitate resettlement on voluntary basis (i.e. acquire land through voluntary sale at market price) or consider different locations.	Expropriation beneficiaries are legally required to seek to achieve negotiated settlements. The Law makes a reference to a purchase agreement as a way to avoid expropriation.  Before submitting the proposal for expropriation, expropriation beneficiary shall through public notice invite owners of real estate in order to obtain a consensual property, and with interested property owner expropriation beneficiary is obliged to try to amicably resolve the acquisition of rights of ownership of a particular property.	Maximum efforts will be made to sign negotiated settlements with PAPs in order to avoid expropriation, and such efforts shall be documented, as defined under the "Key Principles" chapter of this document.
Resettlement planning and implementation	The promoter is required to carry out a census and a socio-economic baseline survey to establish the number of people to be displaced, livelihoods affected, and property to be compensated. The surveys should take into account persons affected through anticipated cumulative impacts of the resettlement.  The census should include an inventory of losses (assets, access to resources or services, etc.), a detailed measurement survey and valuation of lost assets, and it covers the total affected population. The socioeconomic baseline survey can be derived from a sample survey and is critical in identifying the current socio-economic, cultural and political profile of the affected persons; their levels of overall resilience or vulnerability; and ensuing degrees and sorts of impacts.	The Law has no explicit requirements related to socio-economic surveys or development of resettlement plans.  However, with a view of facilitating expropriation in an early phase, the Law requires development of an expropriation study which includes a geodetic and cadastral plan of the area identified for expropriation, list of affected owners and properties, evaluation of the property value, and other related information.  The scope of the expropriation study is not, however, identical to the socio-economic baseline assessment as required by EIB ESS.	A socio-economic survey and inventory/census were carried out for this section, as described in this RAP in <b>Chapter Error! Reference source not found..</b>  According to ESS 6 and the Land Acquisition and Resettlement Framework adopted by JPAC, land acquisition plans in compliance with ESS 6 will be developed for each section of the Project that requires the expropriation of land, physical displacement of population, or loss of income due to changes in land use or access to resources.

Issue	EIB requirement	Gap between EIB requirement and local legislation	Measures to bridge the gap
	ESS 6 also requires preparation and implementation of detailed Resettlement Action Plan (RAP) for all operations that entail involuntary resettlement unless otherwise specified		
Cut-off date	Cut-off date is set primarily to determine the affected population and their eligibility needs. EIB ESS requires that the Promoter establish a cut-off date for eligibility and that the cut-off date is communicated throughout the project area.	No gap	<p>The cut-off date for the establishment of eligibility for this section is the date when the Municipality of Žepče notified PAP that JPAC submitted the Expropriation Proposal.</p> <p>For structures built without permits or not registered in the land registry, the cut-off date will be the date of the Socio-Economic Survey. The cut-off date will also be disclosed at consultation meetings.</p>

Issue	EIB requirement	Gap between EIB requirement and local legislation	Measures to bridge the gap			
Compensation for displaced persons	The main requirement of ESS 6 is that all displaced persons receive compensation for loss of assets at full replacement cost and other assistance in order to restore, and potentially improve, their standards of living and/or livelihoods to pre-displacement levels.	There are no differences between ESS 6 and <i>the Law on Expropriation</i> with respect to the principle of determining the type of compensation, given that the Law favors allocation of a replacement property of equal value, and if the beneficiary of expropriation does not have appropriate property, it will offer cash compensation at market value of the property.	Compensation will be provided in line with EIB ESS, as defined under the “Key Principles” chapter. Specific entitlements are listed in the Entitlements Matrix.			
	Project affected persons in terms of ESS 6 may be classified as persons:	However, there are two major differences between ESS 6 and <i>the Law on Expropriation</i> .	No gaps identified in the process. No informal users as defined by category (iii) (i.e. those who have no recognizable legal right or claim to the land they occupy) were affected by the Project.			
	<table><tr><td></td><td>Categories of project affected persons</td><td>Rights</td></tr></table>		Categories of project affected persons	Rights	The <u>first</u> difference is the category of persons who are entitled to compensation. The Law refers to formal owners of property with the exception of “informally built houses for which the responsible authority did not issue a final decision on removal, and which are the only housing unit of their owners and members of their closest family” where owners of informally built structure are entitled to compensation at the construction value of such structures. The requirement is that the object is recorded in the official 2017 official aerial survey of FBiH and that the responsible authority did not issue a decision on its removal.	In addition, PAPs in Municipality Zepce were exempted from paying on real estate transactions when buying a new real estate (land plot, house, etc.). According to Article 6 of the Law on Taxes on Real Estate Transactions of Zenica-Doboj Canton ( <i>Official Gazette of Zenica-Doboj Canton, No. 6/09</i> ) people affected by land acquisition are exempted from paying taxes during the transactions of real estate.
		Categories of project affected persons	Rights			
	<table><tr><td>i)</td><td>Those who have formal legal rights to the land (including customary and traditional rights recognised under national laws)</td><td>Right to compensation for loss of assets at replacement cost</td></tr></table>	i)	Those who have formal legal rights to the land (including customary and traditional rights recognised under national laws)	Right to compensation for loss of assets at replacement cost		
i)	Those who have formal legal rights to the land (including customary and traditional rights recognised under national laws)	Right to compensation for loss of assets at replacement cost				
<table><tr><td>ii)</td><td>Those who do not have formal legal rights to land at the time of the census, but who have a claim to land that is recognised or recognisable under national laws (long time diligent owners and formal possessors and owners ex lege)</td><td>Right to compensation for loss of assets at replacement cost</td></tr></table>	ii)	Those who do not have formal legal rights to land at the time of the census, but who have a claim to land that is recognised or recognisable under national laws (long time diligent owners and formal possessors and owners ex lege)	Right to compensation for loss of assets at replacement cost			
ii)	Those who do not have formal legal rights to land at the time of the census, but who have a claim to land that is recognised or recognisable under national laws (long time diligent owners and formal possessors and owners ex lege)	Right to compensation for loss of assets at replacement cost				
<table><tr><td>iii)</td><td>Those who have no recognisable legal right or claim to the land they occupy (persons without recognised legal right – owners of informally built structures, land usurpers, etc.)</td><td>Physically displaced persons from this category must be offered a choice of options for adequate housing with security of tenure</td></tr></table>	iii)	Those who have no recognisable legal right or claim to the land they occupy (persons without recognised legal right – owners of informally built structures, land usurpers, etc.)	Physically displaced persons from this category must be offered a choice of options for adequate housing with security of tenure			
iii)	Those who have no recognisable legal right or claim to the land they occupy (persons without recognised legal right – owners of informally built structures, land usurpers, etc.)	Physically displaced persons from this category must be offered a choice of options for adequate housing with security of tenure				
<table><tr><td>iv)</td><td>Economically displaced persons who face loss of assets or access to assets</td><td>economically displaced persons must be compensated for any losses on land (crops, infrastructure on the land, etc.)</td></tr></table>	iv)	Economically displaced persons who face loss of assets or access to assets	economically displaced persons must be compensated for any losses on land (crops, infrastructure on the land, etc.)			
iv)	Economically displaced persons who face loss of assets or access to assets	economically displaced persons must be compensated for any losses on land (crops, infrastructure on the land, etc.)				

Issue	EIB requirement	Gap between EIB requirement and local legislation	Measures to bridge the gap
Economic displacement	<p>ESS 6 defines economic displacement as a temporary or permanent loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition or restriction of access to natural resources.</p> <p>The Client is required:</p> <ul style="list-style-type: none"> <li>• To compensate displaced persons for loss of assets or access to assets;</li> <li>• To compensate, in cases where land acquisition affects commercial structures, the affected business owner for: (i) the cost of re-establishing commercial activities elsewhere; (ii) lost net income during the period of transition; and (iii) the costs of the transfer and reinstallation of the plant, machinery or other equipment;</li> <li>• To provide replacement property of equal or greater value, or cash compensation at full replacement cost to persons from the category "i" and "ii";</li> <li>• To compensate category "iii" persons for lost assets (such as crops, irrigation infrastructure and other improvements made to the land) other than land, at full replacement cost;</li> <li>• To provide additional targeted assistance and opportunities for economically displaced persons;</li> <li>• To provide transitional support to economically displaced persons, as necessary.</li> </ul>	<p>The Law foresees two measures:</p> <ul style="list-style-type: none"> <li>• an increase in compensation based on "personal and family circumstances" (if such circumstances are essential for the owner's livelihood) and</li> <li>• compensation for "loss of profit".</li> </ul> <p>However, such additional compensation is provided only to formal property owners.</p>	Same as above.
Vulnerable groups	EIB ESS 6 requires that particular attention must be paid to vulnerable groups and individuals.	<p>There are no specific provisions in <i>the Law on Expropriation</i> which require consultations with and providing assistance to vulnerable groups in the expropriation process, while EIB ESS 6 requires that particular attention must be paid to vulnerable groups and individuals.</p> <p>In practice, socially disadvantaged persons are identified in the phase of the public call. Impacts on this population are to a certain extent mitigated through social welfare measures implemented by responsible municipalities and social welfare</p>	Appropriate measures will be applied in line with the requirements of <a href="#">section 0</a> of this RAP

Issue	EIB requirement	Gap between EIB requirement and local legislation	Measures to bridge the gap
		centres, as well as by applying specific remedies regulated by the <i>Law on Expropriation</i> in form of an increased compensation for expropriated properties to formal owners, and in each specific case taking into account the social status, financial situation, unemployment, income level, etc.	
Grievance mechanism	A project-specific grievance mechanism must be established.	While the <i>Law on Expropriation</i> does envisage the right of affected population (those with formal legal rights) to file complaints in various phases of the expropriation procedure, there is no requirement for establishment of an independent grievance mechanism to process complaints related to specific projects.	A grievance mechanism in line with ESS will be established as described under the "Grievance Mechanism" chapter of this RAP.
Participation/ consultations	EIB requires appropriate disclosure of information and involvement of all affected population from the earliest phase and during resettlement activities in order to facilitate their early and informed participation in the decision-making processes in relation to resettlement.	Several Articles of the <i>Law on Expropriation</i> stipulate notifying of/consultation with property owners and stakeholders.	Disclosure of information and consultations will be carried out in line with the requirements of this RAP, as set out in chapter 8.

### 3. LAND ACQUISITION PROCESS AND TIMELINE

This chapter provides information about all land acquisition, procurement and permitting activities for the Project in the period from 2017 to 2023.

#### 3.1. Responsibility for Land Acquisition Activities

Land acquisition activities were initiated by PC Motorways (or “JPAC”) as the expropriation beneficiary. These activities were carried out by JPAC’s Department of Legal and Property Affairs in Sarajevo.

The municipality of Žepče is the expropriation authority for the affected land plots.

#### 3.2. Activities in 2017-2020

The LARF for Corridor Vc was developed in 2017 in line with EBRD requirements. Preparatory activities for initiating the expropriation process on the Section Ozimica - Poprikuše were undertaken by the Company (JPAC) in 2019 when IPSA Institute prepared the project documentation for the modification of the final part of the Ozimica - Poprikuše section, approx. 1.1 km long, and the **Expropriation and parcelization Study**<sup>18</sup> from the end point of the Ozimica - Poprikuše section, approx. 6 km in length to the north (half the length of the section).

Based on the Expropriation Study, the FBiH Government issued the **Decision on Public Interest**<sup>19</sup> for the Project in September 2019, as this was the pre-condition to start the process of expropriation in the following two years (which represents the validity period of the Decision).

#### *Land acquisition process*

In November 2019, as required by the Law on Expropriation, the Company **attempted to conclude negotiated settlements** with PAP for transfer of ownership on affected land plots and assets prior to official beginning of the land acquisition process. A public notice was published in the daily newspapers “Dnevni avaz” and “Dnevni list”, as well as on the website of PC Motorways<sup>20</sup>, to invite PAP and facilitate such settlements. It was specified that the notice was applicable to properties for which data enlisted in the land books and data enlisted in the cadastral office are harmonised – as that is the legal condition defined by the mentioned Law. In general, this legal instrument is rarely used in practice as this legal condition is rarely met (data are not harmonised). Even though the public notice was published, no settlements were ultimately reached based on the public notice.

The Company, as the expropriation beneficiary, started the expropriation process by **submitting proposals for expropriation to the municipality** of Žepče as the expropriation

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<sup>18</sup> The Study was developed by the company IPSA Institute Sarajevo for the municipality of Žepče in September 2019.

<sup>19</sup> Decision on Declaration of Public Interest for the Construction of the Motorway on the Corridor Vc for the Section Ozimica – Poprikuše and Medakovo - Ozimica, adopted by FBiH Government on September 26, 2019, and published in Official Gazette of FBiH, No. 72/19 on October 2, 2019.

<sup>20</sup> <https://www.jpautoceste.ba/objavljen-javni-oglas-radi-sporazumnog-pribavljanja-nekretnina-za-izgradnju-dionicemedakovo-ozimica-poddionica-ozimica-poprikuse-na-koridoru-vc/>

authority on November 18, 2019. The proposals contained data for affected properties, the owners/users of such property and the purpose for which expropriation was proposed.

In November 2019, the **municipality of Žepče appointed Land Acquisition Committee**<sup>21</sup>.

The appointment of Land Acquisition Committees was followed by the **appointment of independent official court experts** for the assessment of affected properties in all cadastral municipalities<sup>22</sup>.

The **municipality notified the PAP individually about the submitted proposals** for expropriation. The **cut-off date** for the establishment of eligibility was the date when the PAP were individually notified (as defined by the Law on Expropriation).

Municipality of Žepče organised and held separate **individual hearings with PAP** to discuss ownership status and compensation for affected properties through agreements. The hearings with PAPs were held on-site, i.e. at the affected properties, in the presence of officials from the municipality and the Company. Each hearing was documented in writing. PAPs were informed of their right to appeal against the Decisions on Expropriation to the Federal Administration for Geodesy and Legal Property Affairs.

Independent court experts for valuation of property (agricultural experts and construction experts) conducted valuation of the existing state of land plots and assets on land in line with the provisions of the Law on Expropriation, the Company's guidelines regarding the EIB ESS and the LARF.

From the end point of the Poprikuša - Ozimica section, approx. 6 km in length to the north, a document named **Resettlement Action Plan for subsection Ozimica - Poprikuše, Part 1 was developed in November 2020**. It was approved by creditors and published on the website of JP Autoceste FBiH<sup>23</sup>.

During 2020, land acquisition process for RAP Part 1 was completed at approx. 50%.

### 3.3. Activities in 2021-2022

Land expropriation activities on RAP Part 1 continued in 2021 in all cadastral municipalities where all residential buildings located in the expropriation zone were expropriated (a total of 26 residential buildings).

After the initiation of the expropriation process, JPAC tried three times unsuccessfully to complete the procurement of the Main Design. Finally, from the fourth attempt, it succeeded and **on October 5, 2021 the contract for the main design of the Ozimica - Poprikuše section was signed with the Consortium; TRASA d.o.o. Sarajevo, SARAJ INŽENJERING d.o.o. Sarajevo, Institut za građevinarstvo IG d.o.o. Banja Luka, ROUTING d.o.o. Banja Luka (Designers)**.

<sup>21</sup> Committees represent a temporary working bodies, the establishment of which is not foreseen by legal acts, established by the decisions of municipal mayors. Committees are formed with the aim of more efficient coordination and implementation of the expropriation procedure in every municipality. Committee members are appointed from among the employees of each municipality and does not include representatives of PAP.

<sup>22</sup> Decision on the appointment of agricultural expert No. 03-31-2-1723/19 from November 20, 2019 and Decision on the appointment of construction expert No. 03-31-2-1723/19-2 from November 20, 2019

<sup>23</sup> <https://www.jpautoceste.ba/wp-content/uploads/2021/05/Resettlement-Action-Plan-RAP-subsection-Ozimice-Popriku%C5%A1e-Part1-2020.pdf>

Since the property can be expropriated only after a valid decision on the established public interest, it was necessary to renew the expired Decision. Therefore, in July 2022, the Government of FBiH announced a renewed Decision to determine the public interest in the construction of the Ozimica - Poprikuše section.

By the end of 2022, the process of land acquisition was completed up to 94.29% for all private land plots located along the part of subsection Ozimica – Poprikuše (RAP Part 1 subsection Ozimica – Poprikuše). The remaining percentage of 5% refers to a small number of land plots for which court proceedings are still pending to determine compensation (1 case/file) and eight (8 cases/files) are returned for retrial after the APs appeal.

Throughout the process, affected owners were informed of their right to appeal, as defined by the Law on Expropriation and the LARF, including administrative and judicial appeals against the decision on public interest, the decision on expropriation and regarding compensation. No additional consultations were held with PAP and local communities.

Regarding the established grievance mechanism, no grievances have been received.

### 3.4. Activities in 2023

In the beginning of 2023, **Main Design was developed** by Consortium; TRASA d.o.o. Sarajevo, SARAJ INŽENJERING d.o.o. Sarajevo, Institut za građevinarstvo IG d.o.o. Banja Luka, ROUTING d.o.o. Banja Luka and submitted to JPAC on January 15, 2023. The delivery of the main design was followed by the **delivery of the Expropriation study including parcelling** from Design book K 1010. Based on the submitted Expropriation Study, JPAC continued activities on real estate expropriation as well as the preparation of RAP Part 2.

Key steps undertaken to date during the expropriation process on RAP Part 2 Ozimica – Poprikuše subsection are chronologically described below.

*Table 2: Key steps undertaken to date during the expropriation process on RAP Part 2 Ozimica – Poprikuše subsection*

Preparation of expropriation study	The expropriation study at the municipality of Žepče territory (c.m. Goliješnica, c.m. Donje Ravne, c.m. Ozimica, c.m. Tatarbudžak, c.m. Žepče-Van, c.m. Papratnica, c.m. Želeče and c.m. Željezno Polje) was developed for the section Ozimica - Poprikuše <b>in September 2022 by Consortium: TRASA d.o.o. Sarajevo, SARAJ INŽENJERING d.o.o. Sarajevo, Institut za građevinarstvo IG d.o.o. Banja Luka, ROUTING d.o.o. Banja Luka.</b>
Declaration of public interest	As property can only be expropriated upon the establishment of public interest, the construction of the section Ozimica - Poprikuše was <b>declared to be of public interest in July 2022</b> by the Government of FBiH <sup>24</sup> . This announcement on established public interest is a renewal of the one from 2019.
Negotiated settlements	JPAC attempted to conclude negotiated settlements whenever possible in cases initiated to date. JPAC invited all the identified PAP for reaching an agreement on the amicable transfer of ownership rights on the basis of the <i>Law on Expropriation</i> , by <b>publicising announcements in the daily media on January 19, 2023.</b> However, a prerequisite for concluding such settlements at an early stage of the process is that data enlisted in the land books and data enlisted in the cadastral office must be harmonized, which was not possible in the majority of cases, due to the fact that the land

<sup>24</sup>Decision on Declaration of Public Interest for the Construction of the Motorway on the Corridor Vc for the Section Ozimica – Poprikuše and Medakovo - Ozimica, adopted by FBiH Government on July 21, 2022, and published in Official Gazette of FBiH, No. 59/22 on July 27, 2022.



	books are out-dated. Land title issues will be resolved in the course of the formal procedure, as required by the Law.
Proposal for expropriation	The expropriation process initiated by JPAC by submitting a proposal for expropriation to the Municipality of Žepče as the expropriation authority. The <b>proposal was submitted on February 7, 2023</b> . The proposal contained data on property for which expropriation was proposed, the owners of such property and the purpose for which expropriation was proposed.
Appointment of the Land Acquisition Committee	A Land Acquisition Committee was appointed by the Municipality of Žepče on November 19, 2019 by a formal decision <sup>25</sup> . Four persons have been appointed to Committee, two of them appointed as process managers due to the large number of land plots to be acquired. The same Committee continues to lead the expropriation procedure on the section after submitting the proposal for expropriation in 2023
Appointment of the Court experts	Court experts were appointed by the Municipality of Žepče on November 20, 2019 by a formal decision on the appointment <sup>26</sup> . No new decision was made.
Notification of PAP	The Municipality of Žepče notified the PAP of the submitted proposals for expropriation. The cut-off date for the establishment of eligibility was the date when the PAP were notified (as defined by the <i>Law on Expropriation</i> ).
Decision on Expropriation and individual hearings with PAP	The Municipality of Žepče has the obligation to convene and hold individual hearings with PAP to determine the status of ownership and the compensation for the property through agreements. The hearings should be held on the site, i.e. at the location of the affected properties, in the presence of the representatives of JPAC. Written records of each hearing will be prepared.  Until March 31, 2023, the municipality did not pass a single decision on expropriation, nor was a single agreement concluded, because the Committee focused its activities on the completion of the remaining cases on the Medakovo - Ozimica section.  Municipality of Žepče will begin on-site investigations in April 2023.  It is the legal obligation of the competent municipality to notify the PAPs of the right to appeal against the Expropriation Decision to the Federal Administration for Geodetic and Property Legal Affairs.
Valuation of property	Independent court experts for valuation of property (agricultural experts and construction experts) should soon begin the valuation of the existing state of land plots and assets on land in line with the provisions of the Law on Expropriation.

JPAC submitted a request to the Federal Ministry of Physical Planning to obtain the **Urban Consent** for this section Ozimica - Poprikuse. Obtaining the **Urban Consent** is expected by the middle of May 2023, after which the application for **Construction Permit** is expected.

The **tender procedure for the selection of contractor** who will perform construction works for this section is expected in April 2023, after the publication of RAP Part 2 for the Ozimica - Poprikuše section.

<sup>25</sup> Decision on the appointment of Land Acquisition Committee No.01/1-05-1080/19 from November 19, 2020

<sup>26</sup> Decision on the appointment of agricultural expert No. 03-31-2-1723/19 from November 20, 2019 and Decision on the appointment of construction expert No. 03-31-2-1723/19-2 from November 20, 2019

### 3.5. Progress in Land Acquisition Activities on Part 1 subsection Ozimica - Poprikuše

By 28<sup>th</sup> February 2023 the land acquisition has been completed at 94.29% for all private land plots located along the part of section Ozimica – Poprikuše (RAP Part 1 subsection Ozimica – Poprikuše).

Table 3 shows the progress in completion of land acquisition on the subsection.

Table 3: Progress in completion of land acquisition on the Part 1 subsection Ozimica - Poprikuše

Road section	Total expropriation area of private land (m <sup>2</sup> )	Completion of land acquisition (%)	Total number of PAP	Total No of Plots	Total number of cases /files	No. of signed compensation agreements	No. of issued decisions on expropriation	No. of initiated disputes
Ozimica - Poprikuše	158,072	94.29%	364	234	143	134	134	9

Table 4 shows the individual progress in completion of land acquisition within each cadastral municipality.

Table 4: Progress in completion of land acquisition within each cadastral municipality on the Part 1 subsection Ozimica - Poprikuše

	Žepče-van	Papratnica	Željezno polje	Želeće	Total
Total expropriation area of private land (m <sup>2</sup> )	43,652	21,641	13,099	79,680	<b>158,072</b>
Number of cases/files	47	32	4	60	<b>143</b>
Completion of land acquisition (%)	98.71%	76%	100 %	95,89%	<b>94,29%</b>
No. of signed compensation agreements	46	28	4	56	<b>134</b>
No. of issued decisions on expropriation	46	28	4	57	<b>135</b>
No. of initiated disputes (decision on expropriation)	1	4	0	3	<b>8</b>
Court cases (disput about compensation)	0	0	0	1	<b>1</b>

## 4. AFFECTED ASSETS, AFFECTED PEOPLE AND ENTITLEMANTS

### 4.1. Methodology of field investigation

#### 4.1.1. Approach

According to the Law on Expropriation, JPAC as expropriation beneficiary is legally required to attempt to conclude negotiated settlements whenever possible. JPAC invited all the identified PAPs for reaching an agreement on the amicable transfer of ownership rights based on the Law on Expropriation, by publicising announcements in two main newspapers in FBiH (*“Dnevni Avaz”* and *“Dnevni list”*). That is general invitation to all owners of affected area with designated section, municipality, cadastral municipality but without detailed information about PAPs. Affected people and all others can (if they know number or registered owner of the parcel) receive information whether their assets are affected and obtain relevant and available information on project other details and conclude agreement if all the necessary conditions are met.

However, a prerequisite for concluding such settlements at an early stage of the process is that data enlisted in the land register and data enlisted in the cadastral office must be harmonized, which was not possible in the majority of cases, due to the fact that the land register is out-dated. Even though a public announcement to invite owners to conclude negotiated settlements was published in daily newspapers and on the JPAC website, none of the affected PAPs came forward with a request to conclude a negotiated settlement. In general, this instrument is rarely used in practice and has not been used in this subsection especially because the land registers have not been updated and it is not possible to do the same.

**The Announcement of public notice, which was published on January 19, 2023**, in two main newspapers in FBiH and on website of PC Motorways<sup>27</sup> is a general cut-off date for the establishment of eligibility of PAPs to compensation. That was also the date when the PAPs were publicly notified and this Announcement was used to ensure people are well informed about land expropriation and commencement of collection data for socio-economic survey of affected people.

#### 4.1.2. Overview

JPAC is the expropriation beneficiary, and land acquisition activities are carried out by JPAC's Department of Legal and Property Affairs in Sarajevo. The **proposal for land expropriation for subsection Ozimica – Poprikuše, Part 2 was submitted on February 7, 2023**. Municipality of Žepče which is the expropriation authority for all the affected land plots. Municipality issued a Decision on the appointment of the Commission for the implementation of the expropriation procedure on the subsection Ozimica - Poprikuše in December 2019. The same Commission continues the expropriation procedure on this part of section. 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 for the costs of their investments in land or buildings

<sup>27</sup> [https://www.jpautoceste.ba/objavljen-javni-oglas-radi-sporazumnog-pribavljanja-nekretnina-za-izvodjenje-pripremnih-radova-u-svrhu-izgradnje-autoceste-na-koridoru-vc-dionica-ozimice-poprikuse/#pll\\_switcher](https://www.jpautoceste.ba/objavljen-javni-oglas-radi-sporazumnog-pribavljanja-nekretnina-za-izvodjenje-pripremnih-radova-u-svrhu-izgradnje-autoceste-na-koridoru-vc-dionica-ozimice-poprikuse/#pll_switcher)

made after the cut-off date, the date they received notification that the expropriation procedure had commenced (except the costs of regular maintenance). That individual notification of owners is the cut-off date for the establishment of eligibility to compensation as defined by the Law on Expropriation because without evidence of notification they can always argue that they were not informed.

Municipality of Žepče had an obligation to carry out the procedure of land acquisition according to the Law of land acquisition in the Federation of Bosnia and Herzegovina in cadastral municipalities (c.m.) of Goliješnica, c.m. Donje Ravne, c.m. Ozimica, c.m. Tatarbudžak, c.m. Žepče-Van, c.m. Papratnica, c.m. Želeče and c.m. Željezno Polje. The potentially affected population and land plots were identified based on the Expropriation study including parcelling from Design book K 1010 from September 2022 made by Consortium: TRASA d.o.o. Sarajevo, SARAJ INŽENJERING d.o.o. Sarajevo, Institut za građevinarstvo IG d.o.o. Banja Luka, ROUTING d.o.o. Banja Luka („Expropriation study“) which contains register of affected land plots and owners and cadastral maps for the whole subsection with sketch of the affected plot with relevant GPS coordinates of spots where the motorway intersects an existing land plot.

The field investigations for the second part of subsection have started in March 2023. in the cadastral municipality of Želeča with one member of Department of Study Documentation, Social and Environmental Policy involved and have included two components:

- An initial physical census, intended at inventorying affected properties in the Project footprint;
- A socio-economic survey, to characterise the affected population from a social and economic perspective, with focus on livelihoods.

#### **4.1.3. Census/Inventory Socio-Economic Survey**

The Census/Inventory of all Project-Affected Persons (PAPs) was developed in order to gather and analyse data and information required to identify all categories of impacts. The Census database contains data on the following:

- location and Cadastral Municipality,
- land plot number,
- type of land plot,
- identified type of impact,
- name of PAP,
- total area of land plot (m2) and possible orphan land
- structures (residential/commercial),
- other assets attached to affected land, such as auxiliary structures (garage, cattle barn, latrine, fences, or some minor improvements),
- information on economic/physical displacement.

The summarized version of the census database is available on request (database in the form of a separate Excel document). Confidential information about individual persons and properties will not be publicly disclosed by the Company, Municipality of Žepče and/or EIB.

#### 4.1.4. Socio-economic Survey

The Socio-economic Survey was conducted to solicit the opinions of the PAPs about the Project impacts and compensation payments as well as to obtain specific data on current livelihoods and living conditions of PAPs, including the identification of vulnerable categories of PAPs. The main task of Socio-economic Survey was to include all housing facilities or households that will be relocated and we survey them because they are most affected by the project. Some landowners live abroad and we could not interview them on the spot, so surveys with them were done by phone.

The survey was conducted in March 2023 by a member of Department of Study Documentation, Social and Environmental Policy on the basis of Survey questionnaires prepared by land acquisition and social experts. The residents of the Project area were notified about the Survey 7 days in advance through the representatives of the municipality, notices on the bulletin board ( [APPENDIX 3 - NOTIFICATION ON SOCIO-ECONOMIC SURVEY](#)) of local communities and other important locations, through representatives of local communities as well as through the representatives of local communities affected by expropriation. Subsequently, a survey was conducted for the others who were not present at the time of the first survey.

One member of the Department of Study Documentation, Social and Environmental Policy visited the identified properties. Interviews were carried out with affected owners/users living on affected land plots or present at the time of the Survey. Land plots with no structures or no one present were recorded by the surveyors in the Census database.

A sample questionnaire for conducting a socio-economic survey is provided in [APPENDIX 1 - SOCIO-ECONOMIC SURVEY QUESTIONNAIRE](#) where different research for landowners, household and business are conducted. For the purposes of the Socio-economic Survey, three type of questionnaire were used as follows:

- Questionnaire for landowners (i.e. owners/users of land plots without residential structures),
- Questionnaire for houses (i.e. people living in or using<sup>28</sup> residential structures affected by the Project) and;
- Questionnaire for businesses (i.e. businesses located on the land plot affected by the Project)

In addition, any land plots with no owner or user present were recorded by the surveyors in the Census database with the following data: (i) location, (ii) number of cadastral plot; (iii) whole plot affected (yes/no); (iv) physical structures; (v) natural structures / crop; (vi) information obtained from neighbours, if any.

The socio-economic survey involved gathering information from the household heads on the following topics:

- Ethnicity
- Educational status;

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<sup>28</sup> Users of residential structures - non-owners (e.g tenants) who live in the house instead of the owners. Sometimes for rental fee or could be free of charge as well.

- The date and circumstances of the household's settlement in the affected area (particularly in connection with potential displacement during the hostilities);
- Information on cash income, as well as on the main sources from which the household derives its livelihood;
- Ranking of main sources of household expenses;
- Information on the extent to which the household produces its own food;
- Information on potential hardship to which the household is exposed (period, reasons);
- Information on compensation preferences (land for land compensation as opposed to cash compensation), and
- Preferred resettlement location

In some cadastral municipalities we have harmonized land registers<sup>29</sup> and cadastral register<sup>30</sup>, which should make it easier for the municipal commissions to carry out the expropriation procedure. For the other cadastral municipalities main characteristic is out-dated land register so that only in a few cases also reflects the actual state of the property. The municipality of Žepče has a problem that part of the register was destroyed in the war, which further slows down the process. In our survey we can only investigate people who we find on the field claiming to be real owners of the land plots although their ancestors are probably registered real owners of the property. While the target area has a greater number of co-ownership of land, for the purpose of research we have taken one person, for one file/case because it is probably the person who is most affected by expropriation. During the research, the emphasis was placed on houses and households, so almost all homeowners were interviewed because they are most affected by the project<sup>31</sup>.

Data on the number of private land plot owners/files to be affected by the Project and data on the number of house and land plot owners interviewed during the Socio-economic Survey are shown in *Table 5* below. All PAPs are affected by permanent land acquisition, there are no PAPs affected by temporary land acquisition.

*Table 5: Total number of house and land plot owners interviewed:*

Location	Total no. of private ownership files	Total no. of private land plots	No. of interviewed house/land plot owners	No. of land plots owned/co-owned by interviewed owners
<b>Žepče</b>	231	415	38	72

<sup>29</sup> Land registers are public books (register) in which real estate, ownership and other real rights, some mandatory rights on real estate and certain other relations relevant to the legal transaction of real estate are entered. Land registers, extracts, i.e. prints and transcripts from the land register enjoy public trust and have the evidential force of public documents.

<sup>30</sup> The cadastre or cadastral register is the register of land and real estate of a country. It contains data on the position, shape and area of cadastral parcels, as well as buildings and other structures, which are subject to registration in accordance with special regulations. In addition to the position, shape and surface, cadastral records usually contain data on: the address of the cadastral plot, the manner of use and the area of land use on the cadastral plot and its parts and data on special legal regimes established on the cadastral plot. The cadastre is the basis for registering ownership rights and other real rights in the land register.

<sup>31</sup> In the research, we were unable to survey 3 uninhabited residential buildings at the time of the survey, two of which are old, neglected and not suitable for living.

## 4.2. Result of census and Socio-economic Survey

### 4.2.1. Overview

There are **503 land plots** in an affected area, part of them in state ownership (88 land plots), and part of them in the private ownership (415 land plots). Land plots are divided into total of 250 files of which **231 private ownership files** and **19 state ownership files** located into cadastral municipality (c.m.) of Goliješnica, c.m. Donje Ravne, c.m. Ozimica, c.m. Tatarbudžak, c.m. Žepče Van, c.m. Papratnica, c.m. Želeče and c.m. Željezno polje in Municipality of Žepče<sup>32</sup>.

Table 6: Number of Affected Land plots in municipality Žepče

Cadastral municipality	Total Number of land plots	Total Number of files	State owned land plots	State owned files	Privately owned land plots	Private owned files
Goliješnica	20	9	1	1	19	8
Donje Ravne	20	14	1	1	19	13
Ozimica	99	45	4	1	95	44
Tatarbudžak	65	32	11	3	54	29
Žepče Van	138	69	38	5	100	64
Papratnica	49	26	16	2	33	24
Željezno polje	100	50	17	6	83	44
Želeče	12	5	0	0	12	5
<b>Total</b>	<b>503</b>	<b>250</b>	<b>88</b>	<b>19</b>	<b>415</b>	<b>231</b>

Results of Socio-economic Survey of owners/users of land (without houses) subject to acquisition showed that total number of affected PAPs who do not live on the affected land plots is 214. The survey covered only the PAPs met in person during field survey claiming to be the owners of the land plots.

In the projected area, in total there are **17 affected residential structures (houses)**. Three (3) of them are in cadastral municipality of Goliješnica, one (1) of them in cadastral municipality of Tatarbudžak, five (5) in cadastral municipality Žepče Van, three (3) of them in cadastral municipality of Ozimica, two (2) in cadastral municipality Donje Ravne and three (3) of them in cadastral municipality of Želeče, all belonging to the Municipality of Žepče. They are divided into 17 private ownership files.

<sup>32</sup> The Municipality of Žepče has specifically regulated land registers, the only ones of its kind in Bosnia and Herzegovina, and therefore changes in the number of cases and parcels are possible and very probable after the decisions on expropriation are made. Namely, in this municipality, in one cadastral parcel from the expropriation study, there are several owners with precisely defined parts of the plot that are not co-owners.



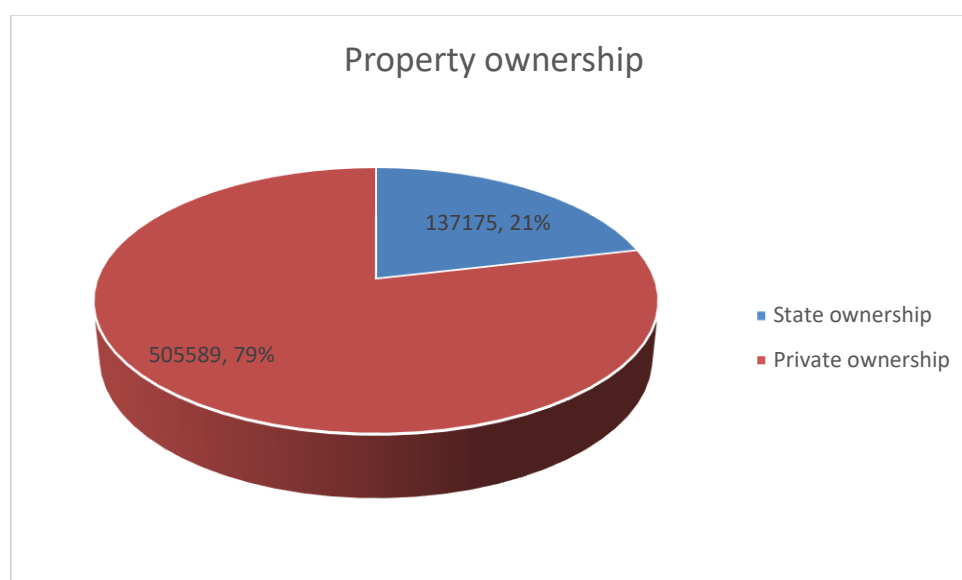
Among these 17 houses, there are 6 residential houses<sup>33</sup>, attached to the land parcels partially affected by the project. More specifically, the residential houses are located outside of the expropriation line/zone and only a portion of these land parcels is to be expropriated. These 6 houses are not directly affected by the project but are located very close to the expropriation line.

During the surveys the the 5 owners (5 out of 6 owners were present during filed survey) were communicated and explained on right to apply for expropriation of the houses and entire land parcel under the the Art. 11 of the Law on Expropriation. Interested owner is eligible to request expropriation of the house as well by filing a request to relevant authority. Then construction experts as well as the Commission of the competent municipality will give their conclusion on full expropriation of house and entire land parcel. The final decision will be made during the RAP implementation.

The results of Socio-economic Survey of affected households subject to physical resettlement is provided in [Chapter 4.2.3 Results of Socio-economic Survey for Households to Be Resettled](#).

Subsection Ozimica – Poprikuše, Part 2 mostly goes through private ownership land (79% or 505,589 m<sup>2</sup>) while state owned land covers 21% or 137,175 m<sup>2</sup>. And by cadastral municipalities it is divided as follows: in c.m. Goliješnica state owned land covers 3,73 %, in c.m. Donje Ravne state owned land covers 7,17 %, in c.m. Ozimica 0,80%, in c.m. Tatarbudžak 39,26 %, in c.m. Žepče Van 15,48%, in c.m. Papratnica 64,57%, in c.m. Želeče 83,43% of the affected area and in c.m. Željezno polje where there is a small scale of expropriation, there is no state owned land. On this section state land is classified by type mostly as forest, public road, access road, uncategorized road, barren land while private land is elaborated in the following chapters. In addition, according to the classification of state land, there are forests as well as agricultural land.

*Chart 1: Relationship between the state owned and privately owned land affected by expropriation.*



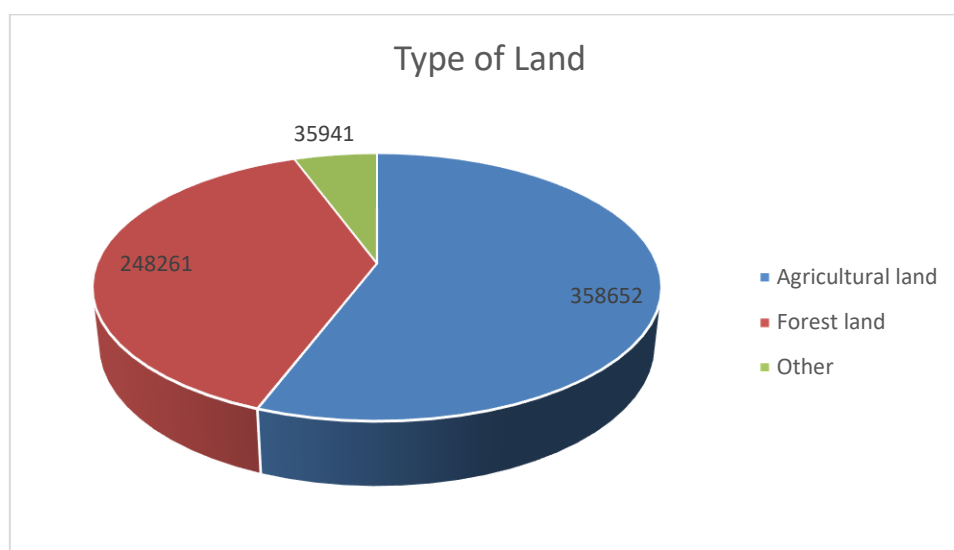
<sup>33</sup> Marked with No 5, 7, 8, 9, 10 and 11 in Appendix 4



**Agricultural production.** This affected area is traditionally agricultural, and majority of land plots are identified as agricultural land plots while some of interviewed people are producing food for their own needs. During the survey, no significant impact was defined to perennial crops, except a small number of perennial crops next to the houses that are to be expropriated in c.m. Goliješnica and c.m. Tatarbudžak. In all cadastral municipalities we have larger agricultural areas for sowing, but they don't rely exclusively on agriculture as a source of income, but it is a secondary source of income as stated in the survey. We did not register people for whom agricultural production is the main source of income. During the research we came across two households that have a registered family farm growing annual crops for small amount of cattle used for self consumption and secondary source of income.

The land affected by expropriation is mostly *agricultural land* (farm land, meadow and pasture) but especially in c.m. Goliješnica and c.m. Tatarbudžak there is some affected *forest land* that is mostly state owned. The uninhabited part of the section is covered with meadows and pastures and smaller forests. Other areas with slightly larger forest land are c.m. Ozimica and c.m. Želeča on the end of subsection. *Other land* represents river, public roads, uncategorised roads, auxiliary and residential buildings, courtyard etc. Type of land affected by expropriation in m<sup>2</sup> is in the [Chart 2](#) below.

Chart 1: Type of land affected by expropriation on subsection Ozimica – Poprikuše Part 2



As this section of the motorway passes through eight cadastral municipalities, the table below will also show the type of land affected by expropriation distributed by cadastral municipalities.

Table 7: Type of land affected by expropriation by Cadastral municipalities

Cadastral municipality	Agricultural land	Forest	Other
Goliješnica	34,150	12,476	1,691
Donje Ravne	18,269	1,412	0
Ozimica	146,585	119,665	3,908

Cadastral municipality	Agricultural land	Forest	Other
Tatarbudžak	57,218	56,137	4,116
Žepče Van	80,796	3,238	13,062
Papratnica	3,773	0	1,988
Želeče	13,929	55,113	11,176
Željezno polje	3,842	220	0
<b>Total</b>	<b>358,562</b>	<b>248,261</b>	<b>35,941</b>

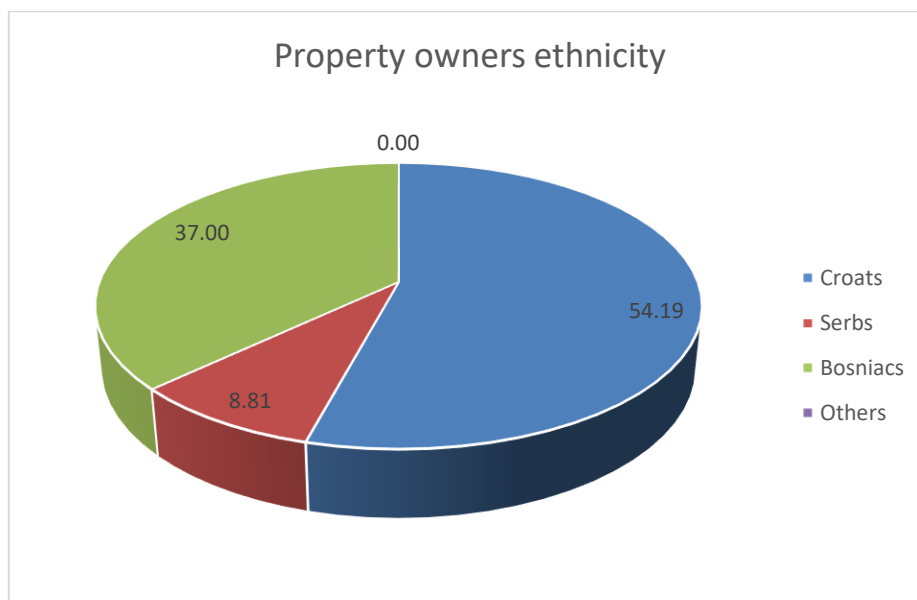
The Project will require the acquisition of structures (residential and auxiliary) and the physical relocation of households.

Land acquisition will be, as defined by national legislation, “complete expropriation”<sup>34</sup>.

#### 4.2.2. Summary Socio-Economic Profile of the Affected Population

**Ethnicity affected by expropriation.** Given that the question on nationality and/or ethnic background is a sensitive socio-political issue, the respondents were given the opportunity to respond to the question in an open-ended format. 54.19% of respondents declared themselves as Croats, 37% as Bosniaks and 8.81 % as Serbs.

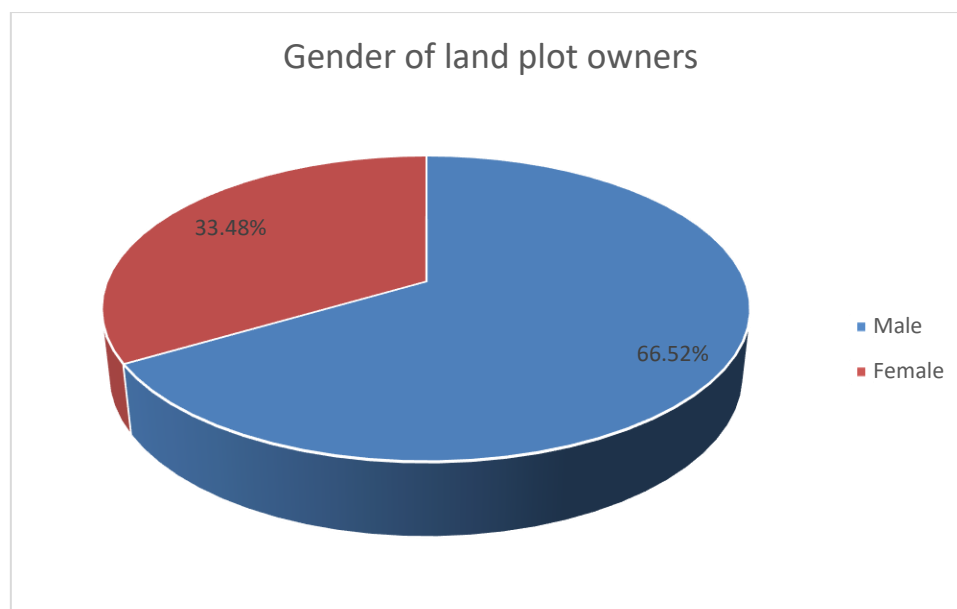
Chart 2: Ethnic structure of property owners



<sup>34</sup> According to the Law on Expropriation of FBiH, complete expropriation allows the expropriation beneficiary to obtain legal title over the expropriated property, while the rights of the previous owner over the real property cease to exist.

**Land plots owners Composition and Demography.** 66,52 % of land plots owners are male and 33,48 % are female. We have not encountered with the joint ownership of land between spouses as this form of ownership is rarely seen among this targeted population. Anyhow, this municipality (Žepče) is characterized by a large number of plots owned by women, which is not common in other municipalities where expropriation has taken place.

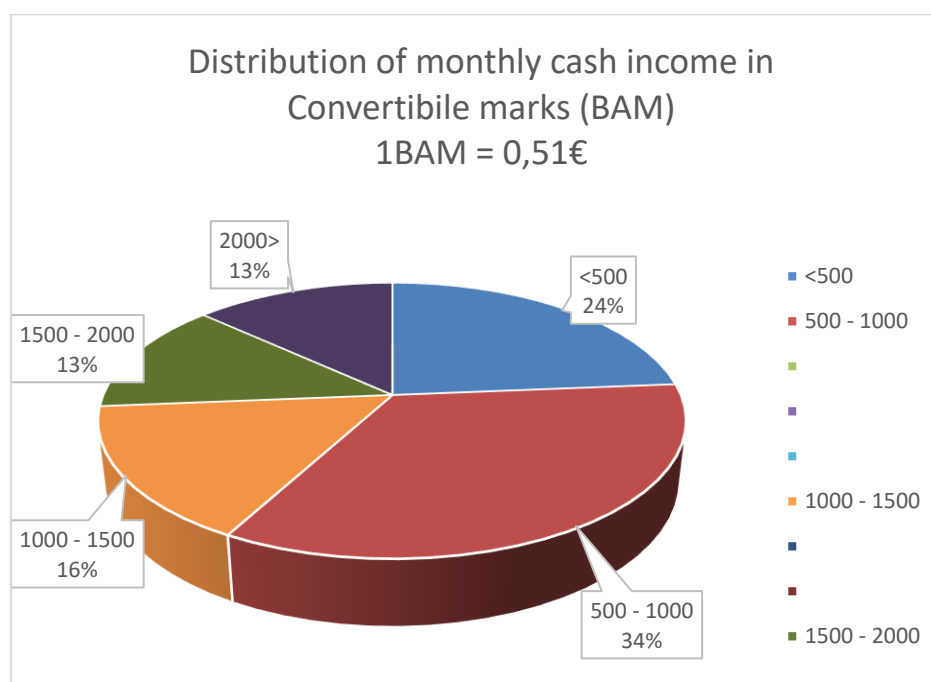
*Chart 3: Gender of land plots owners/co-owners*



**Household income.** 13,00% of households reported having monthly income higher than 2000 KM, 13% of households reported monthly income in the range from 1500 to 2000 KM<sup>35</sup>, 16% of households from 1000 to 1500 KM, 34% of households from 500 - 1000 and 24% of households have less than 500 KM.

<sup>35</sup> KM - Bosnia-Herzegovina Convertible Mark same as BAM

Chart 4: Distribution of monthly cash income in Convertible marks in surveyed households



**Primary source of income.** Majority of surveyed people reported salaries as the primary source of income. For 50% of households salary is the primary source of income and 13 % of them reported own agricultural production as a secondary source on top of salary. For 33% of households pension is the primary source of income. 7 % of surveyed reported own private business as the source of income, while government targeted aid is the main source of income for remaining 3 % of surveyed PAPs.

**AHs' Satisfaction with their economic situation.** 26% of respondents reported to be satisfied with their economic situation; 54% of respondents reported to be neither satisfied nor dissatisfied with economic situation, 14% of respondents reported to be dissatisfied with economic situation, and a minority of them, 6% reported to be highly dissatisfied with economic situation.

**Vulnerability.** 13 households (corresponding 13 files/cases) with one or more types of vulnerability were identified. The respondents were given the option to indicate vulnerability for all the members of the household. The most frequent type of vulnerability is elderly (12 household members). Physical disability was reported in one household. Unemployment is widespread in surveyed area particularly among younger people.

**Compensation preferences.** All surveyed people reported to prefer cash compensation.

#### 4.2.3 Results of Socio-economic Survey for Households to Be Resettled

The motorway construction project on the Ozimica - Poprikuše section includes 17 residential buildings. The number of residential buildings located in the expropriation zone is 11, while for 6 residential buildings, the real estate owners, in accordance with Art. 11 of the Law on Expropriation, they have the right to demand that houses be expropriated.

In total 3 houses are in poor condition and vacated by the owners (*marked with No 3, 4 and 12 in Appendix 4*). However, the owner of one (1) vacated house was interviewed during the survey. But the owners of two (2) vacated houses were not interviewed as they were not present during the field surveys. However, all 3 APs will receive full cash compensation for all affected assets but will not face need for physical resettlement as they have moved to another permanent place of residence years ago before the project.

Table 8: Summary table of affected house

Cadastral municipality	Total number of affected houses	Total number of affected houses in expropriation zone/line	Total number of affected houses in accordance with Art. 11	Total number of AH subject to physical resettlement	No physical resettlement - house in vacated, owner permanently lives in another place	No physical resettlement - house in vacated due to poor condition
Goliješnica	3	3	0	2	0	1
Tatarbudžak	1	1	0	0	0	1
Žepče Van	5	1	4	3	2	0
Ozimica	3	1	2	2	0	1
Donje Ravne	2	2	0	1	1	0
Papratnica	0	-	-	-	-	-
Želeče	3	3	0	3	-	-
Željezno polje	0	-	-	-	-	-
<b>TOTAL</b>	<b>17</b>	<b>11</b>	<b>6</b>	<b>11</b>	<b>3</b>	<b>3</b>

The socio-economic survey covered 14 households with total of 41 PAPs subject to physical resettlement. Below is provided more information of their characteristics and location according cadastral municipalities:

- 3 houses (c.m. Goliješnica) are affected with expropriation and 2 of them are going to be physically resettled. Third house is not inhabited as it is not suitable for living<sup>36</sup>;
- 1 house (c.m. Tatarbudžak) is affected with expropriation but no physical resettlement of AH is expected as the house it is not inhabited due to its poor condition not suitable for living<sup>37</sup>;
- 5 houses (c.m. Žepče – van) are identified (*marked with No 5 to 9 in Appendix 4*). Among them:

<sup>36</sup> For the third uninhabited house in c.m. Goliješnica, the property owner was not surveyed, but the property was inspected and photographed - marked with number 3 in Appendix 4.

<sup>37</sup> The property owner of uninhabited house in c.m. Tatarbudžak was surveyed and the property was inspected and photographed - marked with number 4 in Appendix 4.

- One (1) house is located in the expropriation zone. Owner was located and interviewed and permanent residents of this house will subject to physical resettlement as a result of complete expropriation
- the other four (4) houses are located near the expropriation zone. Property owners in accordance with Art. 11 of the Law on Expropriation<sup>38</sup> have the right to demand expropriation of these 4 houses. However, in the administrative expropriation procedure led by the competent municipality of Žepče, the validity of these requests will need to be established (if they are made). One house from these 4 was uninhabited at the time of the survey and correspondingly the owners were not located (*marked with No 7 in Appendix 4*) but other three were located and interviewed. The owner of one house confirmed that he lives abroad all the time and that he has another house where he lives<sup>39</sup>;
- 3 houses (c.m. Ozimica) are identified. Among them:
  - One uninhabited and unlivable house is located in the expropriation zone, and subsequently the owners of this house were not found (*marked with No 12 in Appendix 4*);
  - Two remaining houses whose owners were located and interviewed are located near the expropriation zone. Property owners in accordance with Art. 11 of the Law on Expropriation have the right to demand that the houses be expropriated, however, in the administrative expropriation procedure led by the competent municipality of Žepče, the validity of these requests will need to be established (if they are made<sup>40</sup>);
- 2 houses (c.m. Donje Ravne) are affected with expropriation and both AHs are going to be physically resettled (*marked with No 13 and 14 in Appendix 4*)
- 3 houses (c.m. Želeča) are affected with expropriation and are going to be physically resettled (*marked with No 15 to 17 in Appendix 4*)

All 17 households are located on their own project affected land plots of residential designation. No informally inhabited houses were identified.

A summary of the results of the survey is provided in below.

Household members	Total number of household members living in the 14 households surveyed = 41 Men to women ratio = 21:20 Ratio of male-headed to female-headed households = 11:3 Smallest household = 1 member Largest household = 6 members Eldest household member = 85 years old (male) Youngest = 1 years old (male)
Ethnicity	Bosniaks = 24 respondent Croats = 17 respondent <i>Given that the question on nationality and/or ethnic background is a sensitive socio-political issue, the respondents were given the opportunity to respond to the question in an open-ended format.</i>
Household income and	< BAM 500 of monthly income = 4 households BAM 500 to 1000 = 5 households

<sup>38</sup> Owners affected by a partial loss of their real properties are entitled to request complete expropriation and the corresponding compensation, in case that 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 (Art. 11) and must be informed of such right by the Municipal authority. The right to request expropriation of the complete property may be submitted until the issuance of the Decision on Expropriation in the first instance, as well as during the appeal procedure if the affected owner was not informed of such right.

<sup>39</sup> The property owner of house in c.m. Žepče – Van was surveyed and the property was inspected and photographed - marked with number 8 in Appendix 4.

<sup>40</sup> During the survey, the owner of a house for which it is possible to file a request for expropriation under Art. 11 of the Law on Expropriation, expressed his desire to keep the house and was not the house to be expropriated

livelihoods	<p>BAM 1000 to 1500 = 2 households  BAM 1500 to 2000 = 2 households  &gt;BAM 2000 = 1 households</p> <p>Pensions as main income = 5 households  Salary as main source of income = 7 household  Private business as main source of income = 1 household  Other = 1 household</p> <p>4 households are satisfied with the level of income, 5 households reported to be neither satisfied nor dissatisfied with economic situation while 3 households are not satisfied</p>										
Legality of land	14 households are formal owners of land										
Residential structures and auxiliary structures	<p>14 houses with construction facilities (in Goliješnica, Tatarbudžak, Žepče van, Ozimica and Želeča)</p> <p>4 houses with barn (in Goliješnica, Tatarbudžak and Žepče Van) and  8 houses with garage (in Goliješnica, Žepče van and Ozimica)</p>										
Agricultural production	<p>4 households (in Goliješnica, Tatarbudžak and Žepče van Žepče) own orchards (apples, pears, plums, grapes and walnuts) which they do not use for commercial purposes but for their own use.</p> <p>4 households use agricultural land to sow various grains that they do not use for commercial purposes but for their own use. One household grows grapes. However, they don't rely exclusively on agriculture as a source of income, but it is a secondary source of income as stated in the survey.</p>										
Educational level of household members	<p>Out of 41 household members in total:</p> <ul style="list-style-type: none"> <li>- 2 have University degree</li> <li>- 11 have high school education</li> <li>- 18 have primary school education</li> <li>- 3 students</li> <li>- 6 children</li> </ul>										
Employment status of respondents	<p>Employed = 10 respondents  Pensioner = 8 respondents  Unemployed = 14 respondents</p>										
Vulnerability	<p>1 person reported some type of vulnerability- physical disability and another 8 are elderly people</p> <p>The respondents were asked to indicate each potential type of loss caused by the Project. The perceived losses and frequencies of responses are as follows:</p>										
Perceived losses and compensation preferences	<table border="1"> <thead> <tr> <th>Type of loss</th><th>Frequencies of responses</th></tr> </thead> <tbody> <tr> <td>Loss of harvest</td><td>1</td></tr> <tr> <td>Loss of social connections</td><td>0</td></tr> <tr> <td>Loss of real estate</td><td>13</td></tr> <tr> <td>No loss</td><td>0</td></tr> </tbody> </table> <p>All respondents stated they would prefer monetary compensation.</p>	Type of loss	Frequencies of responses	Loss of harvest	1	Loss of social connections	0	Loss of real estate	13	No loss	0
Type of loss	Frequencies of responses										
Loss of harvest	1										
Loss of social connections	0										
Loss of real estate	13										
No loss	0										

**Household members.** The total number of household members in the surveyed households is 41. The average household consists of 2.92 members. The largest family has 6 members, out of which 3 are children. The average age of household members is 44.6 (the youngest member is 1 year old while the oldest member is 85 years old). Out of the total number of household members, 25 % are minors (below 18 years of age), 55.% belong to the age group between 18-60 years old, whereas 20% are elderly persons (older than 60). In 11 families, the head of the household is male, while in 3 households the head of the household is female.

### 4.3 Characteristics of Affected Assets

#### 4.3.1 Residential and Auxiliary Structures

In the projected area, we have a total of **17 affected residential structures (houses) and no business structure**. Three (3) houses are in cadastral municipality of Goliješnica, one (1) of them in cadastral municipality of Tatarbudžak, five (5) in cadastral municipality Žepče Van, three (3) of them in cadastral municipality of Ozimica, two (2) in cadastral municipality Donje Ravne and three (3) of them in cadastral municipality of Želeče, all belonging to the Municipality of Žepče. There are no structures in cadastral municipality of Željezno polje and

Papratnica. They are divided into 17 private ownership files (**APPENDIX 4 – PHOTOGRAPHS OF AFFECTED RESIDENTIAL STRUCTURES**).

All households are located on their own land plots. No informally inhabited houses were identified. Residential structures are of different sizes and quality and are mostly in very good condition. Almost all houses have some auxiliary structures and construction facilities (Barn and garage) that also need to be acquired.

#### 4.3.2 Businesses Structures

In affected area there is no businesses structure which needs to be expropriated.

There are four (4) expropriation cases/files and 4 land plots owned by three different business entities. All four land parcels are vacant, free from any structures or operating business facilities attached to. Therefore, there is no need for relocation of commercial structures and neither requires compensation for business stoppage. Expropriation for a business entity will be in the same way as for any other private person. Land plots are located in cadastral municipalities of Želeče and Željezno polje. Three of these land parcels were partially affected and already cash compensated during implementation of RAP Part 1.

#### 4.3.3 Land Plots characteristics and structures

A total of 503 affected land plots were surveyed in this area, all in the Municipality of Žepče of which 88 land plots in state ownership and 415 land plots in private ownership.

The average size of private land plots is 1218 m<sup>2</sup> and the average size of public land plots is 1558 m<sup>2</sup>. The first data shows that 72% of the private land plots are declared as fully titled, while the other 28% are co-owned, but we can have complete information on the above only after the decisions on expropriation are made and the real owner/s are identified. The average number of co-owners has been around 2 (from 2 to 3).

Table 9: Overview of project impacts on private property<sup>41</sup>

Impact	Location of:	Number of private land plots	Of which: land plots with residential structures	Of which: The type of land plot
Affected by complete land acquisition in Žepče	Cadastral municipality of Goliješnica	19	3 Residential buildings	6 forest plot 5 farm land 3 pasture land plots 1 meadow 1 orchard 3 Other
	Cadastral municipality of Donje Ravne	19	2 Residential buildings	6 farm land 4 pasture land plots 2 meadow 7 orchard
	Cadastral municipality of Ozimica	95	3 Residential buildings	41 forest plot 39 farm land 3 pasture land plots 6 meadow 2 orchard 4 Other

<sup>41</sup> Some land plots are with more characteristics, for example we have land plot which is by type pasture and forest or residential building, yard and meadow and this was recorded in the expropriation study. It is a common situation in FBiH that we also have privately owned forest land.



Impact	Location of:	Number of private land plots	Of which: land plots with residential structures	Of which: The type of land plot
	Cadastral municipality of Tatarbudžak	54	1 Residential buildings	13 forest plot 23 farm land 8 pasture land plots 4 meadow 3 orchard 3 Other
	Cadastral municipality of Žepče Van	100	5 Residential buildings	9 forest plot 52 farm land 7 pasture land plots 2 meadow 16 orchard 14 Other
	Cadastral municipality of Papratnica	33	0 Residential buildings	19 farm land 2 pasture land plots 9 orchard 3 Other
	Cadastral municipality of Želeče	83	3 Residential buildings	1 forest plot 76 farm land 2 meadow 1 orchard 3 Other
	Cadastral municipality of Željezno polje	12	0 Residential buildings	3 forest plot 8 meadow 1 pasture land plots
<b>TOTAL</b>	<b>Municipality of Žepče</b>	<b>415</b>	<b>17 Residential buildings</b>	<b>313 Agricultural land plots</b> <b>73 Forest land plots</b> <b>29 Other</b>

The summarized version of the census database is available on request (the database in the form of a separate Excel document). Confidential information about individual persons and properties will not be publicly disclosed by the Company, Municipality of Žepče and/or Creditor.

## 5. KEY LAND ACQUISITION / COMPENSATION PRINCIPLES AND ISSUES

The following principles of land acquisition and compensation have been committed upon by the Company, and shall be adhered to during Project implementation:

1. Land acquisition shall be carried out in compliance with the **applicable legislation in FBiH** (in particular, the *Law on Expropriation of FBiH*), the **EIB's Environmental and Social Standards: Standard 6 on Involuntary Resettlement and Standard 7 Rights and Interests of Vulnerable Groups**, **Land Acquisition and Resettlement Framework (LARF)** and good international practice. The Project will enable the consideration of micro realignments in order to avoid land acquisition where possible.
2. **All affected persons shall be informed and consulted** during Project preparation and implementation. All owners, occupants and users shall be visited and explained the land acquisition process and the specific impacts on their land, so as to give an opportunity for micro re-alignments to be made in order to reduce potential impacts and inconveniences.
3. The **baseline socio-economic survey and census** for RAP shall identify both formal and informal land/property users, including vulnerable persons/households
4. The **cut-off date** for the establishment of eligibility (for both formal and informal land owners/users) will be the date of notification owners that the expropriation process has been initiated by the JPAC as the Expropriation Beneficiary. The cut-off date will also be disclosed at consultation meetings. Persons who have settled in the Project area after the cut-off date will not be eligible for any compensation. Municipality of Žepče 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).
5. **All owners, occupants and users** of affected land at the time of the cut-off date, whether with or without fully recognized ownership rights, **are eligible for compensation and/or assistance, as outlined in the Entitlements Matrix (Table 11: Specific Compensation Entitlements – Entitlement Matrix)**
6. **Temporary occupation of land for construction purposes will be compensated** in accordance with the Law on Expropriation of FBiH, as stipulated in the **Table 11: Specific Compensation Entitlements – Entitlement Matrix**
7. **Standards of living and/or livelihoods of affected persons will be restored and potentially improved**, in as short a period as possible.
8. **Official valuation** of properties/improvements to land will be carried out by official court experts selected from the official list of court experts by the Municipality of Žepče.

9. Compensation will be provided **before displacement or imposition of access restrictions**. Issues related to payment of cash compensation will be discussed and agreed with owners and all affected members of households. Cash compensation will be paid in full or in instalments as agreed with the owners and affected members of the households and as defined by contracts, to the bank accounts specified by the owners, with agreement of all affected members of the household. In cases where there is more than one owner of property (i.e. co-ownership of married couples), compensation amounts will be divided and paid to the bank accounts they specify.
10. **Moving allowance** shall be provided to all categories of Project Affected People (PAP). A construction expert will be aware of the need for moving allowance and include it in his findings.
11. **Project Affected People and communities will be provided with information and consulted** in order to facilitate their early and informed participation in the decision making process related to resettlement. **Access to information and assistance for vulnerable persons/households will be facilitated by the Company** according to their specific needs, on the basis of case-by-case screening to be carried out with support from the relevant municipal social departments.
12. An effective **grievance mechanism** will be in place for receiving and addressing in a timely fashion specific concerns about compensation and relocation raised by affected landowners. Explained in detail in *chapter 7 GRIEVANCES MANAGEMENT AND REDRESS*
13. The Company shall **monitor the implementation of the land acquisition and livelihood restoration processes** through internal institutional arrangements as well as through an independent, external monitor.

## 6. ENTITLEMENTS AND COMPENSATION

### 6.1. Methodology for valuation of property

Valuation of land and assets attached to project affected land will be conducted by independent court experts for valuation of property<sup>42</sup> (agricultural expert and construction expert) selected from the official list of court experts by PC Motorways FBiH or the Municipality of Žepče which is the expropriation authority for all of the affected land plots.

#### Agricultural and forest land

As provided under the Law on Expropriation of FBiH, compensation for land will, wherever feasible, be in the form of a replacement property allowing the owner approximately the same conditions of use<sup>43</sup>. *Same conditions of use* are to be understood as meeting the following criteria:

- being acceptable to the affected owner/farmer,
- being approximately the same size,
- having a similar or better agricultural potential, i.e. fertility, slope, parcel shape, exposition to sunlight, and
- being located at reasonable distance.

Where replacement property cannot be offered to the affected landowner because suitable agricultural land is not available at reasonable distance or is not acceptable to the landowner, the expropriating authority will establish written evidence of its unsuccessful efforts to identify such similar land, and compensate for such land at full replacement cost.

For agricultural land, replacement cost represents 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 cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.

The Law on Expropriation does not explicitly regulate the situations where only a plot smaller in size or agricultural potential can be offered as a replacement property, and whether it would be acceptable to pay a balance in cash on top of the compensation in kind to offset such a difference in size or potential. In situations where a plot of equivalent size or potential cannot be identified and offered, and plots smaller in size or potential can be offered, the owner will be allowed the option to receive compensation partly in kind (replacement property - plot), and partly in cash. This requires both the affected and the replacement plot to be valued so that the difference can be calculated. As a general rule, if the difference in established values is less than 10%, the plots will be considered approximately equivalent

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<sup>42</sup> In accordance with Art. 183 of the Law on Administrative Proceedings of FBiH (Official Gazette of FBiH, No. 2/98, 48/99) paragraph (1) For the purpose of presenting evidence by an expert witness, the official conducting the procedure shall appoint, ex officio or at the proposal of a party, one expert witness, and when he deems that the expert report is complex, he may appoint two or more expert witnesses. (2) Experts shall be persons who are experts, primarily those who have a special authority to give an expert opinion on issues in the relevant profession, if such authority is provided by regulations.

<sup>43</sup> According to Article 45 of the Law on Expropriation, compensation for expropriated real property is determined by providing other corresponding real property equal in market value to the expropriated real property in the same municipality or city, thus allowing the owner of expropriated real property approximately the same conditions of use.

and no cash compensation will be provided to offset this difference. In any case, the requirements set out in the Specific Compensation Entitlements - Entitlement Matrix (Table 7 of this RAP) will be applied.

In situations of partial expropriation of agricultural land where the land owner would assess the plot remainder as unsuitable for further agricultural use or in every case where the land plot would lose its access road, the owner can apply for expropriation of the whole plot according to provisions of Article 11 of the Law on Expropriation. Such situations are to be assessed on an individual basis by the expropriating authority.

### **Residential land**

The preferred option for residential land to be expropriated will be replacement with alternative land according to the provisions of the Law on Expropriation. The compensation package will usually include compensation for residential houses on the given plot.

If residential land is affected but the house itself is not, compensation will usually be in the form of cash. Cash compensation will be provided at replacement cost, i.e. the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.

### **Houses or other structures**

When assessing the replacement properties, the following criteria shall be applied to the extent possible:

- parcel on which the houses or other structures are located shall have approximately the same size,
- houses shall have similar size and standards, including access to utilities, and
- houses shall be located at a reasonable distance and be with a similar potential from the livelihood point of view (access to employment or agriculture).

If replacement structures smaller in size or of unfavourable characteristics are proposed to affected persons, the difference in value shall be paid to the affected owner pursuing the approach similar to that described in section on agricultural land compensation.

Where the affected owner opts for cash compensation rather than replacement property or if no suitable substitute property can be identified in the area, residential structures will be compensated in cash at full replacement cost. For houses and other structures, replacement cost is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. It also includes costs for levelling or other preparation for new construction or use. Costs are calculated based on the time at which the asset is being replaced, if not, inflation is taken into account in calculating costs.



## Crops and forest

To the extent possible, land acquisition and land entry will be scheduled so that any standing annual crop, regardless of its development stage, can be harvested before the land is taken from the land owner or land user. Annual crops that are harvested before land entry shall not be compensated for.

Annual crops that cannot be harvested prior to land entry or that are damaged by construction works shall be compensated for at full replacement cost. Recent agricultural produce prices at municipal or canton level should be applied. Where such records are not available, the records from the Agency for Statistics of BiH which are published in the form of First Release<sup>44</sup> and are updated quarterly shall be used. Agricultural expert will use such data for his/her findings in the absence of data from municipalities and cantons.

The determination of the full replacement cost requires consideration not only of the yield of the crop over one year, but also of the cost of re-establishing the plantation (seedlings, soil preparation, fertilizers, etc.), as well as of the lost income during the period needed to re-establish the crop.

Compensation rates should be calculated in compliance with the full replacement cost principle, whereby the compensation rate C for one tree is determined by application of the following formula:

$$C = V \times D + C_P + C_L$$

**V** - average market value of the produce of one tree for one year

**D** - average period of time required to re-establish the tree to an adult production level, in years

**C<sub>P</sub>** - cost of planting (seedling, soil preparation, initial fertilization)

**C<sub>L</sub>** - cost of the labor required to maintain the crop during the period of time needed to re-establish it to its previous production level

The calculated unit rate C is then applied to the whole plot assuming either an average density or based on the precise count of all standing trees.

Compensation rates will be generated for the following stages of plant (tree) development:

- seedling,
- young plant, not productive,
- young plant, productive, and
- mature plant.

Unlike perennial fruit plantations, which can be harvested over a long period of time, most commercial timber tree species are yielded only once, as is the case with annual crops. The replacement cost should therefore be in line with the provisions of the Entitlements Matrix. If

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<sup>44</sup> AGRICULTURE, ENVIRONMENT AND REGIONAL STATISTICS, SALE OF AGRICULTURAL PRODUCTS ON GREEN MARKETS are available on the official website of the Agency  
(e.g. for I quarter of 2017 [http://www.bhas.ba/saopstenja/2017/AGR\\_2017Q1\\_009\\_01\\_BH.pdf](http://www.bhas.ba/saopstenja/2017/AGR_2017Q1_009_01_BH.pdf))

an affected commercial forest cannot be logged before land entry, the compensation principle will be similar to that described for annual crops, taking consideration of the market value of the lost timber.

### Conditions for entry into possession

Compensation shall, as a rule, always be affected prior to land entry or taking of possession. As a general rule, the compensation recipients will be given a minimum of three months' notice to vacate the property unless otherwise provided in the agreement between the owner and the expropriation beneficiary. Exceptionally, upon request of the expropriation beneficiary who has produced valid reasons for urgent need to take possession of the expropriated real property, FBH Government can decide that the real property is turned over to the expropriation beneficiary before the effectiveness of the decision on expropriation, if it establishes that this is necessary due to the urgency of the situation or in order to avoid larger damage.

### 6.2. Assistance for vulnerable people

*Vulnerable people* are those affected people who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status, may be more adversely affected by resettlement and expropriation than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

Particular attention and support will be given to the needs of vulnerable groups based on the personal situation of such vulnerable people. The results of the Socio-economic Survey show that there are several vulnerable people and households among affected people. We were able to identify **5 vulnerable people among people who do not live on the affected property** and another **8 vulnerable household members among those who live in affected houses. Total number of identified vulnerable persons is 13.** The categories of vulnerability include, by order of frequency:

- Elderly persons,
- physical disability

Table 10: Number of vulnerable persons identified

	No. of vulnerable owners of project affected land plot owners	Types of vulnerability reported	No. of vulnerable household members of project affected	Type of vulnerability of members who depend on HH reported
Žepče	5 (2 female, 3 males)	Elderly persons	7 (3 females, 4 male)	Elderly persons, physical disability

Individual meetings with each vulnerable person will be held in order to determine their needs concerning expropriation as well as the manner of meeting the identified needs. Vulnerable people will be consulted on the type of assistance they need and will be provided with assistance suitable for their needs. Assistance to vulnerable people shall include the following activities, depending on a case-by-case screening to be carried out with support from the *Municipality of Žepče (Department of Social Affairs)*:

- Assistance during the census and expropriation process (e.g. direct visits to the homes of vulnerable persons/households, in particular for elderly people and people with chronic illnesses)
- Individual meetings to explain eligibility criteria and entitlements,
- Assistance during the payment process, i.e. ensuring that compensation documents and payment process are well understood (in particular for elderly people)
- Assistance during the post-payment period (e.g. assistance in finding training courses to enhance employability and prioritization for employment where possible – in particular for poor and/or unemployed people; assistance in securing the compensation money and reduce risks of misuse or robbery; checking that the solidarity networks that the vulnerable person was relying on have been re-established).

The socio-economic characteristics and vulnerability of the affected population will also be evaluated informally during the process of consultations with such PAP encountered during individual hearings organized by Municipality of Žepče in the presence of representatives of JPAC. During these meetings, JPAC collected information on the socio-economic status and vulnerability of PAPs which was taken into consideration when proposing compensation. If the conditions of Article 47 of the Expropriation Law of FBiH<sup>45</sup> are met, they have received an increase in compensation in addition to the above activities.

### 6.3. Entitlement Matrix

Compensation entitlements for different categories of eligible households, businesses and properties covered by the current applicable legislation of FBiH and EIB ESS are described in summary in **Table 10** below. Hereinafter are details on entitlements and compensation for all categories of affected assets in surveyed area and methodology for valuation of property.

**Note:** The census and socio-economic survey show that:

- **415 privately owned land plots** will be completely acquired. All owners are either formal owners of land or in the process of formalisation (e.g. heirs who have not yet been registered as formal owners in the land registry)
- However, an **additional 64 land plots** are planned to be acquired (orphan land) based on Article 11 of the Law on Expropriation FBiH, which stipulates that 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.<sup>46</sup>
- there are **no informal owners or users** of affected land
- State owned plots are not used informally by any PAPs
- A significant percentage of affected private land is farmland
- **17 houses** will be acquired. All houses are legally registered
- 13 families will be physically resettled

<sup>45</sup> The personal and family circumstances of the owners whose real property is pending expropriation, as well as circumstances which may have adverse economic effects, should be considered when determining the compensation level.

<sup>46</sup> It is possible that additional requests by PAP will be filed, and they will be decided on a case by case basis. All these 64 land plots are actually owned by PAPs identified in the Expropriation Study – the already affected PAP requested additional expropriation of their remaining land plots.

- **19 auxiliary structures** will be acquired including 8 garages, barns and other
- some house also have associated construction facilities that will be compensated such as paths, fences and other
- several vulnerable people and households have been identified
- temporary land occupation may be expected during construction works

Table 11: Specific Compensation Entitlements – Entitlement Matrix

Type of Project affected right or property or loss	Applicable legal / policy framework	Entitlement	Process and specific conditions
<b>Loss of residential structure (all houses including weekend houses)</b>	Law on Expropriation of FBiH  EIB ESS	Replacement property of similar size and characteristics or Cash compensation for house + Moving allowance and compensation for other resettlement related expenses	<ul style="list-style-type: none"> <li>Transfer of property in accordance with the amicable agreement or expropriation process in accordance with Law on Expropriation.</li> <li>Provision of replacement cost/value and moving allowance in accordance with LARF<sup>47</sup> and this RAP</li> </ul>
<b>Loss of land plots (agricultural or forest land)</b>	Law on Expropriation of FBiH  EIB ESS	Replacement property of similar size and characteristics or Cash compensation for land plot at replacement cost	<ul style="list-style-type: none"> <li>Transfer of property in accordance with the amicable agreement or expropriation process in accordance with Law on Expropriation.</li> <li>Provision of replacement cost/value and moving allowance in accordance with LARF and this RAP</li> </ul>
<b>Orphan land (Unviable land)</b>	Law on Expropriation of FBiH  EIB ESS	Cash compensation for land plot at replacement cost same as above	<ul style="list-style-type: none"> <li>Transfer of property in accordance with the amicable agreement or expropriation process in accordance with Law on Expropriation.</li> <li>Provision of replacement cost/value and moving allowance in accordance with LARF and this RAP</li> </ul>
<b>Sever impacts on PAPs</b>	Law on Expropriation of FBiH  EIB ESS	Increase in the amount of determined compensation if the conditions are met	<ul style="list-style-type: none"> <li>Personal and other family circumstances of the previous owner of the expropriated real property shall be taken into consideration as a corrective for any increase in the amount of determined compensation if those conditions are of great importance for the material existence (livelihood, main source of income) of the previous owner, and in particular if his/her material existence has been endangered due to the expropriation of a larger part or the entire land or business premises in which the previous owner legally performed a business activity, as well as in the case where due to the expropriation members of an agricultural household have to move from the territory where they had lived. Art. 47 of the Law on Expropriation</li> </ul>

<sup>47</sup> <https://www.jpautoceste.ba/wp-content/uploads/2021/12/LARF-Land-Acquisition-and-Resettlement-Framework-for-Corridor-Vc.pdf>



<b>Loss of auxiliary structures</b>	Law on Expropriation of FBiH  EIB ESS	Cash compensation for auxiliary structures	<ul style="list-style-type: none"> <li>• Transfer of property in accordance with the amicable agreement or expropriation process in accordance with Law on Expropriation.</li> <li>• Provision of replacement cost/value and moving allowance in accordance with LARF and this RAP.</li> </ul>
<b>Loss of right of way</b>	Law on Expropriation of FBiH  EIB ESS	Compensation for reduced market value of the property + Compensation for any damages to the property	<ul style="list-style-type: none"> <li>• Compensation for establishment of right of way on private property to be provided in accordance with Art. 56 of the Law on Expropriation</li> </ul>
<b>Loss of annual crops</b>	Law on Expropriation of FBiH  EIB ESS	The right to harvest crops  or (if harvesting not possible)  Cash compensation for annual crops at replacement cost	<ul style="list-style-type: none"> <li>• Cash compensation for crops will be provided only if annual crops could not be harvested before expropriation takes place, in accordance with the Law on Expropriation of FBiH (Art. 55). If that is not possible (e.g., the crops are not ripe yet), the land owner/tenant is entitled to cash compensation at full replacement cost of the crops</li> <li>• To the extent possible, land acquisition and land entry will be scheduled so that any standing annual crop, regardless of its development stage, can be harvested before the initiation of construction works</li> </ul>
<b>Loss of perennial crops / orchards and vineyards</b>  (both for orchards on one's own land and for orchards on state-owned land)	Law on Expropriation of FBiH  EIB ESS	The right to pick fruits, vegetables, etc. + Cash compensation for perennial trees/plants at replacement cost	<ul style="list-style-type: none"> <li>• Compensation will include all trees and plants, and the court expert will assess their value depending on the age, type, etc. (Art. 50 of the Law on Expropriation)</li> <li>• If the perennial crops cannot be harvested, the owner is entitled to cash compensation for the expected crops, in accordance with the Law on Expropriation</li> <li>• Perennial crops and trees will be valued at the cost of replacement (determination of full replacement value includes the yield of the crop over one year, the cost of re-establishing the plantation (seedlings, soil preparation, fertilizers, etc.), as well as of the lost income during the period needed to re-establish the crop)</li> <li>• The replacement value for commercial timber tree species should be the market value of the logged timber. If an affected commercial forest cannot be logged before entry of the expropriation beneficiary into the land plot, the compensation principle will be similar to that for annual crops, taking consideration of the market value of the lost timber</li> </ul>

<b>Loss of business structure and loss of business income</b>	Law on Expropriation of FBiH  EIB ESS	Replacement property with similar or same characteristics or Cash compensation for business structure + Cash compensation for costs of the transfer and reinstallation of the plant, machinery or other equipment + Cash compensation for loss of profit as a result of the project (until the full restoration of business activities elsewhere, to be assessed on a case-by-case basis (based on accounting reports or other applicable documents) + Assistance for livelihood restoration (where applicable) to be identified and provided by JPAC on a case-by-case basis and based on the socio-economic survey	<ul style="list-style-type: none"> <li>• Transfer of property in accordance with the amicable agreement or expropriation process in accordance with Law on Expropriation.</li> </ul>
<b>Temporary land occupation during construction works</b>	Law on Expropriation of FBiH  EIB ESS	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) to the owner of assets + Compensation at market value for loss of net income from subsequent crops that cannot be planted for the duration of temporary possession (e.g. compensation for harvests lost at average yield/hectare)	Temporary land occupation and any damages to assets compensated in accordance with Art. 57 of the Law on Expropriation. Compensation for damages during the period of temporary possession at replacement cost of material and labour without deduction for depreciation or salvageable materials.
<b>Undetermined impacts</b>	Law on Expropriation of FBiH  EIB ESS	Any undetermined impacts will be mitigated in accordance with both the Law on Expropriation and PR 5 and this LARP	

## 7. GRIEVANCES MANAGEMENT AND REDRESS

### 7.1. Public Grievance Mechanism

Grievance management is an integral part of a sound stakeholder involvement strategy that is necessary for the successful execution of the project. PC Motorways and the Contractor(s) will receive and consider all comments and complaints associated with the Project. This mechanism is free of charge and serves to inform affected communities about project-related activities, acts preventive and addresses community concerns, reduces risks and helps the wider process of improving positive social change. A sample of the Project's Grievance Form which can be used for comments and complaints is provided at the end of this document **APPENDIX 2 - PUBLIC GRIEVANCE FORM AND CONTACT INFORMATION** and will be available on the PC Motorways website: <http://www.jpautoceste.ba> as well as the websites of municipalities affected by expropriation.

Any person or organisation may send comments, complaints and/or requests for information. Grievance can be submitted in the following ways:

- In the municipality by filling the grievance form
- On the construction site by filling the grievance form
- Electronically to one of the specified e-mail addresses in the grievance form or on the JPAC website
- By phone or fax on the phone numbers specified in the grievance form or on the JPAC website
- By talking to an employee of JPAC and the contractor on the project section.

Individuals who submit their comments or grievances have the right to request that their name be kept confidential.

All comments and complaints will be responded to either verbally or in writing, in accordance with the preferred method of communication specified by the complainant, if contact details of the complainant are provided. All grievances will be registered and acknowledged within 7 days and responded to within 20 working days of their receipt depending on the levels of complexity of the complaint.

Contact details for submitting comments and concerns regarding the Project are available below. Grievances in relation to construction activities will be addressed by construction contractor(s) and their management will be monitored by PC Motorways.

### Contact Information

All types of stakeholder grievances (apart from those raised by employees and contractors) relating to this Project should be channelled to PC Motorways through the following designated staff member:

**Motorways of the Federation of Bosnia and Herzegovina**

**Attention: *Grievance mechanism contact person***

Design Department – *Division for Study Documentation,  
Social and Environmental Policy*

Postal Address: *Adema Buća 20, 88000 Mostar*

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It is also the obligation of the Contractor to actively participate in resolving complaints during the execution of works and to keep records of the above. It is recommended to the Contractor that during the implementation of this project there is one person who will be in charge of grievances management because the section partly passes through settlements where a larger number of complaints can be expected.

## 7.2. Grievance procedure in FBiH

In addition to using this grievance mechanism, complainants will also be able to seek legal remedies in accordance with the laws and regulations of the FBiH at all times. The procedure is summarized as follows:

- Complaints against the decision on expropriation shall be decided upon by the Federal Administration for Geodesy and Property-Legal Affairs;
- Grievances are submitted to the first level administrative body that brought the decision on expropriation (municipality);
- Deadline for submission of grievances is 15 days;
- Any grievance shall be responded to and processed within 30 days;
- Against the decision of the second level administrative body, administrative litigation can be initiated before the cantonal court within 30 days from the date when the decision was received;
- Information on legal recourse represents an integral part of every decision;
- If no agreement on the compensation is reached within two months from the date when the decision on expropriation entered into force, the municipal administrative body shall promptly submit the valid expropriation decision together with other relevant documents to the competent Court, at whose territory the expropriated real property is located, for the purpose of determining the compensation.
- If the municipal administrative body fails to act in line with the above provision, the previous owner and the expropriation beneficiary may approach the Court directly for the purpose of determining the compensation.
- The Law on administrative procedure prevails over the Law on Expropriation so that the grievance procedure shall be conducted in accordance with the Law on Administrative Procedure.
- For resolution of any disputes that could not be readily solved by direct interaction between the parties, mediation will be used as a voluntary procedure for extrajudicial settlement of disputes. A third party independent and impartial mediator will be hired by the Federation's Motorway Directorate and shall receive the information on all disputes.

- The competent court shall *ex officio* decide in out-of-court proceedings on the amount of compensation for the expropriated real property.
- Proceedings for determining the compensation for expropriated real property are urgent. The proceedings should be completed as soon as possible and not later than 30 days from the date of initiating court proceedings;
- It is possible to file a separate appeal against the court decision on the compensation.

## 8. DISCLOSURE OF INFORMATION AND PUBLIC CONSULTATIONS

### 8.1. Summary of Previous Stakeholder Engagement

#### Public consultations in line with environmental permitting requirements

JPAC conducted the local EIA process for the entire Corridor Vc alignment (divided in four LOTs with respective EIAs). The project section that is considered for financing is part of LOT 2 Doboj South – Sarajevo South. The Scoping decisions for these four lots were issued in 2005 while the EIAs were approved in 2007. Public consultations were carried out in two stages: (i) after the Scoping Report and (ii) after the Final EIA Report. In both stages the documents were publicly disclosed for 30 days. Public consultations were organised in the municipalities along the corridor, including Zenica and Sarajevo (LOT 2). No significant public complaints had been recorded in respect to environmental and social issues on the project section. After the successful EIA process, Environmental Permit for LOT 2 was issued (in 2007).

In 2014 the Environmental Permit was renewed based on the updated EIA. In accordance with national legislation JPAC was not obliged to conduct public consultations for this process. In 2019 EP was again renewed based on updated EIA, and again public consultations were not conducted in accordance with national legislation. JPAC initiated the environmental permitting procedure for the whole section Doboj South – Sarajevo South by preparing the EIA Study. EIA was updated in line with the EBRD requirements since financed the EIA renewal. The EIA is complied with local legislation and EBRD requirements.

#### Public consultations in line with spatial planning requirements

##### Spatial Plan of FBiH 2008-2028

Public consultations were also undertaken in 2012 in relation to the new Spatial Plan of FBiH 2008-2028 (which is still in parliamentary procedure). The Federal Ministry of Spatial Planning, on behalf of the Spatial Plan proponent (Government of FBiH), organized public hearings during a 60-day period, from 15 February 2012 until 15 April 2012. A public hearing was organized in each canton, and a central public hearing was organized in Sarajevo on 16 April 2012. The information on public hearing was sent to the Federal News Agency (FENA), and published in daily newspapers (*Dnevni Avaz* and *Oslobođenje*).

According to the Report on the consultation undertaken during the development of the Spatial Plan of FBiH 2008-2028, a public consultation meeting was organised in Mostar on 13 March 2012. Issues raised related to the Corridor Vc were not relevant to the Project section covered by this SEP.

##### Spatial Plan for Area of Special Interest to FBiH – Motorway Corridor Vc

The initial text of the Spatial Plan for the Motorway on Corridor Vc in FBiH was prepared in 2010 without the sections in Blagaj and Počitelj, due to opposition by local communities. It was decided at the time by the FBiH Parliament to conduct additional research and consider alternative solutions for this section within a 6-month period. In 2011, the full draft



of the amended Spatial Plan was made available for public consultations. Two public hearings were organised:

- a public hearing in Mostar (November 2011), organised by the Federal Ministry of Spatial Planning, and
- a public hearing in Sarajevo (November 2011), organised by the BiH Parliament (Committee for Transport and Communication).

The Plan was then adopted by the FBiH Parliament and officially published in December 2017.

### **Public consultations during preliminary design phase**

During the preliminary design phase, JPAC maintained continuous communication with local community representatives of the Ozimica - Poprikuše. It should be added that the Spatial Plan of the Municipality of Žepče 2007-2027 was adopted by the Decision of the Municipal Council No. 01.23-102/08 of September 26, 2008. and published in the Official Gazette of the Municipality of Žepče No. 4/08.

The route of the motorway in the Spatial Plan of the Municipality of Žepče and the Spatial Plan of the Zenica Doboje Canton is planned on the left side of the main road M-17 and the urban area of Žepče. The Municipality of Žepče coordinated and protected the construction of the highway with the Spatial Plan of the Municipality and directed the construction of all facilities to urban areas and construction land, formed business zones, directed agricultural production to high-value agricultural land in Žepče, Orahovica, Bistrica, Lupoglav, Tatarbudžak through municipalities, etc. incentives, and all in accordance with the purposes determined by the Spatial Plan of the Municipality of Žepče.

During the Preliminary Design phase, with regard to the proposed changes to the motorway route on the Vc corridor, the Žepče Municipal Council, with its Conclusion from June 2015, gave its consent in principle to the proposed change to the motorway route on the Vc corridor through the Žepče Municipality area on the stretch between the town of Žepče - Trebatović - Brezovo Polje. In conclusion, it was determined that it is necessary to correct this route, respecting the suggestions of MZ Ravna and MZ Opšenik.

During the development of the Main Design, the route of the Ozimica - Poprikuše section remained in the agreed zone, and the changes related to certain axes corrections, primarily on the approaches to tunnels, where the aim was to keep the separation of axes as short as possible before and after the tunnel. By narrowing the road trunk proper, considerable savings in space and construction work were achieved.

In the longitudinal sense, a certain correction of the Motorway grade line was carried out, which aimed to reduce construction works and optimize the position of the grade line in relation to the terrain conditions through which the Motorway passes.

### **Public consultations for the friendly environment program**

Learned by the experience of previous sections of the motorway, the Management of JPAC, in decision number: 01-7700-17/22 of 03.11.2022, tasked the Department for Study Documentation, Social and Environmental Policy of JPAC to define any necessary projects within the friendly environment program<sup>48</sup> on the territory of the municipality Žepče. The

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<sup>48</sup> Friendly environment program is a local infrastructure improvement program in which JPAC, in cooperation with the

Management of JPAC tasked the Department to maintain such coordination with the JPAC representative on the ground and representatives of the competent municipality during the entire project cycle for the best interest of the local communities within the project area.

On November 24, 2022, the meeting was held in the municipality of Žepče where the Mayor and the corresponding municipal services were informed that the request for signing an agreement on a friendly environment and assistance in the implementation of projects for the local community should be closely related to the construction of the motorway. In doing so, they were informed that for each item in the request, a description of the project should be indicated (location, content of the request, e.g. local road, stream), a description of the type of work to be performed and the connection with the construction of the motorway.

On November 28, 2022, JPAC received from the municipality of Žepče a project proposal related to the creation of a friendly environment between the Contractor, JPAC and the citizens of the municipality of Žepče, on the construction of the motorway on the VC corridor, subsection Ozimica - Poprikuše, with a length of 13.2 km. In the letter, they stated that work is underway on the preparation of the Main Design of the motorway for the Ozimica - Poprikusa subsection, which passes near densely populated areas with a lot of residential buildings and developed infrastructure, where considerable damage will certainly occur that will require rehabilitation. In order to prevent tension and negative events that might occur during the future construction of this section, as well as to create a positive atmosphere between the contractor and the local population, the local population was encouraged to submit project proposals to the municipal administration and Local Communities in the project area where the civil works will be carried out. It was proposed that these projects to form an integral part of the Main Design of the Ozimica - Poprikuše subsection. The requirements included the construction or reconstruction of local infrastructure, which will be used to access the highway route and landfills located along the highway route and which will be endangered or suffer certain damages during the execution of the works.

On February 2, 2023 the JPAC Board made a decision to approve the inclusion of necessary projects within the framework of the friendly environment program on the territory of the Municipality of Žepče in the scope of works for the Main Design of the Ozimica - Poprikuše subsection that continued the good cooperation between the Municipality of Žepče and the JPAC.

### **Public consultations during field surveys**

During the field surveys the working group conducted individual meetings (face-to-face communication) with all located APs. This communication took place during the SES and inventory of assets affected by the project.

During the face-to-face interaction, the APs were provided with information on the upcoming road project, planned field surveys, principles of compensation and applicable additional allowances, the essence of the cut-off date, eligibility of APs to compensation, application of GRM and rights and obligations of project stakeholders and APs/AHs were clearly explained to all persons communicated individually.

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competent municipality and the contractor, helps build and improve local infrastructure related to the execution of works on a specific section of the motorway

Worth to be noted that such face-to-face interaction is rather efficient source of information sharing with APs and answering all their questions in formal and easy to understand language and allows to keep APs well-informed on project related aspects.

## 8.2. Available Communication Tools & Resources

JPAC communicates with the public through its website ([www.jpautoceste.ba](http://www.jpautoceste.ba)) and its Facebook page, as well as electronic, digital and printed media (TV, newspapers, radio, online media). The website is updated regularly and contains information on:

- JPAC operations (work plans, financial and audit reports, policies, procurement opportunities and decisions),
- progress in relation to the planning, construction and operation of Corridor Vc,
- issues in relation to land acquisition, environmental protection, cultural heritage, safety, tolling and traffic related information,
- company contacts,
- corporate social responsibility programme, etc.

## 8.3. Planned Disclosure of Information and Consultations

### Disclosure of RAP Part 2

The draft RAP Part 2 will be disclosed in local languages and English on the official website of JPAC ([www.jpautoceste.ba](http://www.jpautoceste.ba)) and website of the Municipality Žepče.

Paper copies of the document will also be made available at the premises of the Motorways of the Federation of Bosnia and Herzegovina:

#### **JPAC Mostar**

Adema Buća 20,  
88 000 Mostar

#### **JPAC Sarajevo**

Hamdije Kreševljakovića 19,  
71000 Sarajevo

RAP will remain in the public domain for the entire duration of the Project cycle.

## 9. IMPLEMENTATION

### 9.1. RAP and Organisational Arrangements for Implementation

Resettlement Action Plan (RAP) has been prepared ahead of the actual implementation of compensation activities and shall be publicly disclosed. JPAC communicates with the public through its website ([www.jpautoceste.ba](http://www.jpautoceste.ba)) and its Facebook page, as well as electronic, digital and printed media (TV, newspapers, radio, online media). The website is updated regularly.

The RAP will be disclosed in English on the official website of JPAC ([www.jpautoceste.ba](http://www.jpautoceste.ba)) and website of the Municipality of Žepče (<http://www.opcina-zepce.com/>) RAP will remain in the public domain for the entire duration of the Project cycle. In accordance with the Expropriation Law as well as for practical reasons, responsibilities shall be shared between a Project Implementation Unit within the Company and the involved Municipality.

On behalf of the Municipality of Žepče, the expropriation process will be led by the Department of Construction and Physical Planning and its appointed Land Acquisition Committee.

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

Table 12: : Organizational responsibilities and arrangements

Task	Responsible Entity
Information disclosure to all Project affected people and communities	PIU
Direct communication with and visits to owners and occupants	PIU and the Municipalities
Concluding negotiated settlements prior to expropriation	PIU
Expropriation of property in case negotiated settlements are not concluded	Municipalities
Provision of assistance to vulnerable persons / households as necessary	PIU and the Municipalities
Payment / provision of compensation packages	PIU
Monitoring and reporting with respect to expropriation	PIU
Monitoring and reporting in respect of temporary land occupation carried out after construction commencement	Contractor
Grievance management	PIU

During the implementation of this Resettlement Action Plan, the responsibilities of the municipality which are listed in the above table, shall be harmonized with the relevant legal regulations that stipulate the obligations and responsibilities of municipality during the expropriation process. Municipal services will be involved and assist people during the resettlement process if needed. They have known for a long time about the passage of the highway through the settlements and have previous experience of expropriation as well as resettlement, therefore the municipal services are ready to provide the necessary assistance during the implementation of the project.

### 9.2. Resources Required for Implementation at PIU Level

Project Coordinator and nine other members of Project Implementation Unit (PIU) are appointed by *Decision of appointment of the Project Implementation Unit*<sup>49</sup>, three of whom will be responsible for the expropriation, including Compensation and Resettlement Coordinator, who report to the overall Project Coordinator and who will make sure that tasks identified above are timely implemented.

In accordance with Article II of the Decision, PIU is obliged to fully follow and respect all provisions of the *Finance Contract Corridor Vc Medakovo - Poprikuše No. 91.682*, between BIH and EIB as well as all other Procedures applied by the EIB, during the construction of Medakovo – Poprikuše section, Ozimica - Poprikuše motorway subsection.

### 9.3. Funding Arrangements

The borrower is to fund compensations for expropriation as well as expenses related with implementation of moving and resettlement activities so the borrower provided *Confirmation of Union Bank d.d. Sarajevo No PSA 15/1-72/23 from 02.02.2022* as evidence that required funds have been secured and deposited<sup>50</sup>. The first evidence that the necessary funds have been secured and deposited was submitted at the start of the expropriation for RAP Part 1 in the form of a Confirmation from the same Bank<sup>51</sup>. The new certificate confirms that the funds are secured. A specific item shall be identified in the budget of the JPAC to take care of compensation and resettlement activities associated with the section Medakovo – Ozimica Project.

Table 13: Estimated RAP budget for section Ozimica - Poprikuše

Type of expense	Amount (BAM)
Compensation for residential structures	10,000,000.00 KM
Compensation for auxiliary structures and other construction elements (e.g. water wells, water pipes...)	2,000,000.00 KM
Compensation for agricultural and forest land	14,000,000.00 KM
Compensation for orphan land	1,700,000.00 KM
Compensation for crops	1,000,000.00 KM
Compensation for construction land	500,000.00 KM
Expenses under Article 47 of the Expropriation Law	80,000.00 KM
Assistance to vulnerable people	120,000.00 KM
Costs of court experts, commissions and other expenses	150,000.00 KM
Land conversion from agricultural/forest to construction land	450,000.00 KM
<b>Total (€)</b>	<b>15,338,756.40 €</b>
<b>Total (BAM)</b>	<b>30,000,000.00 KM</b>

<sup>49</sup> JPAC Decision on Appointment of the PIU for the Construction of Motorway on Corridor Vc, subsection Ozimica - Poprikuše (December 22, 2022)

<sup>50</sup> Law on Expropriation of FBiH, Art.24 (Official Gazette of FBiH, No. 70/07, 36/10, 25/12 and 34/16)

<sup>51</sup> Confirmation of Union Bank d.d. Sarajevo No PSA 15/1-160/20 from 20.02.2020

As the estimated RAP budget for section Ozimica - Poprikuše (assessment of the value of expropriation) is done at an early stage of this project, it is not possible to estimate in detail the costs envisaged for expropriation and other costs. Deviations from the anticipated costs are possible, as in this section, where the funds planned for expropriation and other costs have been significantly increased by the revision of the business plan.

#### 9.4. Timeline for Land Acquisition

Land acquisition activities for RAP Part 2 were initiated in January 2023 for all of the affected land plots in Municipality of Žepče. Land acquisition activities are ongoing. The completion of land acquisition is planned by the end of December 2023.

#### 9.5. Monitoring, Evaluation and Reporting

JPAC will monitor the land acquisition process and maintain a land acquisition database. The data/information will be updated periodically. All information on PAPs, their holdings and their compensation payments and assistance measures will be kept confidential.

The indicators to be used for monitoring will include, in particular, the following:

- Overall **spending** on expropriation and compensation
- Number of **PAP by categories** (consistent with categories in the entitlement matrix)
- Number of **structures** (residential, commercial and auxiliary) identified on affected land plots
- Number of public meetings and consultations with affected people conducted during preparation of this RAP
- Number and percentage of **negotiated settlements** signed
- Number and percentage of individual compensation agreements signed before the beginning of construction activities
- Number of persons requesting **special assistance** and types of assistance provided to vulnerable individuals/households in a timely manner
- Number of people having received **compensation** in the period with distribution by compensation type and by classes of amounts
- Number and amount of **payments that restore livelihood loss**
- Number and amount of **payments that restore loss of income**
- Successful re-establishment of **relocated businesses** (new location, level of income, number of employees)
- Successful **relocation of households** (new location, level of income)
- Number of successfully **re-established agricultural activities** after land acquisition or restriction of access as a result of the Project (level of income)
- Number and type of **grievances**, including any court cases, related to land acquisition (submitted and resolved and how long it took for them to be resolved)



JPAC will produce biannual reports on the progress achieved with the implementation of the RAP. These reports will consolidate information on compensation and livelihood restoration measures, consultations, information on negotiations and results, provision of assistance to vulnerable groups, grievance management, etc.

JPAC will document all meetings and consultations with minutes and photographs, and will submit these to Creditor, together with progress reports.

## 10. APPENDIX 1 - SOCIO-ECONOMIC SURVEY QUESTIONNAIRE

### QUESTIONNAIRE FOR HOUSES

Questionnaire number	
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Survey date:	
Surveyor's name and surname:	

#### 1. GENERAL INFORMATION ON AFFECTED HOUSEHOLD

1.1. Location:	
1.2. Municipality:	
1.3. Cadastral plot reference:	
1.4. Full name of the respondent:	
1.5. Ethnic group:	
1.6. Phone number:	
1.7. Whole plot affected: Yes/No	
1.8. If no, specify the size of the non-affected part:	m <sup>2</sup>

#### 2. GENERAL INFORMATION ON AFFECTED PROPERTY (PLOT)

2.1. Total size:	m <sup>2</sup>
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#### 2.2. Location of the cadastral plots, total number per location and cadastral reference

Location	Total number of cadastral plots	Cadastral plot reference	Current use <i>Tick applicable use</i>
1.			Mainly residential Mainly agricultural Forest Pasture Mainly business Unused
2.			Mainly residential Mainly agricultural Forest Pasture Mainly business Unused

#### 3. AGRICULTURAL ACTIVITIES

- 3.1. Crops observed on the affected part of the plot at the time of the survey: \_\_\_\_\_
- 3.2. Perennial / annual species: \_\_\_\_\_
- 3.3. If perennial: Year of plantation: \_\_\_\_\_
- 3.4. Average yield on this plot according to farmer: \_\_\_\_\_ (specify measurement unit)

3.5. Overall land holdings of the farmer, including this plot and all others: \_\_\_\_\_ hectares  
*Including farm lands, pastures, forests, arid and unused land – Include all land available to the farmer regardless of ownership*

3.6. Of which farmed this year: \_\_\_\_\_ hectares

#### 4. GENERAL INFORMATION ON AFFECTED STRUCTURE

4.1. Detached building: YES / NO	
4.2. Apartment in a larger house: YES / NO	
4.3. Apartment in a building: YES / NO	
4.4. House: YES / NO	
4.5. Outside dimensions (main building)      m x      m	
4.6. Built in year:	
4.7. General condition (main building):	Exterior: Interior: 1: <i>new or very good</i> 2: <i>fair</i> 3: <i>poor</i> 4: <i>ruin, unusable</i>

4.8. Auxiliary structures		4.9. Build of solid materials	
Summer kitchen		YES	NO
Garage		YES	NO
Pantry		YES	NO
Stall		YES	NO
Other (specify):		YES	NO
Other (specify):		YES	NO

*Tick applicable box*

#### 5. OWNERSHIP ISSUES

5.1. Owner: Yes   No

5.2. User: Yes   No

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

*Tick applicable box*

#### 6. GENERAL INFORMATION ON AFFECTED HOUSEHOLD MEMBERS

##### 6.1. Information on household members

	Name and surname	Relationship with Head of Household	Year of Birth	Gender	Occupation	Education (degree of vocational education)

1	HH	HH		M	F		
2				M	F		
3				M	F		
4				M	F		
5				M	F		

### 7. VULNERABILITY

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

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

### 8. AFFECTED HOUSEHOLD (HOUSING)

8.1. How long have you been living here (year when you settled here):
8.2. Where did you live before?
8.3. Under what circumstances did you settle here?

### 9. SOCIO-ECONOMIC DETAILS ABOUT THE AFFECTED HOUSEHOLD

#### 9.1. Total household income

Which of the following categories does the average total monthly income of your whole household fall in:	
Less than 500 KM	
Between 500 and 1,000 KM	
Between 1,000 and 1,500 KM	
More than 1,500 KM	

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

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

(1: highest, 2 second highest, etc... – 0: not significant or not applicable)

#### 9.2. Are you satisfied with your economic situation?

Highly satisfied	
Satisfied	
Neither satisfied nor dissatisfied	
Dissatisfied	
Highly dissatisfied	

Tick applicable box

### 10. DISPLACEMENT

#### 10.1. What do you envision your main problems will be if you end up being affected by the project implementation?

Loss of livelihood		Loss of social connections		Loss of property		Other (specify):	
Male member of the household							
Female member of the household							

(1: most important, 2 second most important, etc. – 0: not significant or not applicable)

### 11. COMPENSATION PREFERENCES

11.1. Resettlement (relocation to another house in an unaffected area) YES / NO

10.2. What would be most important for you in the selection of a resettlement location (please rank)?

	Proximity to schools	Proximity to health care centers	Proximity to relatives	Proximity to social networks (specify)	Proximity to place of work
Male member of the household					
Female member of the household					
	Other (specify):	Other (specify):	Other (specify):	Other (specify):	Other (specify):
Male member of the household					
Female member of the household					

(1: most important, 2 second most important, etc. – o: not significant or not applicable)

10.3. Compensation in cash YES / NO

10.4 Do you have another house that you could relocate to? YES / NO

## QUESTIONNAIRE FOR LANDOWNERS

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

Survey date	
Surveyor's name and surname:	

Municipality:	
Location:	
Address:	
Cadastral plot reference:	
Photograph of affected property (number):	
Whole plot affected: YES / NO	
If no, specify the size of the non-affected part: m <sup>2</sup>	

### 1. GENERAL INFORMATION ON THE RESPONDENT

1.1. Respondent's name and surname:
1.2. Owner or user of land plot:
1.3. Ethnic group:
1.4. Phone number:

### 2. GENERAL INFORMATION ON AFFECTED PROPERTY (PLOT)

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

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

### 3. OWNERSHIP ISSUES

3.1. Owner: Yes No

3.2. User: Yes No

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



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

*Tick applicable box*

#### 4. AGRICULTURAL ACTIVITIES

4.1. Crops observed on the affected part of the plot at the time of the survey: \_\_\_\_\_

4.2. Perennial / annual species: \_\_\_\_\_

4.3. If perennial: Year of plantation: \_\_\_\_\_

4.4. Average yield on this plot according to farmer: \_\_\_\_\_ (specify measurement unit).

4.5. Overall land holdings of the farmer, including this plot and all others: \_\_\_\_\_ hectares

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

4.6. Of which farmed this year: \_\_\_\_\_ hectares

#### 5. INCOME FROM AGRICULTURAL ACTIVITIES

5.1. Do you sell crops \_\_\_\_\_

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

5.3. Do you use crops to meet your own needs (consumption): \_\_\_\_\_

5.4. Did you have any plans referring to the affected part of the plot? YES or NO

5.5. If YES, what were your intentions? \_\_\_\_\_

#### 6. COMPENSATION PREFERENCES

6.1. Compensation in cash YES / NO

6.2. Would you prefer plot for plot exchange? YES/NO

6.3. Would you buy another property instead of this land plot? YES/NO

## QUESTIONNAIRE FOR BUSINESSES

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

Survey date:	
Surveyor name:	

Municipality:	
Location:	
Address:	
Cadastral plot reference:	
Photograph of affected property (number):	

### 1. GENERAL INFORMATION ON THE SURVEYEE (REPRESENTATIVE OF THE BUSINESS ENTITY CONCERNED)

1.1. Respondent's name and surname:
1.2. Position the respondent holds within the business entity:
1.3. Ethnic group:
1.4. Phone number:
<b>2. GENERAL INFORMATION ON AFFECTED BUSINESS ENTITY</b>
2.1. Type of business activity:
2.2. Year of establishment:
2.3. Owner (co-owner):
2.4. Legal form of the business entity:
2.5. Business entity is formally registered: YES / NO
2.6. Is the structure where business entity operates, legalized? YES / NO (if not, clarify _____)

2.7. Number of full time employees: \_\_\_\_\_ and number of part-time employees: \_\_\_\_\_

### 3. INFORMATION ON BUSINESS INCOME

3.1. In average, over the last three years:

Total income (KM annually)
----------------------------

*Note: If the business entity has been operating for less than 3 years, provide information for the last year.*

### 4. COMPENSATION PREFERENCES

4.1 What do you envision your main problems will be if you end up being affected by the project implementation?

Loss of customers		Obstruction of		Equipment		Other (specify):	
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(business)		business activities due to works		damages			

(1: most important, 2 second most important, etc. – 0: not significant or not applicable)

4.2 What would be the most appropriate type of compensation for you?

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## 11. APPENDIX 2 - PUBLIC GRIEVANCE FORM AND CONTACT INFORMATION

### Public Grievance Form

Reference No:	
Full Name (optional)	
Contact Information  Please mark how you wish to be contacted (mail, telephone, e-mail).	<input type="checkbox"/> By Post: Please provide mailing address: _____ _____ _____  • By Telephone: _____  • By E-mail _____
Project name:	<input type="checkbox"/> Section/Subsection: _____
Location:	<input type="checkbox"/> Cadastral municipality: _____
Description of Incident or Grievance: _____ What happened? Where did it happen? Who did it happen to? What is the result of the problem? _____ _____ _____	
Date of Incident/Grievance	
	<input type="checkbox"/> One time incident/grievance (date _____) <input type="checkbox"/> Happened more than once (how many times? _____) <input type="checkbox"/> On-going (currently experiencing problem)
What would you like to see happen to resolve the problem?	
_____ _____ _____	

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please return this form to:

Motorways of the Federation of Bosnia and Herzegovina

Attention: [Grievance mechanism contact person](#)

Design Department – Division for Study Documentation,  
Social and Environmental Policy

Postal Address: Adema Buća 20, 88000 Mostar

Hamdije Kreševljakovića 19, 71000 Sarajevo,

Fax: +387 33 277 901

Telephone: +387 33 277 900

E-mail address: [prituzbe@jpautoceste.ba](mailto:prituzbe@jpautoceste.ba)

[www.jpautoceste.ba](http://www.jpautoceste.ba)

## 12. APPENDIX 3 - NOTIFICATION ON SOCIO-ECONOMIC SURVEY



Javna preduzeće Autoceste Federacije Bosne i Hercegovine d.o.o. Mostar  
Public Company Motorways of the Federation of Bosnia and Herzegovina Ltd. Mostar

Sjedište u Mostaru: UL Adema Buča 20, 88000 Mostar, Tel.: +387 36 512 300, Fax: +387 36 512 301  
Ured u Sarajevu: UL Hamdije Krekić-petrovića 19, 71000 Sarajevo, Tel.: +387 33 277 900, Fax: +387 33 277 901

e-mail: [info@jpautoceste.ba](mailto:info@jpautoceste.ba)  
[www.jpautoceste.ba](http://www.jpautoceste.ba)

### NOTICE OF SURVEYING

#### OWNER/USER OF THE PLOT AND BUILDINGS ON THE ROUTE OF THE MEDAKOVO - POPRIKUŠE SECTION, THE OZIMICA - POPRIKUŠE SUBSECTION AS PART OF THE Vc CORRIDOR CONSTRUCTION PROJECT

We inform you that from 06.03.2023. until 08.03.2023. JPAC will carry out a census and survey of owners/users of plots and buildings in the localities of the cadastral municipalities of Goliješnica, Donje Ravne, Ozimica, Tatarbudžak, Žepče Van and Želeča, which will be the subject of complete or incomplete expropriation, and which are located on the route of the planned construction of the subsection Ozimica - Poprikuše within Corridor construction project Vc.

The purpose of this survey is to collect socio-economic data on households and individuals who live or work on the properties that will be affected by the construction of the subsection, all in order to establish a fairer system of land acquisition and so that JP Autoceste FBiH d.o.o. Mostar could better plan its activities in this direction.

The collected data from the survey are confidential and will be used exclusively for statistical purposes in the preparation of the "Land Acquisition and Resettlement Plan" document for the needs of the Project.

The survey will be organized by the employees of JP Autoceste FBiH d.o.o. Mostar.

If you are unable to attend the survey, please contact the following contacts by phone or e-mail:

**Ivan Rebac**  
**Phone: 036 512 352**

**E-mail: [r.ivan@jpautoceste.ba](mailto:r.ivan@jpautoceste.ba)**

**Dženana Macanović Čemić**  
**Phone: 036 512 333**

**E-mail: [m.dzenana@jpautoceste.ba](mailto:m.dzenana@jpautoceste.ba)**

We thank you in advance for your cooperation.

With respect,

**JP Autoceste FBiH, d.o.o. Mostar**



Identifikacijski broj: 4227891540005 PDV broj: 227891540005  
Glavni račun: Union banka Sarajevo 1020010000014039  
Transakcijski račun: Raiffeisen bank dd Sarajevo, glavna filijala Mostar 1610200062470038  
Federalna taksa za korištenje autoceste: 1610200062470232 i 3386902296565422  
Naknada za korištenje cestovnog zemljišta: 1610200062470135 i 3386902296565469  
Registровано u Općinskom sudu u Mostaru, MBS 58-01-0179-10

## 13. APPENDIX 4 – PHOTOGRAPHS OF AFFECTED RESIDENTIAL STRUCTURES

No. 1

### RESIDENTIAL STRUCTURES – Goliješnica (Žepče)



#### MAIN CHARACTERISTICS

- Location – Goliješnica – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Very good
- Compensation Preference – Cash only
- Need for Physical Resettlement – Yes
- Questionnaire completed - Yes

No. 2

### RESIDENTIAL STRUCTURES – Goliješnica (Žepče)



#### MAIN CHARACTERISTICS

- Location – Goliješnica – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Good
- Compensation Preference – Cash only
- Need for Physical Resettlement – Yes
- Questionnaire completed - Yes



No. 3

**RESIDENTIAL STRUCTURES – Goliješnica (Žepče)****MAIN CHARACTERISTICS**

- Location – Goliješnica – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Very poor
- Compensation Preference – Cash only
- Need for Physical Resettlement – No
- The building is not inhabited
- Questionnaire completed - No

No. 4

**RESIDENTIAL STRUCTURES – Tatarbudžak (Žepče)****MAIN CHARACTERISTICS**

- Location – Tatarbudžak - Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – good
- Compensation Preference – Cash only
- Need for Physical Resettlement – No
- The building is not inhabited
- Questionnaire completed - Yes

No. 5

**RESIDENTIAL STRUCTURES – Žepče Van (Žepče)****MAIN CHARACTERISTICS**

- Location – Vašarište - Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – Yes
- Ownership – Yes
- Building Permit – Yes
- External condition – Solid
- Compensation Preference – Cash only
- A possible request for expropriation under Art. 11 of the Law on Expropriation
- Need for Physical Resettlement – Yes
- Questionnaire completed - Yes

No. 6

**RESIDENTIAL STRUCTURES – Žepče Van (Žepče)****MAIN CHARACTERISTICS**

- Location – Vašarište - Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Good
- Compensation Preference – Cash only
- Need for Physical Resettlement – Yes
- Questionnaire completed - Yes



No. 7

**RESIDENTIAL STRUCTURES – Žepče Van (Žepče)****MAIN CHARACTERISTICS**

- Location – Vašarište - Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability –
- Ownership – Yes
- Building Permit – Yes
- External condition – Solid
- Compensation Preference –
- A possible request for expropriation under Art. 11 of the Law on Expropriation
- Need for Physical Resettlement – No
- Questionnaire completed - No

No. 8

**RESIDENTIAL STRUCTURES – Žepče Van (Žepče)****MAIN CHARACTERISTICS**

- Location – Opšenik - Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Very good
- Compensation Preference – Cash only
- A possible request for expropriation under Art. 11 of the Law on Expropriation
- Need for Physical Resettlement – No
- Questionnaire completed - Yes

No. 9

**RESIDENTIAL STRUCTURES – Žepče Van (Žepče)****MAIN CHARACTERISTICS**

- Location – Opšenik – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Good
- Compensation Preference – Cash only
- A possible request for expropriation under Art. 11 of the Law on Expropriation
- Need for Physical Resettlement – Yes
- Questionnaire completed - Yes

No. 10

**RESIDENTIAL STRUCTURES – Ozimica (Žepče)****MAIN CHARACTERISTICS**

- Location – Bljuva – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Solid
- Compensation Preference – Cash only
- A possible request for expropriation under Art. 11 of the Law on Expropriation
- Need for Physical Resettlement – Yes
- Questionnaire completed - Yes



No. 11

**RESIDENTIAL STRUCTURES – Ozimica (Žepče)****MAIN CHARACTERISTICS**

- Location – Bljuva – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Solid
- Compensation Preference – Cash only
- A possible request for expropriation under Art. 11 of the Law on Expropriation
- Need for Physical Resettlement – Yes
- Questionnaire completed - Yes

No. 12

**RESIDENTIAL STRUCTURES – Ozimica (Žepče)****MAIN CHARACTERISTICS**

- Location – Bljuva – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability –
- Ownership – Yes
- Building Permit – Yes
- External condition – Very Poor
- Compensation Preference –
- Need for Physical Resettlement – No
- The building is not inhabited
- Questionnaire completed - No

No. 13

**RESIDENTIAL STRUCTURES – Donje Ravne (Žepče)****MAIN CHARACTERISTICS**

- Location – Briježde – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Very Good
- Compensation Preference – Cash only
- Need for Physical Resettlement - Yes
- Supplementary expropriation in the part processed in RAP Part 1
- Questionnaire completed - Yes

No. 14

**RESIDENTIAL AND BUISINESS STRUCTURES – Donje Ravne (Žepče)****MAIN CHARACTERISTICS**

- Location – Briježde – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Good
- Compensation Preference – Cash only
- Need for Physical Resettlement - No
- Supplementary expropriation in the part processed in RAP Part 1
- Questionnaire completed - Yes



No. 15

**RESIDENTIAL STRUCTURES – Želeče (Žepče)****MAIN CHARACTERISTICS**

- Location – Želeče – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Very Good
- Compensation Preference – Cash only
- Need for Physical Resettlement - Yes
- Supplementary expropriation in the part processed in RAP Part 1
- Questionnaire completed - Yes

No. 16

**RESIDENTIAL STRUCTURES – Želeče (Žepče)****MAIN CHARACTERISTICS**

- Location – Želeče – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – Yes
- Ownership – Yes
- Building Permit – Yes
- External condition – Solid
- Compensation Preference – Cash only
- Need for Physical Resettlement - Yes
- Supplementary expropriation in the part processed in RAP Part 1
- Questionnaire completed - Yes

No. 17

**RESIDENTIAL STRUCTURES – Želeče (Žepče)****MAIN CHARACTERISTICS**

- Location – Želeče – Žepče
- Name of Head of Household: Personal data, available for insight
- Vulnerability – No
- Ownership – Yes
- Building Permit – Yes
- External condition – Solid
- Compensation Preference – Cash only
- Need for Physical Resettlement – Yes
- Supplementary expropriation in the part processed in RAP Part 1
- Questionnaire completed - Yes