RESETTLEMENT ACTION PLAN
FOR CONSTRUCTION OF
EMBARKMENT IN THE CITY OF
BIJELJINA WITHIN THE FLOOD
CONTROL PROJECT OF DRINA
RIVER IN BIH

BOOK 1 – SECTION FROM THE CHANNEL „DRINA-DAŠNICA“ TO THE MOUTH OF
THE RIVER JANJE INTO THE RIVER DRINA IN A LENGHT OF 2.8 KM

October 2017

BOOK 2 - SECTION OF ADJUSTMENT OF
THE RIVER JANJA IN A LENGHT OF 1.8
KM
## Subject
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**BOOK 2 - SECTION OF ADJUSTMENT OF THE RIVER JANJA IN A LENGTH OF 1.8KM**

## Client
Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska / Unit for Coordination of Agricultural Projects

## Consultant
Civil Engineering Institute „IG“ Ltd. Banja Luka

## Ref. Number
IZ-IGBL-IN-EK – 0864/17

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Manager Director

Doc. Dr Nebojša Knežević, PhD in technology
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BOOK 1 – SECTION FROM THE CHANNEL „DRINA-DAŠNICA“ TO THE MOUTH OF THE RIVER JANJE INTO THE RIVER DRINA IN A LENGTH OF 2,8 KM

BOOK 2 - SECTION OF ADJUSTMENT OF THE RIVER JANJA IN A LENGTH OF 1,8KM
INTRODUCTION

By the decision of the National Assembly of the Republic of Srpska, the World Bank, the International Development Association (WB-IDA), has been accepted to finance the Drina River Flood Protection Project, that is, to build a defensive embankment in the City of Bijeljina. The main lender for credit funds is the Government of RS, and it has been appointed by the Ministry of Agriculture, Forestry and Water Management, that is, the Unit for Coordination of Agricultural Projects, for the implementation of the project.

The flood protection project, that is, the construction of the embankments, should provide protection from the great waters of the Drina river to the settlements: Balatun, Međaši, Dvorovi, Popovi, Amajlija, Janja and the new settlement Obriježi. (8 350Ha is flooded). The embankment route is laid completely within the borders of the Republic of Srpska.

The length of the embankments amounts to a total of 34.78 km, within which the following three sections are listed according to the priorities of construction:

- Section 2 includes the middle part of the embankment route from the main road "Bijeljina - Badovinci" to the mouth of the Janja river in the length of 16,12 with the regulation of the tributaries of Janja, to which the high waters of the Drina River have an impact in the length of 1,8km.
- Section 1 includes the route from the channel "Selište" and upstream of the Pavlović bridge, ie. Main road "Bijeljina - Badovinci" in length of 9,97 km.
- Section 3 includes the route from the mouth of the river Janje to the settlement Glavičica in the length of 8,68 km.

The highest priority is the construction of a section 2 that directly protects the City of Bijeljina and the settlement Janja from large waters, then section 1, and after that, section3.

The planned sections are divided according to the construction stages in order to enable more efficient land acquisition and create the conditions for obtaining approval for the construction of the building and proceed to the construction of the building.

During the preparation phase of the Drina River Defense Project, a preliminary RAP 2014 was prepared for all three sections, which showed that the project will not have a negative impact on the relocation of the population in the area of the project coverage. Preliminary RAP was done because there was no adequate project-technical documentation that would enable the final RAP to be developed, so the purpose of this document is to create final resettlement action plans based on the Main Project and the defined expropriation lines. Considering that the Drina River Defense Project will be implemented in several stages of construction, the Consultant has separated the preparation of the final RAP by sections, ie stages.

This Resettlement Action Plan relates to stage 4, section 2, which starts from the Drina-Dašnica channel to the mouth of the Janja River in the Drina River, in the length of 2.8 km and the regulation of the Janje River in the length of 1.8 km, so it is divided in two books:

1. **BOOK 1** – SECTION FROM THE CHANNEL „DRINA-DAŠNICA“ TO THE MOUTH OF THE RIVER JANJE INTO THE RIVER DRINA IN A LENGHT OF 2,8 KM

2. **BOOK 2** - SECTION OF ADJUSTMENT OF THE RIVER JANJA IN A LENGHT OF 1,8KM

All the details that relate in detail to the impacts of project implementation per section are given in books 1 and 2 below.
RESETTLEMENT ACTION PLAN FOR THE CONSTRUCTION OF EMBARKMENT IN THE CITY OF BIJELJINA IN THE FLOOD CONTROL PROJECT OF THE RIVER DRINA IN BIH

BOOK 1:
SECTION FROM CHANNEL „DRINA-DAŠNICA“ TO MOUTH OF THE RIVER JANJA INTO THE RIVER DRINA IN A LENGTH OF 2.8 KM

October 2017
<table>
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<tr>
<th>SUBJECT</th>
<th>RESETTLEMENT ACTION PLAN FOR CONSTRUCTION OF EMBARKMENT IN THE CITY OF BIJELEJNA WHITIN THE FLOOD CONTROL PROJECT OF DRINA RIVER IN BIH</th>
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<td>SECTION FROM THE CHANNEL „DRINA-DAŠNICA“ TO THE MOUTH OF THE RIVER JANJE INTO THE RIVER DRINA IN A LENGTH OF 2,8 KM</td>
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<td>Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska / Unit for Coordination of Agricultural Projects</td>
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<td>CONSULTANT</td>
<td>Civil Engineering Institute „IG“ Ltd. Banja Luka</td>
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Used acronyms and abbreviations

APP – Resettlement Action Plan
APs – Affected people
AHs – Affected Households
BAFPP - The project of flood control in Bosnia and Herzegovina
BiH - Bosnia and Herzegovina
DRBMP - Drina River Basin Management Plan
WB – The World Bank
WBFDI - Regional Initiative for the Western Balkans on the management of floods and droughts
EU - European Union
BiH – Bosnia and Herzegovina
RS – The Republic of Srpska
FBIH – Federation of Bosnia and Herzegovina
FPP – Flood Protection Project
NVO – Nongovernmental Organization
ST - Stationary
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GLOSSARY

EXPROPRIATION: Expropriation is deprivation or restriction of property rights to real property with fair compensation which may not be lower than the market value of real estate.

IMMOVABILITY: Immobility is all that is on the surface of the land above or below it built, and is intended to remain there permanently, or is incorporated immobility, she later added to it upgraded or otherwise permanently connected with it and is part of that property until it is not separate.

ACQUISITIONS OF LAND: The process, in which a takeover / acquisition of land or part of land that is owned or possessed by a person to the state in the public interest for fair compensation.

AFFECTED PEOPLE (AP): Individuals affected by the project, and individuals on which the implementation of the project has a negative impact.

AFFECTED HOUSEHOLDS (AH): All household members living under the same roof and act as a single economic unit, a project that has a negative impact. It may consist of a nuclear family or extended family groups.

ENTITLED TO COMPENSATION: All owners and users who live or use real estate, project affected area at the time of the reference date for determining entitlement to benefits are entitled to compensation or support, as specified in the Matrix compensation.

COMPENSATION FOR IMMOVABLE PROPERTY: Specified value of fair compensation for the land on the basis of its productive potential and location. The cost of replacing homes and buildings (current fair market price of building materials and labor without depreciation or deductions for saved construction material), and the market value of residential land, crops, trees, and other goods.¹

RESETTLEMENT: The physical relocation of affected persons / households affected their places of residence before the beginning of the project.

¹ According to the Law on Expropriation of the Republic of Srpska for expropriated property owner is entitled to compensation in other real estate, if expropriation beneficiary cannot provide such real property is determined by fair compensation in cash, which can not be lower than the market value of real estate to be expropriated.
INTRODUCTION

According to the experience of the World Bank during the implementation of development projects in the past, if it is not controlled, often lead to greater economic, social and environmental and risk such as relocation and dismantling of production systems, coping with poverty population due to loss of property and income, population resettlement in environments that are not suited to their production capacity and where the greater commercial competition, weakening of community institutions and social networks, dispersion (dispersion) of the population in family relations as well as their traditions and culture, reducing opportunities for potential mutual assistance or complete loss of the same.

World Bank Policy OP 4.12. - Involuntary resettlement precisely define protective measures to address and mitigate the above risks. Annex A (OP 4.12) - Involuntary Resettlement Instruments defining elements of the resettlement plan. In accordance with Annex A, the scope and level of detail of the resettlement plan varies depending on the scope and complexity of resettlement. The plan is based on the available credible data:

a) the proposed resettlement and its impact on relocated persons and other groups for which the project has a negative impact and
b) legal issues related to relocation.

The object of the Project for the Defense of the floods of the Drina River is the protection of the Semberija and the Bijeljina area from the great waters of the Drina River, which have a return period of 100 years.

In the last ten years, significant precipitation has been recorded in 2004, 2005 and most intensively in December 2010, which caused the flow of different volumes and caused significant damage in the Drina River basin. Also in the drought periods, 2001, 2007, 2008 and 2011, enormous damage was registered, especially in agricultural production, which had an impact on providing enough food in the Drina basin area. In early December 2010, large floods occurred in Semberija, Janji and the city of Bijeljina. The Drina River flooded about 83.60 km² of agricultural land and made a significant damage estimated at about thirty million convertible marks.

The creek should provide protection from the great waters of the Drina settlement: Balatun, Medaši, Dvorovi, Popovi, Amajlija, Janja and the new settlement. Obviously, the significant agricultural areas of high-ranking classes of land for agricultural production (8 350 ha). The route embankment is laid completely within the borders of the Republic of Srpska.

The length of the embankments amounts to a total of 34.78 km, within which the following three sections are listed according to the priorities of construction:

- Section 2 covers the middle part of the route of the highway embankment, "Bijeljina-Badovinci" to channel "Drina-Dašnica" with the influx of Janja. The expropriation line length is about 27 000m.
- Section 1 covers the route of the channel "Selište" but upstream to the bridge Pavlović, ie. highway "Bijeljina-Badovinci". The expropriation line length is about 9.97km
- Section 3 covers the route of the channel "Drina-Dašnica" to upstream to Glavičica. The expropriation line length amounts to cca 8,68km
The highest priority is the construction of a section 2 that directly protects the City of Bijeljina and the city of Janja from large waters, then shares 1, and after that the shares of 3.

The planned stocks are divided according to the stages of construction in order to enable more efficient land acquisition and create conditions for obtaining approval for the construction of the building and construction of the building.

During the preparation phase of the Drina River Defense Project, a preliminary RAP 2014 was prepared for all three sections, which showed that the project will not have a negative impact on the relocation of the population in the area of the project coverage. Preliminary RAP was done because there was no adequate project-technical documentation that would enable the final RAP to be developed, so the purpose of this document is to create final Resettlement Action Plans based on the Main Project and the defined expropriation lines. Since the Drina River Defense Project will be implemented in several stages of construction, the Consultant will make the final RAP per share, ie stages.

Book 1 represents section from the channel „Drina-Dašnica” to the mouth of the river Janja into the river Drina in a length of 2,8 km
SUMMARY

The project for the construction of a defensive embankment in the City of Bijeljina as part of the project for the defense of the floods of the Drina River in BiH is financed from the World Bank, International Development Association (WB-IDeA) loan, and the main lender is the Government of the Republic of Srpska, which has appointed the Ministry of Agriculture, Forestry and Water Management, ie the Unit for Coordination of Agricultural Projects in its composition, for the implementation of the project. The resettlement action plan has been prepared in accordance with the World Bank’s Operational Policies O.P.4.12. For each stage separately.

The subject of Book 1 is Resettlement Action Plan for phase 4, section 2, which starts from the “Drina-Dašnica” channel to the mouth of the Janja River in the Drina River, 2.8 km.

The total land area in the scope of this RAP is 168,615.00 sq m, while the total number of parcels is 138.

Of the total land area in the scope of this privately owned RAP, there are 155,551.00 sq m or 92.25% of the land, while state-owned, which is not subject to compensation, is 13,064.00 sq m or 7.75%, so according to the ownership structure and land use can distinguish the following categories:

Category 1: Privately-owned agricultural land value of 1.60 KM/sq m (to a total of 111 parcels with an area of 154,187.00 sq m)
Category 2: Private forest land value of 1.60 KM/sq m, (on a total of 1 parcels with an area of 183.00 sq m)
Category 3: Private land under water value of 1,00 KM/sq m (on a total of 2 parcels with an area of 213,00 sq m)
Category 4: Other private land value of 1.60 KM/sq m (on a total of 3 parcels with an area of 968.00 sq m)
Category 5: State agricultural land (on a total of 2 parcels with an area of 2,572.00 sq m)
Category 6: State-owned land under the roads (on a total of 15 parcels with an area of 7,845.00 sq m)
Category 7: State-owned land under water (on a total of 3 parcels with an area of 1,548.00 sq m)
Category 8: Other state-owned land (on a total of 1 parcels with an area of 1,099.00 sq m)

The categories of land that are state-owned (categories 5-8) are not subject to land compensation.

All the above plots are located outside the construction areas and other construction land within the meaning of Article 6 of the Regulation on Spatial Planning and Construction Land ("Official Gazette of the City of Bijeljina", No. 11/14, 19/14 and 21/14), in the town The character of Janja and are taken as agricultural land in ko Janja 1., k.o. Janja 2. i k.o. Janja 3. Pursuant to Articles 3 and 13 of the Decision on the amount of real estate value per zone in the territory of the City of Bijeljina ("Official Gazette of the City of Bijeljina", number: 32/16), this land is located in the non-residential-business zone 1. in which The market value of agricultural land is 1.60KM/sq m, while the land (ko Janja 3), which is in the nature of the river, is estimated to be in the amount of 1.00KM/sq m. Considering the total land area in the area of 168,615.00 sq m, and the total estimated purchase price of 479,963.40 KM, the price is 2,85 KM/ sq m.

In the scope of this RAP there is no planned physical relocation of people, ie no identified housing facilities. Also, there is no usurpation of other people's land or identified business entities within the scope of this RAP.

The realization of the project in the scope of this RAP will have an impact on a total of 146 households (AH), while the number of affected people (AP) is 430. Of the total number of natural persons, 43.15% (63 women) are women, men make up 56.16% (82 men) and one unknown owner (0.68%).
# Table 1, Summary of Impacts for Stage 4 section 2

<table>
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<tr>
<th>No.</th>
<th>Impacts</th>
<th>Unit</th>
<th>Number</th>
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<td><strong>LAND OWNERSHIP STRUCTURE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>The total number of covered parcels</td>
<td>Cadastral plot</td>
<td>138</td>
</tr>
<tr>
<td>2</td>
<td>Total surface of covered parcels</td>
<td>sq m</td>
<td>168,615.00</td>
</tr>
<tr>
<td><strong>TOTAL LAND AREA BY OWNERSHIP STRUCTURE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>The plots are privately owned</td>
<td>Cadastral plot</td>
<td>117</td>
</tr>
<tr>
<td></td>
<td></td>
<td>sq m</td>
<td>155,551.00</td>
</tr>
<tr>
<td>5</td>
<td>state-owned plots</td>
<td>Cadastral plot</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td></td>
<td>sq m</td>
<td>13,064.00</td>
</tr>
<tr>
<td><strong>Total price</strong></td>
<td><strong>BAM 249,963.40</strong></td>
<td></td>
<td></td>
</tr>
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<td><strong>USE OF LAND AND COMPENSATION CATEGORIES</strong></td>
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<td></td>
</tr>
<tr>
<td>6</td>
<td>Category 1: Privately-owned agricultural land</td>
<td>Cadastral plot</td>
<td>111</td>
</tr>
<tr>
<td></td>
<td>(1.60 KM/sq m)</td>
<td>sq m</td>
<td>154,187.00</td>
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<td>7</td>
<td>Category 2: Private forest land</td>
<td>Cadastral plot</td>
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<td>(1.60 KM/sq m)</td>
<td>sq m</td>
<td>183.00</td>
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<td>8</td>
<td>Category 3: Private land under water</td>
<td>Cadastral plot</td>
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<td>(1.00 KM/sq m)</td>
<td>sq m</td>
<td>213.00</td>
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<td>9</td>
<td>Category 4: Other private land</td>
<td>Cadastral plot</td>
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<td></td>
<td>(1.60 KM/sq m)</td>
<td>sq m</td>
<td>968.00</td>
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<td>Category 5: State agricultural land</td>
<td>Cadastral plot</td>
<td>2</td>
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<td></td>
<td>(Not an act of compensation)</td>
<td>sq m</td>
<td>2,572.00</td>
</tr>
<tr>
<td>11</td>
<td>Category 6: State-owned land under the roads</td>
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<td>sq m</td>
<td>7,845.00</td>
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<td>Category 7: State-owned land under water</td>
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<td>1,548.00</td>
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<tr>
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<td>Category 8: Other state-owned land</td>
<td>Cadastral plot</td>
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<td>(Not an act of compensation)</td>
<td>sq m</td>
<td>1,099.00</td>
</tr>
<tr>
<td><strong>AGRICULTURAL STRUCTURE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>The area under wheat crops</td>
<td>sq m</td>
<td>57,769.15</td>
</tr>
<tr>
<td>15</td>
<td>The area under corn crops</td>
<td>sq m</td>
<td>67,815.95</td>
</tr>
<tr>
<td>16</td>
<td>The area under orchards</td>
<td>sq m</td>
<td>7,046.00</td>
</tr>
<tr>
<td>17</td>
<td>Number of affected trees</td>
<td>Br.</td>
<td>454.00</td>
</tr>
<tr>
<td><strong>ROADS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Uncategorised roads</td>
<td>Cadastral plot</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td></td>
<td>sq m</td>
<td>6,789.00</td>
</tr>
<tr>
<td>19</td>
<td>Road</td>
<td>Cadastral plot</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>sq m</td>
<td>1,056.00</td>
</tr>
<tr>
<td><strong>AFFECTED HOUSEHOLDS (AHS)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Number of affected households AH</td>
<td>Br.</td>
<td>146</td>
</tr>
<tr>
<td>21</td>
<td>Number of affected persons AP</td>
<td>Br.</td>
<td>430</td>
</tr>
<tr>
<td><strong>Increase of the total amount of land for objects and parts of objects, plantations, fruit trees and wood mass</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>BAM 230,000.00</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>BAM 479,963.40</strong></td>
<td></td>
</tr>
</tbody>
</table>

The total number of people affected by the project is 430, and the total number of households is 146.

The legal and political framework for land acquisition and relocation within this project has been adopted to assist the AP and / or AH households for lost land and property, income and living resources, which has
been elaborated in detail in Chapter IV "Legal and Policy Framework". The cut-off date for land, property and facilities payments under this RAP is March 15, 2017, and a fair fee at a price not lower than the market value will be paid in accordance with the local Legal regulations and OP4.12. (Chapter 4.3.2. Compensation Matrix).

The Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska is the institution through which this project is being implemented, or by the WB as the holder of the loan realization (IDA) for the Republic of Srpska, the Ministry of Agriculture, Forestry and Water Management RS / Coordination Unit Agricultural projects (APCU). The Resettlement Action Plan (RAP) defines the procedures to be followed by the Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska, as well as the actions / steps that will be taken to adequately implement resettlement and compensation for affected persons and households.

The Unit for Coordination of Agricultural Projects will closely cooperate with other institutions in the implementation of RAP, the most important of which are the Republic Administration for Geodetic and Property Affairs and the Department of Property and Legal Affairs of the City of Bijeljina.

It is proposed that the Municipality of Bijeljina appoint a liaison officer with the community responsible for consultation with vulnerable persons, as well as for communication with representatives of local communities. Before the start of the project, all affected groups will be informed of the scope of the Project and the contact information on the basis of which the said groups can receive additional information.

The complaint handling mechanism will be established to allow vulnerable persons to file an appeal on any decision regarding the temporary or permanent loss of land, property or source of income and the definition of remuneration for the same. In other words, the protection of the rights of the owner or expropriation beneficiary is provided through the policy of the World Bank O.P.4.12. And domestic legislation or two-tiered administrative and court proceedings, with the guaranteed right to appeal.

As part of this RAP, the monitoring of RAP updates, its implementation, as well as the timeliness of providing institutional and financial assistance to vulnerable people is envisaged as an integral part of the overall functioning and project management. The goal of monitoring and evaluation is to provide feedback to all stakeholders on the progress and timeliness of implementation, as well as timely identification of possible problems, ie resolving them.
I. INTRODUCTION

1.1. Project background

Resolution of the Government of RS, No. 04 / 1-012-2-396 / 14 dated 26.02.2014 accepted the initiative for negotiations with the World Bank, the International Development Association (WB-IDA) for the Project for flood protection of the Drina River. Decision of the National Assembly accepted the debt to the World Bank, the International Association for Development. The effectiveness of the project was announced in May 2015. The main lender for the loan funds, the Government of the RS, and the same appointed the Ministry of Agriculture, Forestry and Water Management and Coordination Unit of agricultural projects that is a part thereof for its implementation.

International river basin of the Drina is one of the most important and water richest river basins in the Western Balkans. Therefore, the river Drina large and incompletely exploited development potential of more countries and regions through which it flows. Until now, the water potential of the Drina River only limited use in some elements of a complex target structure. It is now the most prevalent only partially hydropower development flow and Drina river basin, while the water supply, irrigation and other water management objectives of the segments represented in the very limited extent. Lacking even the most necessary work on the regulation and stabilization of the basin, as well as joint marketing under the control of the exploitation of material from the channel as a result of the fact that for all these activities now required close coordination of the state of BiH, Serbia and Montenegro.

Taking into account the above causes and tendency to flood, and the fact that in the previous period are not in accordance with the needs of developing systems for flood protection, but only run at maintaining protection facilities, and to in the reduced volume compared to the necessary maintenance, annoying institutions have Bosnia and Herzegovina with the support of the entities of the Republic of Srpska and the Federation of Bosnia and Herzegovina in June 2012, formally requested the World Bank to consider the possibility of providing funding for flood protection project in Bosnia and Herzegovina (BAFPP).

The World Bank responded positively to this request and agreed to consider support for the establishment of urgently needed-management measures to mitigate floods in the two entities of Bosnia and Herzegovina, and to the areas that are most threatened by floods in 2010 in the basin of the river Drina. Support was given to the implementation of the two projects, in the area of Gorazde (Gorazde, Foca-Ustikolina and Pale-Praca) in the Federation of Bosnia and Herzegovina and Bijeljina area (Bijeljina and Janja) in the Republic of Srpska. The project would be financed by loans (IDA) WB, except for the part of investments related to the cost of property rights for the expropriation of land along the route of the planned dam. These funds would be obezjedena as national public contribution at local level.

By WB as the Implementing loans (IDA) WB, for the Republic of Srpska, determined by the Ministry of Agriculture, Forestry and Water Management / Coordination Unit agricultural projects.

The complex dynamics of the development of the riverbed causes morphological changes that alter the morphological structure of the river each year. The current situation has the effect of bank erosion, removal of the most fertile land and the flooding of large areas of agricultural and urbanized land, coastal settlements and more. Such a situation from an environmental standpoint adversely affect the protection of people, flora and fauna, soil, water, air, climate, landscape, material assets, cultural heritage and other elements of the environment.

Data on floods that occurred in the past and which have had a significant negative impact on the environment, using the available data from preliminary flood risk assessment for the territory of the
Republic of Srpska. According to preliminary estimates, typical flood events were during the 1896, 2010 and 2014.

For the dynamic implementation of the protection system of the Drina left embankment in the area of Bijeljina are very important findings obtained by studying the flood wave in May 2014. These floods are very instructive events and represent the kind of reliable physical models flooding the terrain in the scale 1:1.

Bearing in mind this important fact - that the genesis and dynamics of the wave at the City of Bijeljina (Semberija and Janja), already analyzed during the floods of 2010 and 2014, the dynamics of realization of the planned phase - protective embankment on the left bank of the Drina River, should be based on analysis of these phenomena. From this analysis it follows that in the construction of the left embankment of the Drina in stages, priority should be given to building a second phase, which includes a section of the embankment of the highway "Bijeljina-Badovinci", and upstream to the mouth of Janja. Then would follow the construction of the first phase of the channel "Selište", and upstream to the highway "Bijeljina-Badovinci," and finally to the entire protective system has completed construction of the third phase of the mouth of Janja, and upstream to the village Glavičice.

During the preparation phase of the Drina River Defense Project, a preliminary RAP for all three sections was completed in 2014, which showed that the project will not lead to the physical displacement of the population. Preliminary RAP was done because there was no proper project-technical documentation that would allow the creation of the final RAP. Considering that in 2016, the Main Project for the construction of a defensive embankment in the City of Bijeljina within the framework of the project for defending the floods of the Drina River in BiH created the conditions for the preparation of the final version of RAP. RAP is for practical reasons divided by shares and stages.

The subject of this RAP (Book 1) is Resettlement Action Plan for the section from the Drina-Dašnica canal to the mouth of the Janje River in the Drina River, in the length of 2.8 km.

The cut-off date for land, property and facilities payments under this RAP is March 15, 2017.

The impact factor of stage 4 of section 2 is limited to parts of cadastral municipalities Janja 1, Janja 2 and Janja 3. In the scope of stage 4 of section 2, starting from the channel "Drina-Dašnica" to the mouth of the Janje river there are no identified facilities, and the agricultural cultivated land.

The total land area in the scope of this RAP is 168 615,00 sq m, while the total number of parcels is 138.

Of the total land area in the scope of this privately owned RAP, there are 155,551.00 sq m or 92.25% of the land, while state-owned, which is not subject to compensation, is 13,064.00 sq m or 7.75%, so according to the ownership structure And land use can distinguish the following categories:

**Category 1:** Privately-owned agricultural land on a total of 111 parcels with an area of 154 187,00 sq m.
**Category 2:** Private forest land on a total of 1 plot with an area of 183,00 sq m
**Category 3:** Private land under water on a total of 2 parcels with an area of 213,00 sq m
**Category 4:** Other private land on a total of 3 parcels with an area of 968,00 sq m
**Category 5:** State agricultural land on a total of 2 parcels with an area of 2 572,00 sq m
**Category 6:** State-owned land under the roads on a total of 15 parcels with an area of 7 845,00 sq m
**Category 7:** State-owned land under water on a total of 3 parcels with an area of 1 548,00 sq m
**Category 8:** Other state-owned land on a total of 1 parcels with an area of 1099,00 sq m
The categories of land that are state-owned (categories 5-8) are not subject to land compensation.

1.2. Corridor of the impact of the planned project

The disposition of the embankment route on the left bank of the Drina River goes from Balatun, where it connects to the right embankment of the Main Circumstance Channel "Selište", upstream of the settlement Glavičice, at a length of approximately 34.78 km. Since the dam has a very large length (34.78 km), the construction of the embankment is divided into three sections, and the stakes on the stages. The object of this RAP is a 2.8 km long section that runs from the Drina-Dašnica channel and ends at the mouth of the Janje River in the Drina River. The height of the protective embankment is defined on the basis of a certain level of the high water level of the Drina river, the rank of the occurrence Q1 / 100, and the height of the embankment is variable and ranges from 1.49 m to 4.23 m, but on very small lengths.

In the following figure, a overview of the sections on the left-hand side of the dredging route is given in stages:

![Figure 1 An overview map of the route left dune embankment in sections and stages](image)

The disposition of the route of the embankment of the section 2 starts from the main road "Bijeljina - Badovinci", upstream of the mouth of the river Janje from the mouth of the river Drina, at a length of 16.12 km. The embankment route is laid within the territory of the Republic of Srpska. When laying the
embankment on the ground, it was taken into consideration that the embankment route was laid between the cultivated agricultural areas (if possible) and the areas covered by the trees.

The subject of this Resettlement Action Plan is the stage 4 of the section 2 which starts from the Drina-Dašnica channel and ends at the mouth of the Janje river in the Drina River of the total length 2.8 km:

The beginning and the end of stage 4 of Section 2 of which departs from the channel Drina Dašnica and ends in the estuary of the river in the Lamb Drinu are labeled pink color in the previous figure.
1.3. Minimizing acquisition / land acquisition and resettlement

When choosing a design solution that was taken into account to minimize the potential acquisition or occupation of land and displacement of the population as a result of the same. In this regard, great efforts were to choose the best engineering solution that will achieve the reduction of surface or parcels that would be subject to acquisitions, and therefore the reduction of the relocation as a result of land confiscation to a minimum. When choosing a design solution took into account the following:

- Considering the alternative position of the embankments, great attention was paid to the search for solutions with as little impact on the environment, primarily on the population by avoiding the positioning of the embankments through the settlements.
- The intersection of local and access roads is reduced to the extent possible
- The selection of the most favorable variant is in principle selected criteria relating to social, financial, technical, technological and environmental indicators.

The project solution of the section that is the subject of this RAP in the length of 2.8 km (from the Drina-Dašnica canal and ends at the mouth of the Janje River in the Drina River) was selected, which will not lead to temporary or permanent resettlement of the population. The project solution envisages the construction of embankments on a certain area where an expropriation is envisaged to be carried out in accordance with applicable laws, directives, regulations and standards.

The expropriation study for the 2.8 km section, which is the subject of this RAP, was made by the GISsoft, Geoinformatics and Geodesy Company GISsoft doo. Brčko in November 2016. Finding on the establishment of the indicative market value of the real estate-cadastral plots for expropriation within the Expropriation Study for the purpose of constructing a dam for the protection of floods of the City of Bijeljina from the great rivers of the Drina River for a drawn section of 2.8 km length was prepared by the Public Enterprise "Construction and Development of the City" doo Bijeljina 10.02.2017. godine.

1.4. Preparation of the Resettlement Action Plan (APP) and goals

The Resettlement Action Plan (APP) was prepared in accordance with the Contract No. BA-DFPP-IDA 5444-QCBS-BL-CS-15-004 for the project of building a defensive embankment in the City of Bijeljina within the project of defense against the flood of the Drina River in BiH, and it is substantially and technically harmonized with the project task, domestic relevant legal regulations and Operational rules of the World Bank OP 4.12 Involuntary Resettlement.

Preliminary RAP for all three sections of the project for the construction of dams for the defense of the floods of the Drina River was completed in 2014, since at that moment the Consultant had at his disposal a Preliminary Design project, ie there was no adequate project and technical documentation that would enable the creation of the final RAP, So the subject of this document is the development of a final RAP for a 2.8 km long section based on the Main Project and the line of expropriation.

In the process of preparing the Resettlement Action Plan, consultations with stakeholders, including municipal authorities and potentially vulnerable persons (APs), were conducted at this stage.
The Resettlement Action Plan (APP) defines the procedures to be followed by the Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska / APCU Agricultural Implementation Unit as well as actions / steps that will be taken to adequately implement resettlement and compensation for affected persons and households.

The objective of this RAP is to mitigate the negative impacts of land acquisition and relocation, and to determine the benefits for different categories of affected people, paying special attention to the most vulnerable categories.

The land purchase will be executed at a value not less than the official market value, and in accordance with the World Bank Operational Rules of the OP 4.12 Involuntary Resettlement and domestic legislation, which primarily relates to the Expropriation Law.

The decision on determining the general interest for stage 4 of the section 2, which is the subject of this RAP (from the constitutional building on the channel "Drina-Dašnica" and ends at the mouth of the Janja river in the Drina River, in the length of 2.8 km) was published in the Official Gazette of the Republic Srpske broj 33/17 4.04.2017

Pursuant to Article 14, paragraph 1, item 3 of the Statute of the Solidarity Fund for the Rehabilitation of the Republic of Srpska ("Official Gazette of the Republic of Srpska" No. 67/14) and Article 21, paragraph 2 of the Rules of Procedure of the Managing Board of the Solidarity Fund for the Reconstruction of the Republika Srpska, No. 04-2-414-37 / 14, dated June 20, 2014, the Managing Board of the Solidarity Fund for Reconstruction of the Republic of Srpska, at the 11th session held on May 23, 2017, reached a conclusion on securing funds for payment of compensation in the expropriation procedure The property for regulating the flow of the river Drina on a share that is in the scope of this RAP in the amount of KM 500,000.00. The conclusion enters into force on the day of its adoption (May 23, 2017).

1.5. The constraints that the Consultant encountered during the development of the Resettlement Action Plan (RAP)

The subject of this action plan for relocation is a 2.8 km long section from the "Drina-Dašnica" canal up to the mouth of the Janje River in the Drina River. The expropriation line was taken from the expropriation elaboration made for the mentioned coverage, and whose holder is GIS-Soft Brčko. Finding on the establishment of the indicative market value of real estate-cadastral plots for expropriation within the Expropriation Study for the purpose of constructing a dam for the protection of floods of the City of Bijeljina from the great waters of the Drina River - section 2-stage 4 was prepared by the Public Enterprise "Directorate for Construction and Development of the City "doo Bijeljina 02/10/2017. The data on the resources necessary for the expropriation of the land in the scope are considered relevant.
II. LIST AND IMPACT ASSESSMENT

2.1. Introduction

Impact assessment details in detail the loss of land, buildings and other assets within the scope of a 2.8 km long section from the constitutional building on the Drina-Dašnica canal and to the mouth of the Janje River to the Drina River. Compensation and rehabilitation measures are defined in accordance with the mentioned impacts. A detailed inventory of all impacts has been made in accordance with the Main Project for the Protection of the River Drina River in BiH and the cadastral data from the existing Expropriation Study, which was done in November 2016 by GIS-Soft Brcko.

Below is an overview of the received data.

2.2. Impact on land, other property and income

2.2.1. General classification of the land under the influence of the project

The total land area in the scope of this RAP is 168,615.00 sq m, while the total number of parcels is 138. This Movement Action Plan covers all parcels that are in the line of expropriation, that is, under the influence of the project, in accordance with OP 4.12 and the domestic legal Legislation (Law on Expropriation) will execute their complete or partial expropriation, or they include either whole parcels from the scope or their parts on which the expropriation was carried out. Given the ownership structure and land use, the categorization of the land that is in the scope of this RAP to the following categories: Category 1: Privately-owned agricultural land with an area of 154,187.00 sq m; Category 2: Private forest land with area of 183.00 sq m; Category 3: Private land under water with area of 213.00 sq m; Category 4: Other private land with surface of 968.00 sq m; Category 5: State agricultural land with Area of 2,572.00 sq m; Category 6: State-owned land under roads with an area of 7,845.00 sq m; Category 7: State-owned land under water with surface area of 1,548.00 sq m; Category 8: Other state-owned land with an area of 1,099,00 sq m. The categories of land that are state-owned (categories 5-8) are not subject to land compensation. On state-owned land there are no private users who use state-owned land.

The costs necessary for the expropriation of land are defined on the basis of the construction areas and other construction land ("Official Gazette of the City of Bijeljina", No. 11/14, 19/14 and 21/14), which belong to certain parcels, and on the basis of the Decision on the amount of the value of the real estate By zones in the territory of the City of Bijeljina ("Official Gazette of the City of Bijeljina", number: 32/16).

Namely, the Commission for the assessment of the value of the land within the scope of this RAP visited a 2.8 km long section from the Drina-Dašnica channel for the foothills of the Janje River in the Drina River, which is the length of 2.8 km, which is the subject of this RAP, and concluded that all the parcels Located outside the construction areas and other construction land within the meaning of Article 6 of the Regulation on Spatial Planning and Construction Land ("Official Gazette of the City of Bijeljina", No. 11/14, 19/14 and 21/14), in the town of Janja, is like agricultural land in ko Janja 1., k.o. Janja 2. i k.o. Janja 3.

Pursuant to Articles 3 and 13 of the Decision on the Amount of the Value of Real Estate by Zones in the territory of the City of Bijeljina ("Official Gazette of the City of Bijeljina", number: 32/16), this land is located in the non-residential-business zone 1. where the value of the agricultural Land 1.60KM/sq m.
Based on the above, the subject real estate on this move is estimated roughly: Type 1 - land that is outside the construction zone, that is, it is managed as an agricultural, regardless of the entry in the public records, bearing in mind that in most cases the economic interest does not change. Processing of the remaining part of the parcels concerned, is roughly estimated for the amount of 1.60 KM/sq m; And Type 2 - land in k.o. Janja 3, which is in the nature of the river and insights on the terrain enters the Drina River basin, is roughly estimated for the amount of 1.0 KM/sq m.

In accordance with the aforementioned, the categorization of the land on:

- **Category 1**: Privately-owned agricultural land value of 1.60 KM/sq m (to a total of 111 parcels with an area of 154,187.00 sq m)
- **Category 2**: Private forest land value of 1.60 KM/sq m, (on a total of 1 parcel with area of 183.00 sq m)
- **Category 3**: Private land under water value of 1.00 KM/sq m (on a total of 2 parcels with an area of 213.00 sq m)
- **Category 4**: Other private land value of 1.60 KM/sq m (on a total of 3 parcels with an area of 968.00 sq m)
- **Category 5**: State agricultural land (on a total of 2 parcels with an area of 2,572.00 sq m)
- **Category 6**: State-owned land under the roads (on a total of 15 parcels with an area of 7,845.00 sq m)
- **Category 7**: State-owned land under water (on a total of 3 parcels with an area of 1,548.00 sq m)
- **Category 8**: Other state-owned land (on a total of 1 parcels with an area of 1,099.00 sq m)

The categories of land that are state-owned (categories 5-8) are not subject to land compensation.

Regarding the ownership structure of the land parcel located in the expropriation line this RAP can be classified as follows:

Table 2, Type of land by ownership structure (2.8 km)

<table>
<thead>
<tr>
<th>Influence category</th>
<th>Plot no</th>
<th>Surface (sq m)</th>
<th>Households no</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land subject to compensation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Privately registered land</td>
<td>117</td>
<td>155,551</td>
<td>146</td>
</tr>
<tr>
<td>Land that is not subject to compensation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. State-owned land</td>
<td>21</td>
<td>13,064</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>138</td>
<td>168,615</td>
<td>146</td>
</tr>
</tbody>
</table>

Table 3, Land type according to use and land value

<table>
<thead>
<tr>
<th>Category of land by use</th>
<th>Plot no</th>
<th>Surface(sq m)</th>
<th>Household no</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 1 and type 2 (land subject to compensation)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type 1 - private land that is kept as agricultural, outside the construction area</td>
<td>115</td>
<td>155,338,00</td>
<td>144</td>
</tr>
</tbody>
</table>

24
2.2.2. Crops impact

On agricultural land subject to compensation from crops, wheat and maize were identified as the dominant crop cultivation in Semberija.

<table>
<thead>
<tr>
<th>CULTURE</th>
<th>PLOTS NUMBER</th>
<th>SURFACE</th>
<th>HH NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corn</td>
<td>53</td>
<td>67,816.00</td>
<td>51</td>
</tr>
<tr>
<td>Wheat</td>
<td>46</td>
<td>57,769.15</td>
<td>42</td>
</tr>
<tr>
<td>Total</td>
<td>99</td>
<td>125585</td>
<td>93</td>
</tr>
</tbody>
</table>

2.2.3. Impact on fruit trees and trees

The construction of embankments at a length of 2.8 km from the constitutional building on the Drina-Dašnica canal up to the mouth of the Janje River will lead to the demolition of fruit trees in the area of which the number is estimated at 183. Areas under the forest which are in the public register as forest The land is processed separately and is not the subject of this chapter.

<table>
<thead>
<tr>
<th>Species</th>
<th>Productive</th>
<th>Unproductive</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oak</td>
<td>80</td>
<td>2</td>
<td>82</td>
</tr>
<tr>
<td>Grab</td>
<td>56</td>
<td>1</td>
<td>57</td>
</tr>
<tr>
<td>Walnut</td>
<td>33</td>
<td>0</td>
<td>33</td>
</tr>
<tr>
<td>Plum</td>
<td>6</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Cherry</td>
<td>3</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Apricot</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>183</td>
</tr>
</tbody>
</table>

2.2.4. Facilities impact

Within the scope of the section that is the subject of this RAP in the length of 2.8 km, which starts from the constitutional building on the Drina-Dašnica canal, to the mouth of the Janje River in the Drina river there are no identified facilities and there will be no need for physical displacement of people.

2.3. The vulnerability of the population and the community
When it comes to ownership of the land in the area of this RAP (from the constitutional building on the Drina-Dašnica canal to the mouth of the Janje River in the Drina River, in the length of 2.8 km), there are a total of 138 parcels, and from this number in the Cadastral Municipality of Janja 1 there are 2 plots, there are 117 jumps on the Cadastral Municipality of Janja 2 and there are 4 parcels in the cadastral municipality Janja 3, while on the loan which is also located at KO Janja 2 there are 15 parcels.

The total number of privately owned parcels is 117 on the surface of 155,551.00 sq m. The total number of affected households is \( AH = 146 \), and the total number of affected persons is \( AP = 430 \). Out of this number, 115 parcels on the surface of 155,338.00 sq m are 144 affected households, and the land that is subject to expropriation is private land that is kept as agricultural, outside the construction area, that is, it is managed as agricultural, regardless of the entry in Public records, having in mind that in most cases the economic interest in processing the remaining part of the parcels is not changed and is estimated at the amount for type 1-agricultural land (categories 1,2 and 4 - agricultural, forest and other private land) of 1, 60 KM/sq m. The remaining two plots on the surface of 213 sq m are two affected households that exclude the land belonging to Type 2 - private land that, in the nature of the river and insight on the terrain, enters the Drina riverbed whose price is estimated at 1,00 KM/sq m.

When it comes to land ownership, a total of 69 parcels owned by 82 men and 42 plots owned by 63 women are registered, which means that the ratio is 56.16% to 43.45% for men. The remaining 0.66% is made by an unknown owner.

According to the data provided by the Bijeljina Center for Social Work, the persons affected by the project are not social welfare beneficiaries, either by category.

<table>
<thead>
<tr>
<th>IMPACT CATEGORY</th>
<th>AFFECTED HOUSEHOLDS BY CATEGORY</th>
<th>SURFACE</th>
<th>HOUSEHOLD NUMBER</th>
<th>NUMBER OF AFFECTED PERSONS AP</th>
</tr>
</thead>
<tbody>
<tr>
<td>A: AGRICULTURAL LAND</td>
<td>Garden 1</td>
<td>3,354.00</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Orchard 3</td>
<td>5,241.00</td>
<td>11</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Orchard 4</td>
<td>1,313.00</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Field 2</td>
<td>4,223.00</td>
<td>4</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Field 3</td>
<td>21,858.00</td>
<td>22</td>
<td>68</td>
</tr>
<tr>
<td></td>
<td>Field 4</td>
<td>92,522.00</td>
<td>77</td>
<td>223</td>
</tr>
<tr>
<td></td>
<td>Field 5</td>
<td>20,856.00</td>
<td>23</td>
<td>65</td>
</tr>
<tr>
<td></td>
<td>Field 6</td>
<td>80.00</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>B: FOREST LAND</td>
<td>forest 3</td>
<td>183.00</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>C: LAND UNDER WATER</td>
<td>River</td>
<td>213.00</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>D: Roads</td>
<td>All roads category</td>
<td>0.00</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>E: OTHER LAND</td>
<td>yard</td>
<td>968.00</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>F: CROPS / TREES</td>
<td>Crops</td>
<td>125,585.15</td>
<td>93</td>
<td>n.a.</td>
</tr>
<tr>
<td></td>
<td>Trees</td>
<td>183.00</td>
<td>28</td>
<td>n.a.</td>
</tr>
<tr>
<td>G: FACILITIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2.3.1. Needs for relocation and resettlement strategy

According to the projected solution, there will be no need for physical displacement of the population due to the construction of a protective embankment on the left bank of the Drina in the length of 2,8 km from the constitutional construction of the Drina-Dašnica canal up to the mouth of the Janje river in the Drina river, as there is no identified objects.

2.3.2. Impact on business

No business entity has been identified in the scope of the project, so there is no impact on the business activity.

2.3.3. Impact on the religious community

Within the scope of the project, plots owned by the Medjlis of the Islamic Community of the Yang and the Islamic Community of Vakuf have been identified:

<table>
<thead>
<tr>
<th>No.</th>
<th>OWNERSHIP</th>
<th>CULTURE</th>
<th>SURFACE M²</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Committee of the Islamic Community of Vakuf</td>
<td>field 4</td>
<td>3801</td>
</tr>
<tr>
<td>2</td>
<td>Medzhlis Islamic community</td>
<td>field 5</td>
<td>2592</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td>4,740,00</td>
</tr>
</tbody>
</table>

2.3.4. Employment impact

According to the projected solution for the construction of a protective embankment on the left bank of the Drina Drina, in length of 2, 8 km from the constitutional construction of the Drina-Dašnica canal up to the mouth of the Janje river in the Drina river, during the period of the project realization, that is, during the construction period of the embankment, By the engagement of a large number of workers of different qualifications structures.

After the construction of the embankment, the need for maintenance of the facility will be announced, which will be the responsibility of the Public Institution "VODE SRPSKE", Bijeljina. However, given the existing capacities in human resources (30 employees) in the sub-sector for the Semberija suburb, there is no real need for an increase in the number of employees.

2.3.5. Common property impact

The construction of the embankments will have an impact on the common (social) property, and the following:

<table>
<thead>
<tr>
<th>OWNER</th>
<th>SURFACE</th>
</tr>
</thead>
</table>

Table 7, Overview of the cultures and areas owned by the religious community

Table 8, Common property
2.4. Highly affected and vulnerable households

The project for the construction of a protective embankment on the left bank of the Drina River, in the length of 2, 8 km, from the constitutional construction of the Drina-Dašnica canal up to the mouth of the Janje River in the Drina River, will not have an impact on the physical displacement of persons, since in the scope of this RAP there are no identified housing and no objects of other categories.

According to the projected solution for the construction of a protective embankment on the left bank of the Drina River, in the length of 2, 8 km from the constitutional construction of the Drina-Dašnica canal up to the mouth of the Janje River in the Drina River, insight into the database of the relevant Center for Social Work Bijeljina has not identified the severely affected and vulnerable households or members of households for whom the project has a negative impact.

2.5. Gender equality and the effects of relocation

In the area of coverage of this RAP or in the scope of the project for the construction of a protective embankment on the left bank of the Drina river, in the length of 2, 8 km from the constitutional construction of the Drina-Dašnica canal to the mouth of the Janje River in the Drina river, in the cadastral municipalities Janja 1, Janja 2 and Janja 3, a total of 69 parcels, owned by 82 men and 42 plots owned by 63 women, are registered, which means that the ratio is 56.16% versus 43.15% for the benefit of men. The remaining 0.66% is made by an unknown owner.

During the implementation of this project, special attention should be paid to ensuring that women who are recipients of compensation for the potential expropriation of land, that is, women who are de facto the "head of the family" are clearly stated as recipients of compensation and that they will realize that compensation.

In addition, during the monitoring of the implementation of the resettlement plan, special attention will be paid to the impact of resettlement on women (especially women who are the head of the family) and other vulnerable groups.

2.6. Impact summary

The impact assessment for the coverage of this RAP in the length of 2, 8 km on the move from the constitutional construction of the Drina-Dašnica canal to the mouth of the Janje River in the Drina river is given in the following table:

<table>
<thead>
<tr>
<th>No</th>
<th>Impacts</th>
<th>Unit</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>IRAFAS-REPUBLIC WATER DIRECTORY</td>
<td></td>
<td>1,410.00</td>
</tr>
<tr>
<td></td>
<td>CITY OF BIJEJINA</td>
<td></td>
<td>492.00</td>
</tr>
<tr>
<td></td>
<td>PUBLIC GOOD ROADS</td>
<td></td>
<td>1,056.00</td>
</tr>
<tr>
<td></td>
<td>NO DATA IN THE CATASTER</td>
<td></td>
<td>138.00</td>
</tr>
<tr>
<td></td>
<td>ROADS</td>
<td></td>
<td>8,869.00</td>
</tr>
<tr>
<td></td>
<td>REPUBLIC OF SRPSKA</td>
<td></td>
<td>1,099.00</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td>13,064.00</td>
</tr>
</tbody>
</table>

All the land listed in the previous table is state-owned and as such is not subject to land compensation.
**STRUCTURE OF OWNERSHIP**

<table>
<thead>
<tr>
<th></th>
<th>Total number of parcels covered</th>
<th>Cadastral plot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td>138</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Total area of the parcels covered</th>
<th>sq m</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td></td>
<td>168,615.00</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL SURFACE OF LAND, BY OWNERSHIP STRUCTURE**

<table>
<thead>
<tr>
<th></th>
<th>Private-owned plots</th>
<th>Cadastral plot</th>
<th></th>
<th>State-owned plots</th>
<th>Cadastral plot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td></td>
<td></td>
<td>117</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Private-owned plots</th>
<th>sq m</th>
<th></th>
<th>State-owned plots</th>
<th>sq m</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td></td>
<td>155,551.00</td>
<td></td>
<td></td>
<td>13,064.00</td>
<td></td>
</tr>
</tbody>
</table>

**Total land price**  
BAM 249,963.40

**METHOD OF USE OF LAND AND CATEGORY OF COMPENSATION**

<table>
<thead>
<tr>
<th></th>
<th>Category 1: Privately-owned agricultural land</th>
<th>Cadastral plot</th>
<th></th>
<th>Category 2: Private forest land</th>
<th>Cadastral plot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td></td>
<td></td>
<td>111</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Category 1: Privately-owned agricultural land</th>
<th>sq m</th>
<th></th>
<th>Category 2: Private forest land</th>
<th>sq m</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td></td>
<td>154,187.00</td>
<td></td>
<td></td>
<td>183.00</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Category 3: Private land under water</th>
<th>Cadastral plot</th>
<th></th>
<th>Category 4: Other private land</th>
<th>Cadastral plot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Category 3: Private land under water</th>
<th>sq m</th>
<th></th>
<th>Category 4: Other private land</th>
<th>sq m</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td></td>
<td>213.00</td>
<td></td>
<td></td>
<td>968.00</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Category 5: State agricultural land</th>
<th>Cadastral plot</th>
<th></th>
<th>Category 6: State-owned land under the roads</th>
<th>Cadastral plot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Category 5: State agricultural land</th>
<th>sq m</th>
<th></th>
<th>Category 6: State-owned land under the roads</th>
<th>sq m</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td></td>
<td>2,572.00</td>
<td></td>
<td></td>
<td>7,845.00</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Category 7: State-owned land under water</th>
<th>Cadastral plot</th>
<th></th>
<th>Category 8: Other state-owned land</th>
<th>Cadastral plot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td></td>
<td></td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Category 7: State-owned land under water</th>
<th>sq m</th>
<th></th>
<th>Category 8: Other state-owned land</th>
<th>sq m</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td></td>
<td>1,548.00</td>
<td></td>
<td></td>
<td>1,099.00</td>
<td></td>
</tr>
</tbody>
</table>

**AGRICULTURAL STRUCTURE**

<table>
<thead>
<tr>
<th></th>
<th>The area under wheat crops</th>
<th>sq m</th>
<th></th>
<th>The area under corn crops</th>
<th>sq m</th>
<th></th>
<th>The area under orchards</th>
<th>sq m</th>
<th></th>
<th>Number of affected trees</th>
<th>Br.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td></td>
<td>57,769.15</td>
<td></td>
<td></td>
<td>67,815.95</td>
<td></td>
<td></td>
<td>7,046.00</td>
<td></td>
<td>454.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ROADS**

<table>
<thead>
<tr>
<th></th>
<th>Uncategorized road</th>
<th>Cadastral plot</th>
<th></th>
<th>Road</th>
<th>Cadastral plot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td></td>
<td></td>
<td>13</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Uncategorized road</th>
<th>sq m</th>
<th></th>
<th>Road</th>
<th>sq m</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td></td>
<td>6,789.00</td>
<td></td>
<td></td>
<td>1,056.00</td>
<td></td>
</tr>
</tbody>
</table>

**AFFECTED HOUSEHOLDS (AHS)**

<table>
<thead>
<tr>
<th></th>
<th>Number of affected households AH</th>
<th>Br.</th>
<th>Number of affected persons AP</th>
<th>Br.</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td></td>
<td>146</td>
<td></td>
<td>430</td>
</tr>
</tbody>
</table>

**Increase of the total amount of land for objects and parts of objects, plantations, fruit trees and wood mass**  
BAM 230,000.00

**Total**  
BAM 479,963.40
III. SOCIO-ECONOMIC INFORMATION

3.1. Introduction

The goal of socio-economic analysis is to collect general data on the socio-economic situation of vulnerable people. The subject of socio-economic research is the plots and vulnerable persons who are in the scope of the project of building a defensive embankment in the City of Bijeljina within the project of defense against the floods of the Drina River in BiH, section 2 stages 4 with the tributary Janja.

3.2. Endangered population and demography

The subject of this Action Plan for Relocation is the scope of the project for the construction of a protective embankment on the left bank of the Drina river, in the length of 2.8 km from the constitutional building of the Drina-Dašnica canal up to the mouth of the Janje River in the Drina River. The scope of the project includes the cadastral municipalities Janja 1, Janja 2 and Janja 3.

The territory of the City of Bijeljina with the city administration center has a total of 67 settlements, which are organized in 70 local communities, of which 13 are local communities in urban urban area of Bijeljina, and 57 local communities in the rural area. According to the preliminary results of the 2013 census, the largest populated place is the administrative center of the town of Bijeljina, followed by the inhabited place Janja with 12,233 inhabitants, the total number of households 3184 and the total number of dwellings 4272.

3.3. The proximity of urban and rural areas

City of Bijeljina is located in the northeastern part of the Republic of Srpska and BiH and includes lowland geographical area of Semberija and mild hills of Majevica. The territory of the project 734 square kilometers of mostly plain and plain-hilly Semberija plain, with an average altitude of about 90 meters. Semberija this place makes the most fertile region in the Republic of Srpska and BiH.

In the size, Grad Bijeljina is the eighth local community, including 68 municipalities and cities in the Republic of Srpska, and the number of population is another. The special geographical position, economic and human resources have contributed to Bijeljina a regional center which rely on the municipality and Birač and Majevica region. In Bijeljina is the seat of several institutions of the Republic of Srpska as well as several individual organizational units of the state administration and district headquarters of the judicial authorities. Bijeljina is a university center that has about five thousand students at several universities.

Thanks to its location to the Northeast, Bijeljina has a good connection with border crossings with neighboring Croatian and Serbia and the most important urban centers in BiH. These include Banja Luka, Brcko, Tuzla and Sarajevo, and Croatia (Zagreb, Osijek) and Serbia (Belgrade, Novi Sad) - market with over 5 million inhabitants. Bijeljina, therefore, is one of the friendliest and most affordable business locations in BiH. Bijeljina of the border between BiH and Serbia, 12 km, 45 km from the Croatian border (EU) and the main highway A3 Zagreb - Belgrade. The closest airport Tuzla is only 70 km from Bijeljina, while the international airport Belgrade 122 km away. Grad Bijeljina is connected by rail to railway hub in Šid, Serbia (60 km).
3.4. **Education level**

According to the qualification structure, there are mostly KV and NK workers, followed by SSS, PK-NSS, VŠS, VSS, VKV and Magisters.

3.5. **Agricultural and land resources**

The City of Bijeljina is suitable for the cultivation of agricultural crops because of early sowing of crops and vegetation movement starting in mid-March. Total thermal suspicion between March and October months exceeds 34000°C, which is sufficient for the development of all major crops and the production of tobacco, which is otherwise a very delicate plant of thermal forests.

In addition to the favorable climate the most important resource for successful agricultural production is good land. Overview of land categories and property of the City of Bijeljina is shown in the following table:

<table>
<thead>
<tr>
<th>No</th>
<th>Land category</th>
<th>Private owned</th>
<th>State owned</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>ploughland</td>
<td>46,503,000.00</td>
<td>3,534,000.00</td>
<td>50,037,000.00</td>
</tr>
<tr>
<td>2.</td>
<td>orchards</td>
<td>2,752,000.00</td>
<td>0.00</td>
<td>2,752,000.00</td>
</tr>
<tr>
<td>3.</td>
<td>meadows</td>
<td>379,000.00</td>
<td>0.00</td>
<td>379,000.00</td>
</tr>
<tr>
<td>4.</td>
<td>vineyards</td>
<td>6,000.00</td>
<td>0.00</td>
<td>6,000.00</td>
</tr>
<tr>
<td>5.</td>
<td>grasslands</td>
<td>752,000.00</td>
<td>0.00</td>
<td>752,000.00</td>
</tr>
<tr>
<td>6.</td>
<td>Farmland (1 + 2 + 3 + 4 + 5)</td>
<td>50,392,000.00</td>
<td>3,534,000.00</td>
<td>53,926,000.00</td>
</tr>
<tr>
<td>7.</td>
<td>Forests</td>
<td>9,439,000.00</td>
<td>385,000.00</td>
<td>9,824,000.00</td>
</tr>
</tbody>
</table>

**In total**

<table>
<thead>
<tr>
<th></th>
<th>Private owned</th>
<th>State owned</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>59,831,000.00</td>
<td>3,919,000.00</td>
<td>63,750,000.00</td>
</tr>
</tbody>
</table>

*Source: Development Strategy of the City of Bijeljina 2014-2023*

In the scope of the project, based on cadastral data, the following state and private ownership have been identified, which are kept in public registers as agricultural land:

<table>
<thead>
<tr>
<th>No</th>
<th>CULTURE</th>
<th>SURFACE (sq m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>GARDEN 1</td>
<td>3354</td>
</tr>
<tr>
<td>2</td>
<td>ORCHARD 2</td>
<td>5241</td>
</tr>
<tr>
<td>3</td>
<td>ORCHARD 3</td>
<td>492</td>
</tr>
<tr>
<td>4</td>
<td>ORCHARD 4</td>
<td>1313</td>
</tr>
<tr>
<td>5</td>
<td>FIELD 1</td>
<td>0</td>
</tr>
<tr>
<td>6</td>
<td>FIELD 2</td>
<td>4223</td>
</tr>
<tr>
<td>7</td>
<td>FIELD 3</td>
<td>21948</td>
</tr>
<tr>
<td>8</td>
<td>FIELD 4</td>
<td>98046</td>
</tr>
<tr>
<td>9</td>
<td>FIELD 5</td>
<td>22062</td>
</tr>
<tr>
<td>10</td>
<td>FIELD 6</td>
<td>80</td>
</tr>
</tbody>
</table>

**TOTAL** 154,187,00 sq m
3.6. Land ownership

Of the total land area in the scope of this privately owned RAP, there are 155,551.00 sq m or 92.25%, while state-owned, which is not subject to compensation, is 13,064.00 sq m or 7.75%. According to the available data from the total area of agricultural land, which is 56,759.00 sq m, it is privately owned 154,187.00 sq m, of which 149,447.00 sq m is privately owned by private individuals and in the private ownership of the religious community, the area is 4740.00 sq m. When it comes to forest land 183,00 sq m or 100% is in state ownership and is not subject to compensation.

3.7. Main crops

In plant production, the greatest share of cereals, vegetables, then fodder and industrial plants. Cereals are mostly grown in corn and wheat.

When it comes to the participation of certain types of fodder plants in the structure of fodder planting, the biggest share is alfalfa, clover, grass-clover. Mixture and corn.

3.8. Economics of households and main economic activities

The total number of businesses in the City of Bijeljina in 2012 amounted to 2583., 6 of which business entities are public companies, 253 joint stock companies, 1,673 limited liability companies, 11 partnerships, 1 company for employment of disabled persons, 4 business associations, 21 general cooperatives, 16 specialized cooperatives, 2 cooperative association, Fund 4, 4 other financial institutions, 99 institutions, 2 bodies of legislative and executive power, 5 judicial and judicial authorities, 436 associations, foundations 3, 37 religious organizations / communities, page 1 NGO, 3 representative offices of foreign entities and 2 make other forms of organization.

One of the key problems of the economy in this region lies in the huge unemployment of the population. The consequences of macroeconomic and transitional crisis and a drastic reduction in production volume caused high unemployment. The consequences that it causes are primarily economic in nature, but they can not ignore the adverse social and political consequences of this problem.

If we look at the number of employees by type of ownership in the city of Bijeljina, it is concluded that the greatest number of employees in the private sector - 61%, state sector employs 25% of workers and 14% mixed.

The largest number of employees in the city of Bijeljina in 2011, belongs to the trade sector (28%) and manufacturing (15%) and reduced the number of employees in both sectors compared to the previous year. The following are employed in the civil service (8%), education (7.6%), transport and communications (7.2%), construction (6.6%), health (6.5%) and other activities with less participation. Comparing the number of employees from the previous year, an increase of employees occurred in the following sectors: health, education, electricity and water, while all other activities reduced the number of employees. Number of employees in public administration remained at almost the same level.

Classification by activity illustrates that the greatest number of employees engaged in the trade sector (28.5%), in manufacturing (15%), followed by public administration and defense (8.1%), education (7.8%), transport, storage and communications (7.1%), construction (6.8%), health (6.3%), other community, social and personal service activities (5.1%), real estate and leasing (4.0%) and other (11.3%).

In comparison with the structure of employment by sector in 2005, in 2011 the share of trade increased by 2.5%, construction 2.8%, other community, social and personal service activities by 2.7%, education 1.3%, health by 1%, transport, storage and communications 1%. At the same time share the processing industry decreased by 9.5%, followed by the agricultural sector by 1.2%, tourism 0.8%, production and supply of
electricity by 0.5%, and real estate and renting 0.4%. At the same or nearly the same level by Employees industries: mining and quarrying, financial intermediation, public administration and defense. In general, the structure of the economy is still changing the growth of services and reduction in the primary sector.

The largest share of employees - 45.4% in the group of medium-sized companies (50 to 250 employees), of which 42.4% female workforce. In the group of small enterprises (10 to 49 employees) are engaged 26.3% of workers, of which 40.2% were women. Micro enterprises (up to 9 employees) employ 15.8% of workers, of which women make up 44.9%. Large companies (over 250 employees) employ 12.5% of the workforce, of which 52.5% were women.

In comparison with the structure of employees by size of enterprise in 2005, in 2011, the participation of employees in medium-sized enterprises increased by 5.8% and in the group of micro-enterprises increased by 2%. In the group of small enterprises recorded a decline in employment by 3.2% and in the group of large enterprises recorded a decline of 4.6%.

According to data from APIF and the number of registered farms in the area of Bijeljina is 8,373 (as of 17.04.2013. Year). farms are registered under the Agriculture Act and the Regulation on registration of farms (registration is voluntary). It must be noted that a portion of farmers is not registered for various reasons (the size of the estate, liability of contributions for health and pension insurance).

3.9. Poverty level

The level of poverty according to the methodology used in the study, presented as a percentage of households whose monthly income is below 60% of average monthly income per household in BiH, ie below 570km. Such households in Bijeljina according to the results of research has 29.2%. Rights in the field of social protection of citizens of the town Bijeljina realized through a public institution Center for Social Work Bijeljina. In recent years, the number of socially vulnerable increased. In 2012 about 300 poor people were receiving social assistance from 60 KM. ²

3.10. Working status

Based on the preliminary results of the census of 2013, published by the Statistical Office of the Republic of Srpska overall struggle of employees in the City of Bijeljina in 2013 amounted to 36,051, of which women account for 14 020 men and 22 031 and the total number of unemployed persons 10 393 , of which women make up 4934, and 5459 of men.

<table>
<thead>
<tr>
<th></th>
<th>Working age population</th>
<th>Workforce</th>
<th>Economically inactive</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Employed</td>
<td>Unemployed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>Worked earlier</td>
</tr>
<tr>
<td>Sex</td>
<td></td>
<td></td>
<td>Total</td>
</tr>
<tr>
<td>Ukupno</td>
<td>91,821</td>
<td>46,444</td>
<td>36,051</td>
</tr>
<tr>
<td>M</td>
<td>44,655</td>
<td>27,490</td>
<td>22,031</td>
</tr>
<tr>
<td>Z</td>
<td>47,166</td>
<td>18,954</td>
<td>14,020</td>
</tr>
</tbody>
</table>

² Local administration for a quality of life for citizens Phase 2 Report on the quality of life for 2012/2013. year, the Center for Civic Initiatives, May, 2013
3.11. Household income

According to data from the Statistical Yearbook of the Republic of Srpska in 2016 (Statistical Office of the Republic of Srpska) average net and gross salaries in the City of Bijeljina was in the period 2008-2012 as follows:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average net salary in KM</td>
<td>776</td>
<td>796</td>
<td>789</td>
<td>816</td>
<td>808</td>
</tr>
<tr>
<td>Average gross salary in KM</td>
<td>1,277</td>
<td>1,318</td>
<td>1,307</td>
<td>1,319</td>
<td>1,303</td>
</tr>
</tbody>
</table>

3.12. Fresh water sources

The City of Bijeljina are supplied with drinking water from the spring "Grmić" located on the southeast side of town Bijeljina. To the water system are connected Bijeljina following settlements: the town Bijeljina, Janja, Novo naselje Janja Glogovac, Kojčinovac, Gornji Kojčinovac, Ljeskovac, Patkovača, Pučile, Golo Brdo, Amajlije, Popovic, Parts, Dvorovi, Triješnica, Dazdarevo, Gojsovac, part of the village Hase, Obrijež, Batkovic, G. and D. Crnjelovo, G. and D. Brodac, Ostojićevo, Velino Selo, Velika Obarska and Briješnica, and during 2013 built the transport pipeline from Dvorovi to Balatun and distribution network for the most part of the settlement Trnjaci, and Međaši Balatun. Thus, the water supply system Bijeljina as of August 2013, is connected to about 60-70% of the total population of the City of Bijeljina, 24,466 households, 2,718 apartments in buildings, 653 business entities, 1,893 SZR, STR and other subjects of small business. The total length of transmission and distribution pipelines of water supply system of Bijeljina according to the latest data is about 583 km.

The population of other settlements in the area of Bijeljina is currently supplied with water from their own sources, most of individual shallow dug or drilled wells and local water supply network in the settlements Gornji Dragaljevac and Gornja Čađavica. In some places closer to the river Sava drilled deeper wells through which takes water from artesian population is mainly used for drinking. The resort Slobomir on the Drina near Popova has its own water supply system

The total length of transmission and distribution pipelines of water supply system of Bijeljina according to the latest data, is about 583 km. During 2012 and 2013, was built about 97 km transport and distribution network (part of donor funds, part of the funds from the City of Bijeljina and partly funds the citizens.

3.13. Fecal sewage

Grad Bijeljina in the past is one of the few in the Srpska Republic, which had built the central sewage system for the collection and treatment of waste (used water) settlements and industry. Fecal waste water mainly, but today where there is no built sewage system, collected in septic tanks from which the effluent is discharged into the sewer (relatively small number of objects near the rain collector) or via the underground drainage wells. There are no accurate records of the number and position of septic tanks, and the number of septic tanks in the city and suburbs is estimated at about 20,000. The construction of sewerage and sewage connections by the end of 2012 was put out of 4,741 septic tank (of which 97 large septic tanks - residential buildings, hospitals, department stores)
3.14. Drain drainage

Start of construction of storm water drainage is tied to the beginning of the development of water supply system of the City of Bijeljina. The first phase is designed storm sewers in major roads and relied on existing collector Ø1200 / 800 mm built on the stretch Hospital - channel Dašnica. The first stage was built sewer lines and other strokes length of approximately 5,000 m in diameter Ø500, 400 and 300 mm. Due to topographical conditions in the field, the development of the town in the area has not adequately monitored the development of the rainy sewage network, so that the rain sewage network built only in traffic from the right channel Dašnica, where conditions exist for gravity drainage of collected precipitation to the channel. In some parts of the rain sewage network where she could not provide drainage of collected water from the roads to the canal were built drainage wells through which the collected water is discharged into the ground.

3.15. The availability of energy and civic facilities

- **Electricity facilities**

Consumption City of Bijeljina (which includes the entire area of the former Municipality of Bijeljina) are supplied with electricity via three substations of 110 kV voltage level owned by the "Elektroprenos BiH". The total number of substations 10 / 0,4 kV on the territory of the City of Bijeljina is 665 pieces, of which is owned by EDP "Elektro-Bijeljina" Bijeljina 448 pieces a private 217 Length 35 kV network is 40 km, of which overhead 32 km a 8 km underground. Length 10kV network is 473 km, of which 353 km of overhead and underground 120 km. The total length of low voltage network is about 1.050 km.

- **Potrošnja električne energije**

In the area of the City of Bijeljina in EDP "Elektro-Bijeljina" Bijeljina, there were 45,630 metering point, of which the domestic relations 41.535 measuring point, the 121 medium voltage metering point, other spending 3,538 at a measuring point 436 public lighting metering point. (Data for 31 12. 2012. god.). The average monthly consumption per household metering point is 364 kWh, the consumer voltage SN 39,561 kWh / mm, other consumption 1,009 kWh / mm and public lighting 1,156 kWh / mm. Maximum simultaneous power of all electricity customers in the area of the city is 60,000 kW, and mean annual simultaneous forces around 33.000 kW.

- **Telecommunications**

Telecommunications RS followed the development of settlements in the construction of new networks intended for fixed telephony, as well as the construction of stations for mobile telephony. Number of fixed lines is decreasing since 2008. Regarding the number of postpaid mobile phone users in the area of the City of Bijeljina a trend of increase of these beneficiaries in 2012 and amounts to 16.117 as 11,000 customers more compared to 2006. Prepaid mobile phone users in the area of the City of Bijeljina in 2009 and 2012 significantly increases amounts to 68,667 users. Number of Internet users in the area of the City of Bijeljina is increasing every year. Number of Internet users in 2012 is 13.168.

- **Culture**
The town of Bijeljina there are four cultural institutions: National Library "Filip Visnjic" Museum "Semberija" SCA "Semberija" Cultural Centre "Semberija" consisting of: Gallery "Milenko Atanacković" and Cinema. In these cultural institutions have a total of 55 employees (library - 19 museum - 8 SCA - 3 National library "Filip Visnjic" - Cultural Center - qualification structure substantially corresponds to the needs of these institutions. All institutions of culture have the room / building in which they operate.

3.16. Health centers and institutions

The following are data on the number of health care institutions in the territory Ugly Bijeljina in the period from 2007 to 2011. year and spatial capacities of health facilities, according to the Development Strategy of the City of Bijeljina 2014-2023.

<table>
<thead>
<tr>
<th>FOUNDATION</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Private Practice</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td>35</td>
</tr>
<tr>
<td>Community Health Centre</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Ambulance delivery. medicine</td>
<td>10</td>
<td>15</td>
<td>15</td>
<td>17</td>
<td>17</td>
</tr>
<tr>
<td>Family medicine teams</td>
<td>30</td>
<td>55</td>
<td>55</td>
<td>55</td>
<td>55</td>
</tr>
<tr>
<td>Ambulance service</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>public pharmacies</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Private pharmacies</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td>23</td>
</tr>
<tr>
<td>Counselling working to improve health care through prevention and education</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>INSTITUTION</th>
<th>Površina (sq m)</th>
<th>Kapaciteti-broj kreveta</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>8,208</td>
<td>313</td>
</tr>
<tr>
<td>Community Health Centre</td>
<td>5,727</td>
<td>0</td>
</tr>
<tr>
<td>branch facilities</td>
<td>1,861</td>
<td>0</td>
</tr>
<tr>
<td>Ambulance</td>
<td>350</td>
<td>0</td>
</tr>
<tr>
<td>Counselling working to improve health care through prevention and education</td>
<td>15</td>
<td>0</td>
</tr>
</tbody>
</table>

3.17. Schools and universities

In the academic year 2011/2012 in the City of Bijeljina has identified 49 primary schools. The network of secondary schools in the City of Bijeljina consists of six schools, five of which are secondary vocational schools and one general education type. Five school is located in the city, and one of the populated area Janja. In the territory of Bijeljina were registered following higher education institutions:

1 Pedagogical Faculty
2. Faculty of Law - educational line Bijeljina
3. Faculty of Economics - Department Bijeljina
4. Faculty of Business Economics
5. University "Synergy"
6. Slobomir P University
7. Faculty of Business Economics "Apeiron"
8. University of Business Studies
9. Higher School - College of Health Care

3.18. Roads

Public Enterprise "Putevi Republike Srpske" since 2005 does not submit data disaggregated by municipalities, but the following information relating to the year 2005:

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Contemporary roads</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main roads</td>
<td>402</td>
<td>265</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>402</td>
<td>265</td>
</tr>
<tr>
<td>Contemporary roads</td>
<td>265</td>
<td></td>
</tr>
</tbody>
</table>

Table 15, Road length in the city of Bijeljina based on data from 2005, godine

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Contemporary roads</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional</td>
<td>59</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>59</td>
<td>25</td>
</tr>
<tr>
<td>Contemporary roads</td>
<td>25</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Contemporary roads</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local</td>
<td>259</td>
<td>155</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>259</td>
<td>155</td>
</tr>
<tr>
<td>Contemporary roads</td>
<td>155</td>
<td></td>
</tr>
</tbody>
</table>
IV. LEGAL AND POLITICAL CONTEXT

4.1. General

Legal and political framework of the project is based on the national legislation of Bosnia and Herzegovina and the Srpska Republic relating to the acquisition / occupation of land and relocation and operational rules of the World Bank OP 4.12) related to the involuntary resettlement. Based on analysis of the applicable national legislation and the requirements specified in the World Bank Operational Policies OP 4.12 relating to involuntary (forced) relocation, adopted the principle of land acquisition and resettlement (Land Acquisition and Resettlement-LAR).

4.2. Legal framework

4.2.1. Laws and Regulations of BiH and RS relating to land acquisition and relocation

The laws and regulations of BiH and RS related to the acquisition of land and resettlement:

1. The Law on Expropriation ("Official Gazette of the Republic of Srpska", no. 112/06, 37 / 07,110 / 08 and 79/15)
3. Water Act RS ("Official Gazette of the Republic of Srpska", No. 50/06, 92 / 09,121 / 12)
4. The Law on Non-RS ("Official Gazette of RS", No. 74/05 and 36/09);
5. The Law on Spatial Planning and Construction ("Official Gazette of the Republic of Srpska", no. 40/13)
6. Law on Construction Land ("Official Gazette of the Republic of Srpska" no. 112/06) - Article 44
7. Law on Agricultural Land RS ("Official Gazette of RS", No. 93/06, 86/07, 14/10 and 5/12)
8. RS Law on Forests ("Official Gazette of RS" No.: 75/08, 60/13)
9. Law on Administrative Procedure ("Official Gazette of RS", No. 13/02, 87/07, 50/10);
10. The Law on Administrative Disputes RS ("Official Gazette of RS", No. 109/05, 63/11);
11. Law on Establishment and transfer of rights to dispose of property to local self-government ("Official Gazette of the Republic of Srpska", no. 70/06)
12. Law on Agricultural Land ("Official Gazette of the Republic of Srpska", Nos. 93/06, 86/07, 14/10 and 5/12)
15. Law on Concessions ("Official Gazette of the Republic of Srpska", no. 59/13)
16. RS Law on Notaries ("Official Gazette of RS", No. 86/04, 2/05, 74/05, 76/05, 91/06, 37/07 and 50/10, 78/11)
17. Rules concerning the calculation of compensation costs of city construction land ("Official Gazette of the Republic of Srpska" No. 95/13)
18. Regulation on the conditions, manner of calculation and payment of the fee for legalization ("Official Gazette of the Republic of Srpska" No. 97/13).

Excluding real estate is mainly carried out in the expropriation proceedings, in accordance with the Law on Expropriation. In the process of limited expropriation can be established easement and, in addition, an easement may be established by agreement or by a court decision, in accordance with the provisions of the Law on Property Rights of the Republic of Srpska.
The existing Law on Expropriation of the Republic of Srpska stipulates that expropriation is a deprivation or restriction of property rights to real estate on a fee (Article 1). This expropriation is defined as complete (excluding real estate) and incomplete (restriction of property rights - for example by establishing an easement). Compensation in case of expropriation in accordance with the said Act is defined as the fair compensation, which may not be lower than the market value.

In connection with compensation for expropriated property, provides that when determining the compensation for agricultural and construction land cost benefit that land can provide regular usage, the benefit that the previous owner had a lot of, especially taking into account the market price, and the definition of compensation for expropriated land under orchard, compensation for fruit trees and vines, the land under forest, felled, young seedlings, older trees, barren and rocky lands and buildings. Personal and family situation of the previous owner are taken into account as a correction to increase the compensation if they are essential for its existence. The Act established rules on compensation when it comes to the expropriation of the residential building or apartment as a separate part of the building. The amount of compensation in the proceedings before the administrative authority determined by the circumstances at the time of conclusion of the agreement on compensation, but the court proceedings at the time of conclusion of the settlement, or at the time of first instance decision on compensation. The fee is generally provided by giving in return, in whole or in part, of another suitable property, but if this can not be ensured, then the cash, while the left parties the possibility to reach an agreement to resolve the charges, and in another form.

4.2.2. The Requirements of the World Bank-Operational rules OP 4.12

The specific requirements of the World Bank in conjunction with resettlement are contained in the Operational Policies OP 4.12 relating to involuntary resettlement.

For the essence of the policy of moving the most important issues are those related to security and the resolution of charges for an exempt property, and help people from whom the property is exempt and which are relocated, the measures in the process of exclusion during and after the relocation. In this connection, a special place and the attention devoted to vulnerable groups of the population.

Protective policies of the World Bank on the social aspects - OP 4.12 Involuntary Resettlement is based on the following principles:

i. Involuntary resettlement should be avoided wherever possible or reduced to a minimum;
ii. Where it is not possible to avoid resettlement, resettlement activities should be organized and executed through a program of sustainable development, with the provision of sufficient financial resources and sharing of benefits from the project for displaced persons.
iii. Displaced persons need to consult thoroughly and give them the opportunity to participate in planning and implementing resettlement programs.
iv. DPs need to help in their efforts to improve the living conditions and standards of living or at least to provide in real terms, the quality of life that preceded the relocation or the conditions in which they lived before the beginning of the project, depending on which level of quality of life is higher.
v. The obligation to displaced persons and provide them with appropriate protection, regardless of the manner of acquisition of property and possessions, and their legality (and therefore in cases where they do not have provided a legal basis, but are illegal occupants)
vi. Displaced persons are provided with resettlement costs in full amount, and fees for an exempt property in the amount to compensation or replacement of property exempt new.
Help in the process of compensation and resettlement involves:

- Assistance in the census (the census)
- The organization of meetings to clarify the rights to compensation and other rights,
- Assistance in the process of payment of compensation (ensuring that documents relating to the charges to be understood, and that vulnerable people be able to collect checks, etc.), and
- Insurance money after the payment (e.g. Putting on a bank account) in order to prevent theft or misuse of money.

Assistance in resettlement includes:

- Assistance in removal of personal belongings,
- Preservation, transport and/or sale of materials from the old building,
- Transportation of household members with medical assistance, if needed, and
- Assistance in entering into possession of new property.

Mandatory assistance in resettlement caused by real estate is particularly emphasized previously cited World Bank Operational Policies. Within this, special attention is paid to vulnerable groups of the population. For the purposes of these rules, vulnerable population (AP) represent a group of people affected by the project, which according to gender, ethnicity, age, physical or mental disability, economic status or social status may be affected by the relocation project, which causes more than other population groups, or they can be restricted and the possibility of obtaining assistance in resettlement.

In the vulnerable, among others, are included:

- Socially vulnerable people, people without land, the elderly, women and children, indigenous people, ethnic minorities, disabled persons, refugees and displaced persons and other displaced persons, whose rights to compensation are not intended, and protected by national legislation.

Assistance to vulnerable groups of the population, depending on the analysis of individual cases, with the support of relevant bodies and institutions including adequate compensation (in the form of other property or in cash), providing opportunities for employment or self-employment, and settling in a place around the same standards in terms of infrastructure, educational opportunities, health care, social welfare and cultural facilities.

4.2.3. Comparison of domestic legislation and the World Bank to be applied on project

The operating rules of the World Bank OP 4.12, as well as internationally accepted standards contain at the same time certain elements that accompany real rights (e.g. the right of ownership - protection, compensation, etc.), as well as some other, or additional economic and social rights of vulnerable categories of the population. Accordingly, in the scope of operating rules of the World Bank, given the elements of social, social and cultural character considerably beyond what constitutes the content of the protection of property rights in the immovable property.

In this connection, it is necessary to bear in mind the fact that the issues of ownership, identification, protection and transfer of rights in Bosnia and Herzegovina and the Republic of Srpska regulated by the Constitution and set a large number of property-legal regulations. The question of the special status of certain (vulnerable) population categories, and help for this category is regulated by another set of status and social.
To be in certain cases, provide for the protection and realization of rights, previously it was necessary to carry out procedures with the aim of resolving property issues and determining the rights and domestic legislation to address all these issues require that the established property right that displaces persons. This implies that that person has the right to prove his or via land registry excerpt, a court decision or a decision of the competent administrative authorities in the process of legalization, the process of resolving property rights and so on. The above-mentioned processes of legalization and resolving property rights are regulated by the applicable regulations and may result in the establishment of property rights of owners (users) when subject to fulfillment of prescribed conditions. So, without these actions alone possess the property does not provide the required safeguards. In addition to keeping the above methods, the possibility of an amicable resolution of issues related to property acquisition would enable the protection of rights in the manner required by the previously cited World Bank Operational Policies.

In the concrete case, resolving the issues of compensation, relocation and assistance within the Project for the Construction of a Defense embankment in the City of Bijeljina within the project of defense against the floods of the Drina River in BiH, section 2, stage 4, with the influx of Janj in the expropriation procedures, in accordance with the aforementioned regulations and standards, it would be necessary to provide and consolidate the components of property-legal, status and social character. In order to realize the aforementioned activities, several subjects in charge of status issues, social assistance and protection (Ministry of Health and Social Welfare of the Republic of Srpska, the service and the Center for Social Work of the City of Bijeljina) will need to be involved, and carry out the transfer of certain obligations and responsibilities to these Organs.

In view of the above indicated circumstances, it is necessary to bear in mind the fact that in addition to the regulations, which generally regulates property issues and procedures related to the same, there is the possibility of an amicable settlement of expropriation and related fees as well as the adoption of specific decisions, which would regulate a particular issue or provide an additional right. Obligation to resolve important issues in this manner can be determined by a separate Protocol and the Agreement with the Government of RS, a previously indicated issues should anticipate and embrace Resettlement Action Plan, stating the specific decisions and institution / body which would be responsible for passing them (government, competent ministries etc.).

It can be concluded that legislation of BiH and RS adequately reflects the main provisions of the WB OP 4.12., A policy was adopted for this project, provides the reconciliation of any differences between the legislation / regulations of the Republic of Srpska and policies of the World Bank, and as such provides benefits for all subjects, assistance in relocation and provision of support or compensation to households that are affected or will be moved, or will suffer business losses, or will otherwise be seriously jeopardized by the Project.

4.2.4. Commitments towards resettlement policy

Resettlement Action Plan will be implemented by the Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska and Project Coordination Unit at the Ministry. It is necessary to consider the appointment of a full-time, which will be responsible for the implementation of the whole project. If this is not possible, one of the officers already employed should devote some part of their working time implementation of the project. Among other things, the Ministry will oversee the overall implementation of the project, work with the Republican Administration for Geodetic and Property Affairs, the City of Bijeljina, then the contractor selected for the construction work and all the people affected by the project.
### 4.2.5. The process of acquisition / occupation of land

*Table 16, Phases in the process of land acquisition in accordance with the national legislation and OP 4.12*

<table>
<thead>
<tr>
<th>PROCEDURE PHASE</th>
<th>LEGAL CONTEXT</th>
<th>ACTIONS / ACTIVITIES</th>
<th>NOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before starting the process of expropriation</td>
<td>Law on Expropriation</td>
<td>Determination of general interest</td>
<td>A condition that could lead to the expropriation procedure</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Before starting the process of expropriation</td>
<td>Information and public debate</td>
<td></td>
<td>An application in terms of World Bank Operational Policies 4.12</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Before the official start of the expropriation process</td>
<td>Agreement on the transfer of property rights</td>
<td></td>
<td>A convenient way for solving some of the controversial or problematic cases (for example construction of a structure without obtained permits and licenses)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Initiation of proceedings expropriation</td>
<td>Law on Expropriation</td>
<td>Submission of proposals</td>
<td>The proposal should be specified: the user, the property and its owner. With the proposal must be accompanied by: the investment decision on the construction of the facility, evidence that the beneficiary of the expropriation has secured and set aside in a special account at the bank financing for the payment of fees, proof of the established public interest, and proof that it is proposing to the previous property owner tried to resolve by mutual agreement the question of acquisition of ownership rights on the real property</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expropriation proceedings</td>
<td>Law on Expropriation</td>
<td>Establishing property rights</td>
<td>If there is a mismatch of the land and the actual situation on the property, the municipal department for property legal affairs deliberated the right of ownership as a preliminary issue in accordance with the provisions of Article 27, paragraph 3 of the Act. This stipulates a possibility is extremely important because it authorizes the department to previous discussion, that establishes the right of ownership, which is far more efficient manner in relation to the specific procedures carried out before the other organs.</td>
</tr>
<tr>
<td></td>
<td>Law on Administrative Procedure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The process of deciding on expropriation</td>
<td>Law on Expropriation</td>
<td>The expropriation of the remaining estate</td>
<td>At the request of the owner can be expropriated remainder of the property when it is determined that the owner has no economic interest in using it, or if it is on the part of disabled or substantially deteriorated previous livelihood or prevented normal use of the remaining properties.</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------------</td>
<td>-----------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The process of deciding on expropriation</td>
<td>Law on Expropriation</td>
<td>Entering into possession expropriated real estate</td>
<td>Rule: possession is entered after the decision on Expropriation. Notwithstanding: at the request of the expropriation of the Government may decide to hand over the property before the, or the finality of the decision when it is necessary because of the urgency or in order to eliminate major damage. This possibility is excluded when it comes to residential or commercial building, for which the expropriation beneficiary has not provided a corresponding property.</td>
</tr>
<tr>
<td>The process of deciding on expropriation</td>
<td>Law on Expropriation</td>
<td>Withdrawal of the proposal for expropriation</td>
<td>Suspension of proceedings</td>
</tr>
<tr>
<td>The second-instance administrative appeal procedure</td>
<td>Law on Expropriation</td>
<td>Deciding on appeals against decisions on Expropriation</td>
<td>Resolves Administration for Geodetic and Property Affairs</td>
</tr>
<tr>
<td>Administrative dispute</td>
<td>Law on Expropriation</td>
<td>Deciding on complaints against the Expropriation</td>
<td>Decision is made by the District Court in Bijeljina</td>
</tr>
<tr>
<td>Expropriation process is completed</td>
<td>Law on Expropriation</td>
<td>Registration of ownership and other real rights</td>
<td>Registration of ownership and other real rights on the expropriated property, and the property that was given to the former owner as compensation is done on the basis of the final decision on expropriation and compensation paid to the evidence, or proof of acquisition of ownership of the former owner to another appropriate property.</td>
</tr>
</tbody>
</table>
Expropriation process is completed | Law on Expropriation Law on Administrative Procedure | Determination of the amount of compensation in the administrative procedure | In agreement before the municipal department for property affairs
---|---|---|---
Court (contentious) proceedings | Law on Expropriation Contentious Procedure Act | Determination of the amount of compensation in court proceedings | The decision of the municipal court on remuneration
Expropriation process is completed | Law on Expropriation Law on Administrative Procedure | Application for de-expropriation real estate | Undoing the final decision on expropriation because the property is not exempt brought purpose and is not used for the purposes for which it was exempted

4.3. The rights and conditions for obtaining compensation

According to the Law on Expropriation of the Republic of Srpska for expropriated property owner is entitled to compensation in other real estate, if expropriation beneficiary can not provide such real property is determined by fair compensation in cash, which can not be lower than the market value of immovable property to be expropriated. Compensation for expropriated property expropriation user.

The specific requirements of the World Bank in conjunction with resettlement are contained in the Operational Policies OP 4.12 relating to Involuntary Resettlement (requirements detailed in Clause 4.2.2 Requirements of the World Bank - Operational Rules OP 4.12).

4.3.1. The right on compensation

According to the unified requirements of the legislation of the Republic of Srpska and the World Bank Operational Policies OP 4.12, the right to compensation can be achieved in the following cases:

a) Compensation for expropriation of Registered plot of land with registered residential structure
b) Compensation for expropriation of Registered non-residential structure, on registered plot of land
c) Compensation for expropriation of Registered agricultural land plot
d) Compensation for lost yield for annual crops (yield) at market value to the owner of the crop if he has evidence of lease of land plot from the landowner (Cash compensation for the crop will be available only if the annual yield cannot be harvested within the period of notice)
e) Compensation for lost yield for perennial crops at market value to the owner of the crop if he has evidence of lease of land plot from the landowner and cash compensation to the landowner at market value
f) Compensation for expropriation of business premises for conducting business activities will be given as compensation to the previous owner of the expropriated premises used for business purposes by the expropriation beneficiary before demolition of the business premises.
g) Compensation for expropriation of privately owned forest land.

In addition to the aforementioned, the specific cases for which compensation entitlements are not covered by legislation or doubtful may occur. This plan envisages compensation for these cases, as follows:
h) Compensation for agricultural land plot registered in the name of the individual distinct from the user
i) Compensation for registered plot of land with residential structure without construction permit, built by the owner of the plot
j) Compensation for residential structure illegally built on the plot owned by another individual
k) Compensation for residential structure illegally built on the plot under public ownership
l) Compensation for illegally built nonresidential structures on the registered land
m) Compensation for illegally built non-residential structure on the plot owned by another individual
n) Compensation for illegally built non-residential structures on the plot under public ownership.

The right to compensation shall be limited to the border/shut-off date (the cut-off date) to be defined for all the shares on the date of the start of the execution of the contract or the date of the census within a defined scope for each share. Any person who subsequently settles down after a defined limit date will not be entitled to compensation, and which refers to the planting of new crops, plants or crops.
4.3.2. Matrix of fees

<table>
<thead>
<tr>
<th>TYPE OF PROJECT AFFECTED RIGHT OR PROPERTY</th>
<th>LEGAL FRAMEWORK</th>
<th>COMPENSATION ENTITLEMENTS</th>
<th>PROCESS AND SPECIFIC REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered plot of land with registered residential structure</td>
<td>Law on Expropriation</td>
<td>OPTION 1: RESETTLEMENT WITH REPLACEMENT PROPERTY</td>
<td>Transfer of property right through amicable agreement or expropriation</td>
</tr>
<tr>
<td></td>
<td>Law on Construction Land</td>
<td>Replacement property including residential plot of similar size and characteristics, and residential structure of similar size and characteristics, OR</td>
<td>Requirements from the World Bank Operational Policies 4.12</td>
</tr>
<tr>
<td></td>
<td></td>
<td>OPTION 2: CASH COMPENSATION</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Cash compensation for plot and structure at market, or full value, and</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Moving allowance</td>
<td></td>
</tr>
<tr>
<td>Registered non-residential structure, on registered plot of land</td>
<td>Law on Expropriation</td>
<td>Cash compensation to the structure owner at market, or full values, and</td>
<td>Transfer of property right through amicable agreement or expropriation</td>
</tr>
<tr>
<td></td>
<td>Law on Construction Land</td>
<td>Cash compensation for the plot at market value</td>
<td>Requirements from the World Bank Operational Policies 4.12</td>
</tr>
<tr>
<td>Registered agricultural land plot</td>
<td>Law on Expropriation</td>
<td>Provision of a replacement agricultural plot of similar size and characteristics, or</td>
<td>Transfer of property right through amicable agreement or expropriation. If the Project affected part of the relevant plot accounts 10% for an irrelevant part of its total surface, the replacement plot option will not be available, but only the cash</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cash compensation at replacement value</td>
<td></td>
</tr>
<tr>
<td>Compensation Option</td>
<td>Law on Expropriation</td>
<td>Law on Agricultural Land</td>
<td>Cash compensation at market value to the owner of the crop if he has evidence of lease of land plot from the landowner.</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------</td>
<td>--------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Annual crops (yield)</td>
<td>Law on Expropriation</td>
<td>Law on Agricultural Land</td>
<td>Cash compensation at market value to the owner of the crop if he has evidence of lease of land plot from the landowner.</td>
</tr>
<tr>
<td>Perennial crops</td>
<td>Law on Expropriation</td>
<td>Law on Agricultural Land</td>
<td>Cash compensation at market value to the owner of the crop if he has evidence of lease of land plot from the landowner.</td>
</tr>
<tr>
<td>Business</td>
<td>Law on Expropriation</td>
<td></td>
<td>Replacement property will be given as compensation to the previous owner of the expropriated premises used for business purposes by the expropriation beneficiary before demolition of the business premises.</td>
</tr>
<tr>
<td>Privately owned forest land</td>
<td>Law on Expropriation</td>
<td>Low on Forests</td>
<td>Cash compensation at market value of the plot to the landowner and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Cash compensation at market value of the lost timber to the timber owner.</td>
</tr>
</tbody>
</table>

**COMPENSATION ENTITLEMENTS NOT COVERED BY LEGISLATION OR DOUBTFUL**

<table>
<thead>
<tr>
<th>Compensation Option</th>
<th>Law on Expropriation</th>
<th>Law on Property Rights of the Republic of Srpska</th>
<th>Cash compensation at replacement value of the plot to land owner or his/her successors</th>
<th>Determination of the ownership right for the beneficiary, (for example in usurpation settlement process, and</th>
</tr>
</thead>
</table>

- Compensation option. If the plot remainder after the expropriation of the affected part is unusable, the owner will be entitled to expropriation of the remainder (whole) plot.
- Requirements from the World Bank Operational Policies 4.12
| Registered plot of land with residential structure without construction permit, built by the owner of the plot | Law on Agricultural Land Law on Land Registrations and Cash compensation for any developments (development activities) to the owner of these developments (applicable to irrigation or drainage structures, perennial plantations, structures, etc.) | transfer of property right through amicable agreement or full expropriation Requirements from the World Bank Operational Policies 4.12 |
| Registered plot of land with residential structure without construction permit, built by the owner of the plot | Expropriation Law Legalization Regulations Only if subject to successful legalization:  
**OPTION 1: RESETTLEMENT WITH REPLACEMENT PROPERTY**  
- Replacement property including the plot and residential structure of similar size and characteristics (replacement property) and plot attached to the property, and  
- Moving allowance,  
**OR**  
**OPTION 2: CASH COMPENSATION**  
- Cash compensation both for the plot and the residential structure at market, or full value, and  
- Moving allowance | Expropriation and corresponding compensation can be implemented when the legalization was completed successfully before the expropriation decision was brought Requirements from the World Bank Operational Policies 4.12 |
| Residential structure illegally built on the plot owned by another individual | Law on Expropriation Legalisation Regulations Law on Property Rights Only if subject to successful legalization:  
- Cash compensation at market value to the structure owner, and  
- Moving allowance to the structure owner, and  
- Cash compensation at market value of the plot to the plot | Expropriation can be implemented when the legalization was completed successfully before the expropriation decision was brought Requirements from the World Bank Operational Policies 4.12 |
| Residential structure illegally built on the plot under public ownership | Law on Expropriation, Legalisation Regulations, Law on Construction land | Only if subject to successful legalization:  
- Cash compensation at market value of the structure to the structure owner, and  
- Moving allowance to the structure owner | Expropriation can be implemented when the determination of the ownership right for construction on someone else's land and the legalization were completed successfully before the expropriation decision was brought.  
Requirements from the World Bank Operational Policies 4.12 |
|---|---|---|---|
| Illegally built nonresidential structures on the registered land | Law on Expropriation, Legalisation Regulations, Law on Construction land, Law on Property Rights | Only if subject to successful legalization:  
- Cash compensation at market value of the structure - to the structure owner, and  
- Cash compensation at market value of the plot to the plot owner and/or his successors | Expropriation can be implemented when the legalization was completed successfully before the expropriation decision was brought.  
Requirements from the World Bank Operational Policies 4.12 |
| Illegally built non-residential structure on the plot owned by another individual | Law on Expropriation, Legalisation Regulations, Law on Construction land, Law on Property Rights | Only if subject to successful legalization:  
- Cash compensation at market value of the structure to the structure owner, and  
- Cash compensation at market value of the plot to the plot owner and/or his successors | Expropriation can be implemented when the determination of the ownership right for construction on someone else's land  
And the legalization were completed successfully before the expropriation decision was brought.  
Requirements from the World Bank Operational Policies 4.12 |
| Illegally built non-residential structures on the plot under public ownership | Law on Expropriation, Legalisation Regulations, Law on Construction land | Only if subject to successful legalization:  
- Cash compensation at market value of the structure and | Expropriation can be implemented when the legalization was completed successfully before the expropriation decision was brought.  
Requirements from the World Bank Operational Policies 4.12 |
<table>
<thead>
<tr>
<th>And</th>
<th>pertaining land to the owner</th>
<th>decision was brought</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
<td>Cash compensation at market value for the land plot</td>
<td>Requirements from the World Bank Operational Policies 4.12</td>
</tr>
</tbody>
</table>
4.3.3. Aid for severely affected and vulnerable households

Vulnerable households should be consulted on the type of assistance that they need for relocation (e.g. specific measures of transport for people with physical disabilities, help in the identification and acquisition of new apartment, assistance in accessing self-employment programs, etc.). This assistance should be provided by the Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska through involvement of social workers / lawyers who will represent best interests of vulnerable people.

To carry out the program information identified vulnerable groups Ministry should appoint a competent person to act on behalf of him, that with every vulnerable person have a individually meeting and determine their needs related to relocation, as well as a way of resolving the identified needs.

Ministry should provide specific assistance for relocation for vulnerable households, in cooperation with the local Department of Social Affairs. Assistance to vulnerable groups should include assistance in the process of resettlement and compensation, relocation assistance, and support during the period after the relocation.

Categories of vulnerable groups, the frequency of each category and type of assistance / services to be provided are presented in the table below.

<table>
<thead>
<tr>
<th>TYPE OF VULNERABILITY</th>
<th>FREQUENCY</th>
<th>Type of assistance which will be available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chronic disease that requires regular medical care</td>
<td>4</td>
<td>• Individual meetings for information on the criteria for entitlement to benefits and consequently fees&lt;br&gt;• Help with relocating (specific measures of transportation; pack belongings, storage, transportation and / or sale of materials from the old building, transportation of household members with medical assistance, if they needed help)&lt;br&gt;• Help during the period after the relocation (counseling regarding family, health, money management and the restoration of livelihood make sure if there have networks of solidarity and support for vulnerable people and whether they are re-established, they have to be established for the sake aid as food, medical examinations, etc., if necessary, health and medical care in the critical periods and the inclusion of vulnerable people in the health insurance scheme, priority for training courses to improve job opportunities, and priority in employment where is possible)</td>
</tr>
<tr>
<td>All household members are unemployed or without regular income</td>
<td>3</td>
<td>• Individual meetings for information on the criteria for entitlement to benefits and allowances&lt;br&gt;• Assistance in finding and buying new flats&lt;br&gt;• Assistance during the period after the relocation (priority for training courses to improve job opportunities, and priority in employment where is possible)</td>
</tr>
</tbody>
</table>
### Table: Possible Assistance for Vulnerable Groups

<table>
<thead>
<tr>
<th>Group</th>
<th>Assistance</th>
</tr>
</thead>
</table>
| The older and disabled persons and / or persons living alone | - Individual meetings for information on the criteria for entitlement to benefits and allowances  
- Assistance in finding and buying new flats  
- Assistance in the payment of compensation (ie, to ensure that vulnerable groups understand the documents of the fees and the payment process)  
- Assistance in the aftermath of payments to ensure the money from fees and reduce the risks of abuse and theft  
- Help with relocating (specific measures of transportation; pack belongings, storage, transportation and / or sale of materials from the old building, transportation of household members with medical assistance, if they needed help)  
- Help during the period after the relocation (counseling regarding family, health, money management and the restoration of livelihood make sure if there have networks of solidarity and support for vulnerable people and whether they are re-established, they have to be established for the sake aid as food, medical examinations, etc., if necessary, health and medical care in the critical periods and the inclusion of vulnerable people in the health insurance scheme, priority for training courses to improve job opportunities, and priority in employment where is possible) |
| Refugee                                    | - Individual meetings for information on the criteria for entitlement to benefits and consequently fees  
- Assistance in finding and buying new flats |

#### 4.3.4. Evaluation and amount of fees

##### 4.3.4.1. Principles and Methodology

The principle of valuation of the acquired land and property is carried out in accordance with the requirements of the World Bank - OP 4.12 Involuntary Resettlement and relevant domestic legislation. Requirements of the World Bank require that all losses to vulnerable people must be compensated at full value at the time of seizure of property for the project.

Calculation of the cost of benefits is based on the following:

1. **Fair market value at the time of seizure of property,**
2. **Transitional costs / expenses legalization**
(iii) transitional costs and the costs of restoration (soil preparation and reconstruction), and
(iv) other applicable fees.

The calculation of unit values shall be in accordance with current market rates to ensure the reimbursement of replacement land, lost property, etc.

Assessment of the value of the property performed person appropriate discipline (depending on what kind of property is the word) with the power of judicial expert for the area concerned. Expert witnesses are primarily determined by the order judicial appointed expert for a particular type of expertise.

4.3.4.2. Determination of the amount of compensation

According to the World Bank Operational Policy, OP 4.12, Annex A - Involuntary Resettlement Instruments (item 10 Valuation and compensation for losses) and in accordance with the relevant domestic legislation, the basis for determining compensation does the following:

The amount of compensation for land and buildings is determined by the current market value with the addition of transition costs. Market value is defined taking into account the type of soil, its purpose and location.

The amount of compensation for agricultural land is determined based on the value of the land before the beginning of the project or before relocating, depending on which value is higher, which corresponds to the market value of land of the same productive resources located in close proximity, plus the cost of preparing the land to levels that had affected land, plus all costs of the registration and transfer.

The amount of compensation for land in urban areas is determined based on the value of the land before relocating, which corresponds to the market value of land of the same size, the same use-values, with similar or improved conditions of public infrastructure and services that are located in the immediate vicinity of the land, plus all costs of the registration and transfer.

For houses and other objects, the amount of compensation match the market cost of materials which is required to build a replacement facility that the size and quality meets or is better than the affected facility; or costs for reconstruction of partially damaged buildings, plus the cost of transportation of building materials to the construction site, plus the cost of compensation for staff and the performers, plus all costs of the registration and transfer.

In determining the amount of compensation, amortization of of property and the saved value of materials are not taken into account, nor the value of the benefits obtained by project deducted from the valuation of the affected property. Where domestic legislation does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures in order to satisfy the standard of compensation at full replacement cost.

The market value of the annual crop is determined based on the net market value of the crop for the first year crop. In the case when it comes to compensation for crops for more than one year, then it has been applied to other valid gross market value of the crop.

The amount of compensation for trees is determined differently for trees and fruit trees. Trees are valued based on category of growth and value of the trees at the time of logging. Fruit trees are valued differently.
depending on whether they entered in the productive age or not yet. For fruit trees that have entered into productive time will be determined by the amount of compensation based on future lost profits for the period as a particular type needed to reach productivity by cut down fruit trees, ie to mature to the phase where he was in the moment of cutting down. For fruit trees that were not included in the productive age of the fee is determined by the amount corresponding to investments already paid for the planting of fruit trees and then reaching the level of growth.
V. INSTITUTIONAL ARRANGEMENTS

5.1. Introduction

The institutional framework is a system of state institutions, bodies and organizations that, in accordance with the law and other regulations, have certain competencies, obligations and authorizations for taking appropriate measures, and conduct activities and concrete procedures in deciding on issues that are relevant for the project of building a defense defense embankment in the City of Bijeljina within the project of defense from the floods of the Drina River in BiH, section 2 stages 4 with the tributary of Janja.

5.1.1. The Government of the Republic of Srpska

In accordance with the current legislation of the Republic of Srpska or BiH, for the realization of the project of building a defensive embankment in the City of Bijeljina within the project of defense against floods of the Drina River in BiH, the Government of the Republic of Srpska plays a key role.

The law on expropriation of land regulates the conditions, manner and procedure of expropriation for the construction of general interest, ie execution of works of public interest, and emphasis is placed on respect for the principle equitable compensation that may not be lower than the market value in case of expropriation ie confiscation or restriction of the rights of ownership of real estate.

Decision on determining the public interest for the building or execution of works based on proposed by beneficiary of expropriation accept by the Government of the Republic of Srpska, after having obtained the opinion of the assembly of local Government in whose territory he intends to construct or carry out works in accordance with the relevant planning legislation.

The assembly of local government, the above-mentioned opinion, it shall provide, within 30 days from the date of application.

The decision on determining the general interest for stage 4 of the section 2, which is the subject of this RAP (from the constitutional building on the channel "Drina-Dašnica" and ends at the mouth of the Janja river in the Drina River, in the length of 2,8 km) was published in the Official Gazette of the Republic Srpske broj 33/17 4.04.2017.

5.1.2. Republic Administration for Geodetic and Property Legal Affairs

The Republic administration for geodetic and property affairs is an independent Republic administration which place and role is defined in the Law on Republic Administration ("Official gazette of the Republic of Srpska", no. 118/08 and 74/10). The Republic administration for geodetic and property affairs perform administrative and other professional tasks related to:

- survey and the establishment of the real estate cadastre,
- renewal of the survey and real estate cadastre,
- maintenance of the survey, real estate cadastre, cadastre of communal services, except for works that are legally transferred to the jurisdiction of local governments,
- cadastral classification and land quality evaluation,
- mapping the territory of the Republic,
- keeping an technical archive of original plans and maps,
- primary surveying work,
- supervision of survey work and work on real estate, land and communal services cadastres,
land consolidation and surveying for special purposes,
property and other affairs related to publicly owned real estate,
property affairs on land, buildings, expropriation, land acquisition, agrarian relations, termination of state ownership,
establishment of earlier property rights on state owned land-denationalization,
records of properties and property rights,
property affairs related to real estate to which the Republic has the right of use,
supervisory, normative, legal and analytical activities and other activities in accordance with the law.

Activities in accordance with the Law on the City of Bijeljina performs Branch of the Republic Administration for Geodetic and Property Affairs in Bijeljina.

5.1.1. The city of Bijeljina

According to the City of Bijeljina (Official Gazette of the Republic of Srpska number 70/12) regulating the area, responsibilities, authorities and financing of the City, the City of Bijeljina make settlements that formed the City of Bijeljina.

Grad Bijeljina is a unit of local government in which citizens participate in the realization of common interests, directly and through their freely and democratically elected representatives (Statute of the City of Bijeljina).

Construction financing for the project, within the framework of the feasibility study is done in the framework of this project, defined so that national contribution at the local level, the participation of the City of Bijeljina, is related to investments for the provision of land (expropriation costs) along the embankments, which are privately owned. All other works, construction works on the project and the costs of studies, investigations, design, supervision and management of the project would be financed by loans (IDA) of the World Bank.

5.1.2. Other bodies, organizations and agencies

Responsibility for managing the expropriation process and the resolution of compensation for expropriated real property belonging to the Republic Administration for Geodetic and Property Affairs of the Republic of Srpska - Branch Office Bijeljina.

The decision of the Regional Unit in Bijeljina can be appealed to the Republic Administration for Geodetic and Property Affairs of the Republic of Srpska.

Assess the legality of the decision of this body can be made in an administrative dispute, after the filing of the complaint, and the competence to act in this case is the District Court in Bijeljina.

The issue of compensation for expropriated property, the parties may agree to settle before the Republican Administration for Geodetic and Property Affairs of the Republic of Srpska - Branch Office Bijeljina, and if an agreement is not reached on the compensation decided by the Basic Court in Bijeljina. Appeals against the decision of this court can be submitted to the District Court in Bijeljina.

Appeal court decision can be examined in the proceedings on the requests for revision, and for decision-making in this case the jurisdiction of the Supreme Court of the Republic of Srpska.
In addition to these institutions and bodies, with regard to the specific requirements contained in the World Bank Operational Policies OP 4.12, to address them as they appear competent Ministry of Health and Social Protection of the Republic of Srpska and municipal service center for social work.

Competency in the procedures for the legalization of illegally constructed buildings have municipal service of Spatial Planning, and the Ministry of Physical Planning, Civil Engineering and Ecology of the Republic of Srpska.

Major competences belong to the Public Institution "VODE SRPSKE", Bijeljina. The segment of water protection and maintenance of the system for the protection of the waters under the jurisdiction of the Public Institution "Vode Srpska" Bijeljina, which is a legal person in the water and under the supervision of the Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska.

When it comes to the forest, near the Ministries of Agriculture, Forestry and Water Management of the Republic of Srpska, significant authority over the management and use of the law were awarded the Forestry Public Company "Forests of the Republic of Srpska" ad Sokolac.

Particular attention, in accordance with the operating rules of the World Bank OP 4.12 should be paid to women and respect for gender equality. In this regard, considerable attention during the period of consultation and preparation of a detailed Resettlement Action Plan will be paid to women's associations that are registered and operate in the City of Bijeljina.

Thus, the institutional framework related and important project for creating a protective embankment on the left bank of the Drina River from upstream to Balatun Glavičica, with the aforementioned institutions, institutions and bodies and their responsibilities prescribed by law offers the possibility of keeping procedures, taking appropriate measures, thereby solving the problem and tasks and realization of the objectives set by this project.
VI. CONSULTATION AND PARTICIPATION

6.1. Introduction

Consultation and participation is a process through which the general public and interested parties have the opportunity to influence the course of the project in a way to express their opinions and proposals that can be adopted, but that concern them personally, or in this case primarily compensation for land and resettlement. The policy of the World Bank and the operational requirements of the rules of OP 4.12 take great attention to public participation with the aim of involving the community in the design and implementation of environmentally and socially acceptable solution.

The aim of this consultation is to ensure participation, consultation and information of vulnerable persons and other stakeholders in the preparation of the resettlement plan, and reduce public resistance to change and mitigating and reducing the potential negative impacts of the project on people. It can be concluded that the preparation of the resettlement plan and land acquisition requires consultation of the public, especially vulnerable populations and communities in order to better welcome their views, interests and aspirations in the realization of the project of construction of the dike in the town of Bijeljina.

6.2. Public hearings and consultations

After the RAP was approved by the representatives of the World Bank, the document was subjected to public insight that lasted from 13.09.2017 to 3.10.2017. Public presentation and public debate in which all project-affected persons were able to state their opinion and viewpoints was held on 27.09.2017 at 11:00 hours. The minutes and list of attendees of the conducted public debate are enclosed with this document (Annex 4).

6.3. Future consultation and public participation

It is proposed that the Municipality of Bijeljina appoint community liaison, responsible for consultation with vulnerable persons, as well as to communicate with representatives of local communities. Before starting a project, all affected groups will be informed of the scope of the project and contact information based on which the said groups can obtain further information.

The meetings in local communities will be held, if necessary, after the start of implementation until the end of the Project. In terms of resettlement and expropriation, all the affected families will be invited to individual meetings for the purpose of direct consultations when formally begin the process of resettlement and expropriation.

Before starting the process, will be prepared plan meetings / consultations with directly affected persons, which will include the contact information and the schedule of meetings, to vulnerable people can be informed in advance of the scheduled meetings. Special attention will be paid to ensuring the participation of women in consultations, in particular those of households where women are heads of households.

All interested parties will be informed of the exact date, time and place of the public consultation meeting at least 7 days in advance.
VII. COMPLAINT MECHANISM

7.1. Objectives

The complaint handling mechanism will be established to allow vulnerable persons to file an appeal on any decision regarding the temporary or permanent loss of land, property or source of income and the definition of remuneration for the same, in accordance with the operational policies of the World Bank OP 4.12. Involuntary Resettlement, as well as relevant domestic legislation. This primarily refers to the Expropriation Law, which defines all steps in the expropriation procedure, and in relation to the Expropriation Law, the appeal procedure is conducted according to the Law on General Administrative Procedure.

In accordance with the legislation, the first step is the obtained opinion of the assembly of the local self-government unit in whose territory it is intended to build or perform works in accordance with the appropriate planning document (Assembly of the local self-government unit, it is obliged to give its opinion within 30 days from the date of submission Requirements). Upon obtaining the opinion, the expropriation beneficiary, or in this case, the Republic of Srpska is obliged, in accordance with the spatial plan, to develop an expropriation plan based on and in accordance with the conditions for the design of the premises. As this condition is respected, the Government of Republika Srpska makes a Decision on determining the general interest for the construction of an object or the execution of works on the basis of the submitted proposal of the expropriation beneficiary. The decision on determining the general interest for stage 4 of the section 2, which is the subject of this RAP (from the constitutional building on the channel "Drina-Dašnica" and ends at the mouth of the Janja river in the Drina River, in the length of 2,8 km) was published in the Official Gazette of the Republic Srpska number 33/17 04.04.2017

The proposal for determining the general interest for expropriation is submitted by a person who, according to the provisions of the Law on Expropriation, can be the beneficiary of expropriation through the bodies of the Republic Administration for Property and Legal Affairs, PJ Bijeljina, and contains the elaboration of the expropriation. After the established general interest for the construction of buildings or the execution of works, the proposal for expropriation is submitted by the Office of the Ombudsman of Republika Srpska to the body of the Republic Administration for Property and Legal Affairs, PJ Bijeljina.

Phase 1 - Agreement in the preliminary proceeding

After establishing the general interest with the client, a compensation agreement can be reached, whereby the record of the agreement is formed as evidence that the beneficiary of the expropriation previously settled the issue of acquiring the ownership right on a particular real estate with the owner of the real estate (written offer, public advertisement, sale, Etc.). If Phase 1 does not come to an agreement with the party in the preliminary proceeding, reasons are given for not agreeing, and the person affected by the project will have the opportunity to formally file a complaint and use its rights in the Phase 2.

Phase 2: - Complaint mechanism

The proposal for expropriation is filed by the Office of the Public Prosecutor of Republika Srpska to the body of the Republic Administration for Property and Legal Affairs, PJ Bijeljina after having established a general interest in the construction of buildings or the execution of works, and with the proposal for expropriation must be submitted:

A) evidence of a general interest in the construction of buildings or the performance of works (an act on determining the general interest, an excerpt from a regulation plan or urban development project);

B) a copy of land and other public books in which ownership of immovable property is entered which contains data on real estate for which expropriation is proposed, i.e. cadastral and other data if such a book does not exist;
V) proof (record of the agreement) that the expropriation beneficiary previously tried with the owner of the real estate objectively to settle the issue of acquiring ownership rights on a certain real estate in another way (written offer, public advertisement, sale, waivers, etc.);
G) Evidence that the necessary funds have been provided and deposited with the bank in the amount approximately necessary for the granting of the property compensation proposed for expropriation and the costs of the expropriation procedure, or evidence of the secured other relevant real estate.

Upon receipt of the proposal for expropriation, the competent administrative body shall inform ex officio without delaying the owner that a proposal for the expropriation of his real estate has been submitted, along
with a warning referred to in Article 56 of the Law on Expropriation which states that "The former owner is not entitled to compensation for the costs for investing in land And the buildings it has executed after being notified in writing by the administration authority of the submitted expropriation proposal, except for those costs that were necessary for the regular use of the real estate. " Exceptionally, a record of expropriation will be recorded in land and other public books in which data on real estate are kept, which has no legal effect in relation to the beneficiary of the expropriation.

The beneficiary of the expropriation and the owner of the real estate may conclude an agreement that has the force of the executive document before the administrative body until the decision on the proposal for expropriation is made.

The decision on the proposal for expropriation is made by the administrative body in whose territory the real estate for which the expropriation is proposed is, or in this case, the Republic Administration for Geodetic and Property-Legal Affairs, PJ Bijeljina. The expropriation beneficiary acquires the right to possess an expropriated immovable property by the date of the validity of the expropriation decision if he has previously paid the owner of the expropriated immovable property for the previous owner, or that he has surrendered another appropriate immovable property; otherwise, the date of payment of the compensation, or the transfer of other relevant immovable property, If the former owner and the expropriation user do not agree otherwise.

An appeal against the decision on the proposal for expropriation is allowed by the Republic Administration for Geodetic and Property Affairs. The appeal is submitted to the first instance body that issued the decision on expropriation, the deadline for submitting the appeal is 15 days. All complaints will be answered and will be processed within the legal deadline of 30 days.

An administrative dispute may be instituted against the decision of the second instance body by the competent court within 30 days from the date of receipt of this decision. An integral part of each solution is a remedy about a remedy. If a compensation agreement is not reached within two months from the date of validity of the decision on expropriation, the Administration for Geodetic and Property Affairs will deliver, without delay, a final decision on expropriation with all the files to the competent court in whose territory the expropriated property is located.

If the Republic Administration for Geodetic and Property Affairs does not act within the specified deadline, the previous owner and the expropriation beneficiary may contact the competent court directly in order to determine the fee.

In relation to the Expropriation Law, the appeal procedure is conducted according to the Law on General Administrative Procedure.

The competent court ex officio in the out-of-court procedure decides on the amount of compensation for an expropriated property, and the procedure for determining the fee for an expropriated property is urgent. The procedure must be completed as soon as possible, and no later than 30 days from the date of the initiation of the proceedings before the court,

A special appeal is allowed against the court's decision on determining compensation.

Procedures for resolving the expropriation issues in Phase 1 are a less formal dispute resolution tool that enables the AP and the project implementation team to resolve the disagreement without too much formal procedures, delays and obstacles. If the AP is not satisfied, the complaint procedure mechanism should assist him in filing an official complaint in accordance with the Phase 2 procedures (the persons affected by
the project should be informed of his rights and obligations, the rules and procedures for filing an appeal, the form of complaint, the conditions for filing an objection, etc.) Which will be within the competence of the Consultant for monitoring and monitoring the implementation of RAP with consultation and close cooperation with the Department of Property and Legal Affairs of the City of Bijeljina.

The complaint handling mechanism deals with the resolution of land and other issues of acquiring property (e.g., amount of compensation, suitability of remaining parcels or parts / parcels, loss of access roads, etc.), as well as losses and damages caused by construction works, Temporary or permanent occupation of land by the contractor. Therefore, the complaint handling mechanism will be established from the moment when the project implementation started and the Consultant for monitoring and monitoring the implementation of the RAP will closely cooperate with the Agent in the expropriation procedure on behalf of the expropriation beneficiary or Republika Srpska, and the Ombudsman of the Republika Srpska will give pre-empowerment to official representatives, Employees of the legal profession employed in the Department of Property and Legal Affairs of the City of Bijeljina for representation on behalf of the beneficiaries of expropriation.

The Department of Property and Legal Affairs of the City of Bijeljina, or the authorized representatives, will be available for negotiations and consultations with the AP from the beginning of the project implementation and will operate until the completion of the project.

The RAP monitoring and monitoring follow-up will detail and inform the AP about the complaint handling mechanism, its functions, procedures, contact persons, and the rules for lodging appeals, both verbally and literally. The aim is to get as many appeals as possible in Phase 1 in order to prevent complaints through Phase 2 that could be achieved through the active participation of people affected by the project, effective consultation, proper communication, and coordination between the local community and local offices.

### 7.2. Jurisdiction for handling complaints

<table>
<thead>
<tr>
<th>PHASE</th>
<th>TYPE</th>
<th>JURISDICTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHASE 1</td>
<td>Agreement</td>
<td>The beneficiary of the expropriation (RS) and the owner of the real estate may, before the administrative body, conclude an agreement that has the power of an executive document until the decision on the proposal for expropriation is made.</td>
</tr>
<tr>
<td>PHASE 2</td>
<td>FIRST APPEAL</td>
<td>An appeal against the decision on expropriation is allowed by the Republic Administration for Geodetic and Property-Legal Affairs;</td>
</tr>
<tr>
<td></td>
<td>SECOND STAGE</td>
<td>An administrative dispute may be initiated against the decision of the second instance body by a competent court within 30 days from the date of receipt of this decision;</td>
</tr>
<tr>
<td></td>
<td>COMPLAINT</td>
<td></td>
</tr>
</tbody>
</table>

### 7.3. Complaint process

The person in charge of the implementation of RAP, in accordance with the relevant legal regulations, regulations and appeal procedure, has been authorized by the Office of the Ombudsman of the Republika Srpska for representation on behalf of the Republic of Srpska as an expropriation beneficiary or employees of the legal profession employed in the Department of Property and Legal Affairs of the City of Bijeljina As well as the competent person (s) in front of the Republic Administration for Geodetic and Property Affairs
will be in charge of resolving the appeal of the AP. The persons affected by the project will be informed in detail about the manner of sending and addressing or submitting the appeal.

In other words, the protection of the rights of the owner or expropriation beneficiary is provided through a two-tiered administrative and judicial procedure, with the guaranteed right to appeal.

- The Decision of expropriation may be challenged by an appeal in front of the Republic Administration for Geodetic and Property Affairs.

- The appeal can be submitted to first-instance authority that issued Decision on Expropriation (Municipality); the Appeal can be submitted within 15 days.

- All appeals will be answered and preceded within the statutory period of 30 days.

- Against the decision of the second-instance authority may be initiated administrative proceedings before the competent court within 30 days of receipt of this decision;

- An integral part of any solution is legal remedy;

- If agreement on compensation is not achieved within two months from the date of final decision on expropriation, the Municipal administration department shall provide, without delay, a final decision on expropriation with all documents to the competent court to which area the expropriated property belongs to.

- If the Municipal administration department does not act in accordance with the above, the previous owner and beneficiary of the expropriation can directly contact the competent court in order to determine fees;

- In relation to the Law on expropriation the Appeal procedure is carried out according to the Law on Administrative Procedure;

- In the case that disputes cannot be resolved directly by the parties, the mediation as voluntary way of-court resolution of disputes will be applied. The third party - impartial mediator will be engaged who will be notified of any disputed case;

- The competent court ex officio in non-administrative proceedings will decide on the amount of compensation for expropriated property;

- The procedure for determination compensation for expropriated property is urgent. The process must be completed as soon as possible, and no later than 30 days from the date of initiation of proceedings before the court,

- Against the court decision on determination of fees the special appeal is allowed.

The complaint handling mechanism deals with issues of acquisition / acquisition of land and other assets. In accordance with the current legislation and procedures of the World Bank, the mechanism for resolving complaints will also work during construction if, during the construction, damage to property or land is caused to the owners of the same.
VIII. DYNAMICS OF REALIZATION

8.1. General

In the case of large flood protection projects, especially those involving longer river movements, the choice of phase dynamics of the implementation is extremely important. This is particularly important in the case of this project, which protects the areas of Semberija and the Lay from the flood waters of the Drina river. The aim is that already the first phase of realization of protection is the most vulnerable areas, those who suffer the greatest damage. Unlike investment for other purposes, investment in flood protection immediately after completion is in full function. Flood protection facilities foreseen by this project are also immediately after the completion of each of the phases in full function, so it is very important to choose the order of the phases, according to the criterion of maximum damage.

Considering that the protective embankment for protection of the area of Semberija and Janje from large waters has a very large length of 34.78 km, the construction of the embankments is envisaged in three phases, and the priority is the construction of a section number 2 length of 16.12 km, From 2.8 km, which is the subject of this RAP, starting from the constitutional building on the Drina-Dašnica canal up to the mouth of the Janje river in the Drina river.

It is estimated that the works on the construction of the protective embankment at the stage of 4 sections 2 at a length of 2.8 km starting from the constitutional building on the channel "Drina-Dašnica" and ending at the mouth of the Janje river in the Drina River will be realized during 2018.

8.2. The dynamics of the implementation of the embankment construction project

According to economic logic, and protection areas should be focused on those sections embankments in which investments will be the lowest and highest protection effects. If we apply this principle in the construction of the left embankments of the Drina in phases, it should first work The first step, then the second and the third last stage.

However, a detailed analysis of the flood events of December 2010 in Bijeljina, can be given the following statement:

- Flood waters of the river Drina were first flooded Second and Third protection zone, ie. the surface of the highway "Bijeljina - Badovinci" (St. 9 + 450.00), upstream to the facility water intake channel "Drina - Dašnica" (St. 25 + 500.00) and the surface of the object water intake channel "Drina - Dašnica" (St. 25 + 500.00), and upstream to the village "Glavičice" (St. 33 + 360.00), belonging to the village Janja.
- Flood surface Second and third protection zones were separated by a channel "Drina-Dašnica" (accompanying an embankment along the canal on the left bank of channels). Flood waters Third buffer zones (areas Janja) had no impact on the flood water in the second zone.
- Spill-over flood wave on the left bank of the Drina River in the area Other protective zone made the transformation of the flood wave. The flood wave is spreading to the north (along the main road "Bijeljina - Badovinci") and to the west (along the main road „Bijeljina – Sremska Rača”).
- The first protection zone of the channel "Selište" (St. 0 + 000.00), and upstream to the highway "Bijeljina - Badovinci" (St. 9 + 450.00), a length of 9.45 km, there has been no to the immediate spill water flood of the river Drina. However, the first zone is flooded floodwater overflow from other protective zone pierced through the embankment of the highway "Bijeljina - Badovinci". It can be considered that the overflow of flood water from the riverbed of the Drina River in the first protection zone has not occurred because the transformation of the flood wave of the river Drina...
carried on the surfaces of the Second and Third protection zone (flooded in December 2010), the area of the highway "Bijeljina - Badovinci" but upstream to the village Glavičice.

The floods of 2010 and May 2014 are very instructive events and represent a kind of physical models flooding the terrain in the ratio 1: 1. These events were immediately cartographic documented and analyzed from the point of origin and routes of spreading flood. Bearing in mind this important fact - that the genesis and dynamics of flood wave propagation after Semberija i Janja already analyzed during the floods of 2010 and 2014 - the dynamics of the phase of realization of the planned system should be based on the analysis of these phenomena. From this analysis it follows that in the construction embankments in stages, priority should be given to the second phase, which covers the section of the highway "Bijeljina - Badovinci" (St. 9 + 626.49), and upstream to the mouth of Janja (St. 24 + 808, 00), a length of 15,182 km. Then would follow the construction of the first phase, and finally to the whole protection system has completed construction of the third phase.

All activities related to the occupation of land and resettlement should be planned in a way to ensure the payment of fees before resettlement and the commencement of construction work on embankments.

8.3. Approval of RAP and preparatory activities

After preparing a draft Resettlement Action Plan it is sent for approval to the World Bank, which provides conditions for placing the document for public review. After the public review of access to hold a public hearing where all participants have the opportunity to present their comments, which are then incorporated into the final version of the Resettlement Action Plan.

Thus, land acquisition activities and resettlement involve the following phases:

- Defining an institution that will be responsible for land acquisition and resettlement activities
- Draft of RAP
- Public Insight of RAP
- Public hearing on RAP
- Preparing the final RAP in accordance with the comments from the public hearing
- Merging and signing the Contract with the affected persons
- Updating and updating of the nanoscale and relocation
- RAP approvals by the World Bank and the Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska / Units for Coordination of Agricultural Projects

8.4. Implementation of RAP

Payment of compensation and allowances under RAP will commence after a number of preparatory tasks have been completed. These tasks are:

i. Signing of contacts with APs
ii. Disclosure and consultation
iii. Capacity building training of LAR institutions, APs and NGOs
iv. Grievance resolution
v. Requisition for payment of compensation and allowances
vi. Transfer of compensation and allowance to APs’ bank account and registration of land in land cadastre
vii. Relocation of affected structures/ assets
viii. Compliance review and reporting
ix. Notice to proceed for Civil works construction
x. Monitoring

8.5. RAP Implementation Timetable

The timetable for the implementation of the Resettlement Action Plan is directly related to the timetable, ie the dynamics of the provision of funds and the planned realization of the project of building a defensive embankment in the City of Bijeljina within the project of defense against floods of the Drina River in BiH on a section from the constitutional building on the channel "Drina-Dašnica" The mouth of the river Janje into the river Drina in the length of 2.8 km.

Considering that the protective embankment for protection of the area of Semberija and Janje from large waters has a very large length of 34.78 km, the construction of embankments is envisaged in three phases. The first phase encompasses section 2 of the left Drin embankment on which the share is the subject of this RAP, ie stage 4 of the said section 2 from the constitutional building on the "Drina-Dašnica" channel to the mouth of the Janje River in the Drina river, in length 2.8 km.

Managing Board of Solidarity Fund for reconstruction of the Republic of Srpska, at the 11th session held on 23.05.2017. On the same day, it reached a conclusion on the provision of funds for the payment of compensation in the expropriation of property for the regulation of the flow of the river Drina on a share that is within the scope of this RAP in the amount of KM 500,000.00. The conclusion came into force on the day of its adoption, ie 23.05.2017
### Table 19, RAP Implementation Timetable

<table>
<thead>
<tr>
<th>No.</th>
<th>RAP task</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
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<td></td>
<td></td>
<td>XII</td>
<td>I</td>
<td>II</td>
</tr>
<tr>
<td>1</td>
<td>End of RAP surveys/evaluation</td>
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<tr>
<td>2</td>
<td>Defining the institution responsible for land acquisition and resettlement activities</td>
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<tr>
<td>3</td>
<td>AP Consultation</td>
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<tr>
<td>4</td>
<td>Draft RAP Finalized</td>
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<tr>
<td>5</td>
<td>WB and APCU final review and approval</td>
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<tr>
<td>6</td>
<td>RAP public review</td>
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<tr>
<td>7</td>
<td>RAP public discussion</td>
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<tr>
<td>8</td>
<td>Preparation of final RAP in accordance with the comments from the public discussion</td>
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<tr>
<td>9</td>
<td>Approval of funds by Solidarity Fund for payment of fees</td>
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<td>10</td>
<td>Contract awards signing with AP</td>
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<tr>
<td>11</td>
<td>Transfer of budget to AP bank account</td>
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<td>12</td>
<td>Securing the bank guarantee for unsolved cases</td>
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<td>Grievance resolution</td>
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<td>14</td>
<td>Court proceedings in case of expropriation</td>
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<tr>
<td>15</td>
<td>Note from WB to start civil works</td>
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<td>16</td>
<td>Start of physical construction</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Internal monitoring</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>External monitoring</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
IX. COSTS AND FINANCE

9.1. General

Estimated cost of land acquisition and resettlement within the resettlement plan include fair compensation for the immovable property, compensation for relocation and costs support for the implementation of land acquisition and resettlement (administrative cost). Also, may appear unexpected costs to a maximum of 10% of the total cost, which is also required to provide the beneficiary of expropriation.

These are the following costs:

(i) Fair compensation for agricultural land (annual and perennial agricultural crops)
(ii) Fair compensation for the business activity
(iii) Fair compensation for forest land
(iv) Fair compensation for buildings (residential and non-residential)
(v) Assistance to affected households
(vi) Assistance for the affected person
(vii) The cost to implement the plan of relocation.

According to the data from the existing Expropriation Study for the 2.8 km section, which is the subject of this RAP made by the GIS, Geoinformatics and Geodesy Company GISsoft d.o.o. Brčko in November 2016 and according to the findings on the established determination of the indicative market value of immovable property-cadastral parcels intended for expropriation within the Expropriation Study for the purpose of constructing a dam for the protection of the floods of the City of Bijeljina from the great waters of the Drina River for the aforementioned section, Was prepared by the Public Enterprise "Directorate for Construction and Development of the City" doo Bijeljina 02/10/2017. During the year, the necessary funds for the expropriation of land and real estate on parcels within the scope of this RAP amount 479.963,00 KM.

9.2. Detailed budget

The following chapters provide an overview of the various types of benefits in accordance with the legally defined rights and operational policies of the World Bank OP 4.12 that are respected when defining fees.

9.2.1. Land compensation

This refers to the compensation for agricultural land (annual and perennial agricultural crops) that is within the scope of the project.

When it comes to the filed agricultural plot, fees can be provided through a substitute agricultural parcel of similar size and characteristics or through a monetary compensation to market value. If part of the parcel under the influence of the Project is 10% or less than the total area of the agricultural parcel, the option of the replacement parcel will not be available, but only the option of monetary compensation. If the rest of the plot is unusable after the expiration of its part, the owner is entitled to the full expropriation of the (whole) parcels and compensation accordingly.

The monetary compensation according to the market value for a one-year agricultural crop will be available if the annual return can not be collected within the available time limit. In this case, the monetary compensation is granted to the owner of the culture if it has evidence of a leasing relationship with the owner of the land, or the monetary compensation is granted to the owner of the land at market value.
When it comes to perennial agricultural crops, monetary compensation at market value is provided to the owner of agricultural crops if there is evidence of a leasing relationship with the land owner, i.e. the monetary compensation is granted to the owner of the land at market value.

In the case of an agricultural parcel registered in the name of another person (not on behalf of the beneficiary), then it may be provided: a) Fee for market value for the land to the land owner or his successors; and b) Fee for any improvements (development activities) These improvements (applicable to irrigation or drainage facilities, planting multi-year crops, facilities, etc.).

The total estimated price for all categories of land and compensation compensation for private land in the scope of this RAP is 479,963,00 KM.

<table>
<thead>
<tr>
<th>No</th>
<th>POSITION</th>
<th>VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total price for land</td>
<td>BAM 249,963.40</td>
</tr>
<tr>
<td>2</td>
<td>Increase of the total amount of land for objects and parts of objects, plantations, fruit trees and wood mass</td>
<td>BAM 230,000.00</td>
</tr>
<tr>
<td>3</td>
<td>Surface area</td>
<td>155,551.00</td>
</tr>
<tr>
<td>4</td>
<td>Total price</td>
<td>BAM 479,963.40</td>
</tr>
</tbody>
</table>

### 9.2.2. Facilities compensations

Buildings include residential and non-residential buildings that are within the scope of the project. Fees for objects can be provided in two ways:

1. *Relocation with replacement property*

   Replacement real estate including a residential plot of similar size and characteristics, and a residential building of similar size and characteristics

2. *Fee*

   Cash fee for parcel and facility according to market, i.e. full value and fee for covering the cost of moving.

In accordance with the operational policies of the World Bank OP 4.12 provides for compensation and, if it comes to illegally built residential or non-residential premises on registered land or land that is in the public domain, or land that is owned by another person, but under the condition to successful legalization process.

There is no this kind of compensation in the project.

### 9.2.3. Compensation for business activities

Since there are no identified business entities in the coverage, no funds are planned for this category.

### 9.2.4. Fees for trees and forest land

The compensation for forest land means a monetary compensation to the owner of the land at market value or monetary compensation to the owner of the wood according to the market value of the lost tree.

<table>
<thead>
<tr>
<th>Land category</th>
<th>Surface (sq m)</th>
<th>Total price (KM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private forest land</td>
<td>183,00 sq m</td>
<td>292,80</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>292,80 KM</strong></td>
</tr>
</tbody>
</table>
Of the individual trees within the scope of this RAP, 183 trees were recorded, of which mostly oak (829), grab (57), walnut (33), plum (6), cherry (3) and apricot (2). Estimated value of individual trees has been made in accordance with the methodology contained in the Annex to this RAP.

9.2.5. Resettlements compensations

The migration fee involves securing compensation to vulnerable groups in the form of specific resettlement assistance (assistance during the migration process, resettlement assistance and post-relocation assistance) in co-operation with the relevant municipal social welfare service. Considering that in the scope of this RAP there will be no physical displacement of persons, there are no planned funds for this category.

9.3. Summary of the cost of acquisition / land acquisition and relocation and the inflow of funds

Total cost of acquisition / land acquisition and relocation of the coverage of this RAP or shares from the channel "Drina-Dašnica" to the mouth of the river lying in the river Drina in the length of 2.8 km is shown in the following table:

<table>
<thead>
<tr>
<th>No.</th>
<th>UNIT</th>
<th>AMOUNT BAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Land Fees</td>
<td>BAM 249,963.40</td>
</tr>
<tr>
<td>2.</td>
<td>Increase of the total amount of land for objects and parts of objects, plantations, fruit trees and wood mass</td>
<td>BAM 230,000.00</td>
</tr>
<tr>
<td></td>
<td>TOTAL IN BAM</td>
<td>BAM 479,963.40</td>
</tr>
</tbody>
</table>

9.4. Financial resources

As previously defined within the feasibility study for the protection from the flood waters of the Drina River of the Semberija and Janja Bijeljina Region, a flood protection project in Bosnia and Herzegovina (BAFPP), the City of Bijeljina will provide land-related costs (expropriation costs) along the route Embankment, which is privately owned. All other works, construction works on the realization of the project as well as the costs of the studies, investigations, design, supervision and project management would be financed from the World Bank's IDA loan. The funds for the purchase of the land within the scope of the expropriation line of this RAP, ie for the section from the "Drina-Dašna" channel to the mouth of the river Janja in the Drina River, in the length of 2.8 km, was provided on the basis of the decision of the Managing Board of the Solidarity Fund for the reconstruction of the Republic of Srpska, Adopted at the 11th session held on 23.05.2017. When a decision was taken on the provision of funds for the payment of compensation in the expropriation of property for the regulation of the flow of the river Drina on a share that is within the scope of this RAP in the amount of KM 500,000.00. The conclusion entered into force on the day of its adoption (May 23, 2017).
X. MONITORING AND REPORTING

The primary objective of implementing its action plan to improve the relocation, or at least restore the social and living conditions of vulnerable people to the level before the start of the project. The implementation process should ensure that this goal is achieved in a reasonable time with the funds provided for a fee. Therefore, monitoring updates RAP, its implementation, as well as the timeliness of institutional and financial assistance to vulnerable persons conceived as an integral part of the overall operation and management of the project.

The objective of monitoring and evaluation is to provide feedback to all stakeholders on the progress of implementation and timeliness, as well as the timely identification of potential problems, and solving them to be carried.

In accordance with World Bank operational policies relating to involuntary (forcible transfer) OP 4.12 objectives of monitoring are as follows:

i. ensuring that there has been an improvement in the living conditions and living standards of vulnerable persons, or at least to restore the quality of life that preceded the relocation or the conditions in which they lived before the beginning of the project,
ii. conformity assessment of mineralization dynamic relocation plan with the foreseen dynamics,
iii. assessment of whether the funds for compensation and rehabilitation of sufficient and
iv. defining a method to quickly solve or alleviate the problems identified.

Activities on the acquisition of land and resettlement under the project for the construction of the dike in the city of Bijeljina in the framework of the project of flood control of the river Drina in Bosnia and Herzegovina, Section 2 stage 4 with the influx of Janja will be subject to monitoring by the Unit for the Implementation of agricultural projects in the Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska, and indirectly will be included Republic Administration for Geodetic and property Affairs and its regional units in Bijeljina, as well as the City of Bijeljina - Department of property and legal Affairs.

Monitoring by the Project Implementation Unit will be carried out routinely or directly providing services to consultants. The results of monitoring will submit quarterly World Bank.

Republic Administration for Geodetic and Property Affairs, in accordance with the Law on Republic Administration ("Official Gazette of the Republic of Srpska" no. 118/08 and 74/10), performs administrative and other professional tasks relating to:

- survey and the establishment of real estate cadastre,
- renewal survey and real estate cadastre,
- maintenance of cadastral survey and real estate cadastre, utilities except for tasks legally transferred to the jurisdiction of local governments,
- cadastral classification and land quality evaluation,
- maps of the territory of the Republic,
- keeping technical archives of original plans and maps,
- basic surveying works,
- Professional control over survey and real estate cadastre, land cadastre, land registry municipal devices
- land consolidation and land survey for special needs
- property and other real estate related to the state-owned,
- property rights on land and buildings, expropriation, land acquisition, agrarian relations, cessation of state property,
• establishing previous property relations on land owned by the state - denationalization,
• records of real estate and real estate rights,
• Property Affairs related to real estate on which the Republic has the right to dispose,
• supervisory, normative-legal and analytical affairs and other affairs in accordance with the Law.

City of Bijeljina - Department of Property and Legal Affairs

In the Department for Property Affairs of the following services:

- collecting documentation, initiation of and participation in the process of identifying and transferring ownership to the city property
- drafting contracts in the process of realization of investments that are partly or wholly financed from the budget of the City
- Preparation of necessary documents for the initiation of the procedure for determining the public interest for the construction of buildings of significance for the city, for initiating and conducting the expropriation procedure or administrative transfer, the process of usurpation of land in the ownership of the City
- Completion of the processing of applications for building plots and proposing City Assembly decision
- Updating the register of all judicial, administrative and other procedures in which the castle appears as a party
- Preparation of reports and information from the scope of work for the needs of the City Assembly and the Mayor
- processing of applications for purchase of apartments - the implementation of the administrative procedure and the preparation of the original decision of the housing authorities under the Law on Housing Relations
- Propose a decision on the amount of rent for the use of apartments managed by the city and the apartments that have not been redeemed
- The appointment of a temporary representative, and conduct prescribed auxiliary records
- Maintaining contact with other organizational units, the competent authorities and organizations and institutions within the powers
- In the Section to perform other tasks by order of the mayor and chief of the Department

10.1. Indicators of monitoring and evaluation

Monitoring and evaluation of the implementation of the RAP shall be made in accordance with the principles and indicators set out in Framework of resettlement policy.

Specific monitoring benchmarks will be:

- Report on all consultation conducted with APs;
- Status of land acquisition and payments on land compensation;
- Compensation for affected structures and other assets;
- Payments for loss of income;

These data will be collected through the following instruments:

- Summary of information related to the list of vulnerable persons;
- Consultation and informal interviews with affected persons;
- Interviewing of vulnerable persons
- Crucial interview and
➢ Public meetings in communities.

The following table contains a list of indicators that will be used for the purpose of monitoring during the period of project implementation:

Table 20, Indicators of monitoring and evaluation

<table>
<thead>
<tr>
<th>INDICATOR</th>
<th>INFORMATION SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total spending on expropriation and compensation</td>
<td>Financial records</td>
</tr>
<tr>
<td>Number of AP by category</td>
<td>Census and management</td>
</tr>
<tr>
<td>Number of AP, which has moved into new accommodation in a given period</td>
<td>Reports on monitoring activities related to relocation</td>
</tr>
<tr>
<td>Number of AP, which has moved from a previous stay in a given period</td>
<td>Reports on monitoring activities related to relocation</td>
</tr>
<tr>
<td>Number of vulnerable households / people who have moved, types of</td>
<td>Reports on monitoring activities related to relocation</td>
</tr>
<tr>
<td>vulnerabilities and type of assistance provided</td>
<td></td>
</tr>
<tr>
<td>The number of people who get paid in cash in a given period with the</td>
<td>Reports on monitoring activities related to relocation</td>
</tr>
<tr>
<td>distribution by type of fees and the amount of classes</td>
<td></td>
</tr>
<tr>
<td>Number of individual agreements on compensation concluded in the given</td>
<td>Reports on monitoring activities related to relocation</td>
</tr>
<tr>
<td>period</td>
<td></td>
</tr>
<tr>
<td>Number of business activities that have been re-established in a given</td>
<td>Reports on monitoring activities related to relocation</td>
</tr>
<tr>
<td>period and the restoration of their income</td>
<td></td>
</tr>
<tr>
<td>The number and types of complaints in connection with the relocation</td>
<td>Reports on monitoring activities related to relocation</td>
</tr>
<tr>
<td>(investment and processed and how long it took to resolve them)</td>
<td></td>
</tr>
</tbody>
</table>
ANNEXES
ANNEX 1

METHODS OF EVALUATION, LOSS OF LOSS AND FEES
DETERMINATION OF THE FEE FOR BUILDINGS AND FACILITIES

Methodology for estimating the value of agricultural land

The basis for estimating the value of the costs for the purchase of land is the Law on Expropriation (Official Gazette of the Republic of Srpska, Nos. 112/06, 37/07, 110/08 and 79/15), which clearly defines that for expropriated land, a fair compensation is determined, which does not May be lower than the market value of that land. Fair compensation may be in the form of other appropriate immovable property or money remuneration.

For the purpose of assessing the value of land, it is necessary to analyze and take into account all factors that may influence the assessment of the value of land. Significant factors affecting the value of expropriated agricultural land are the following:

- land culture,
- land class
- cadastral arrival
- location and distance of the parcel in relation to larger consumer centers
- location and distance of the plot in relation to the roads
- the suitability of land for separation and the formation of building plots
- the price at which traffic was carried out in the immediate vicinity
- supply and demand relationship
- availability of infrastructure
- configuration of the terrain (form of relief)
- altitude and exposition
- air conditioning
- type and state of vegetation on plots
- properties and quality of the land
- the possibility of using modern mechanization

In addition to the above mentioned factors, it is also necessary to carry out a detailed analysis of the documentation of the Republic Administration for Geodetic and Property Affairs.

Likewise, the provisions of the Expropriation Act must be fully respected, and especially if the owner of agricultural land whose land is exempted from expropriation significantly compromises the existence, the value of the land must be increased.

There are several methods for assessing the value of agricultural land:

1. A cost-based approach is based on the principle of substitution, based on the assumption that it is not justified to estimate the real estate more than it would cost to buy or build a similar object, property, at a similar location. It is used when there are no specific data on the market.

2. Direct price comparison is based on the idea that the value is best established on the market, and that the basis for the assessment is the market prices of properties of similar characteristics. This technique involves the acquisition of market data on the circulation of property of similar properties in relation to the property being assessed.

3. The yield approach is based on an estimate of the present value of future inflows, if the assets were leased under market conditions.
Compensation for expropriated property

In the coverage of the stage 4 of section 2, in the length of 2.8 km, starting from the constitutional building on the Drina-Dašnica canal, to the mouth of the Janja River in the Drina river, there are no identified facilities.

In accordance with the applicable rules of the profession and legal regulations, the amount of compensation expropriated real estate is determined by the rule by giving another appropriate real estate corresponding to the value of the real estate that is expropriated in the same municipality or city, by which the owner of the immovable property that is expropriated is granted approximately the same conditions of use as he had Using this real estate.

For illegally constructed buildings, the constructor is entitled to compensation in the amount of his investments, if he fulfilled the conditions for legalization at the time of construction.

For illegally constructed buildings after submitting the proposal for expropriation, the owner is not entitled to compensation, but he may demolish objects and take away the material within a deadline determined by the administrative body, otherwise the removal of the facility will be carried out at his expense.

The removal of illegally constructed buildings will be carried out by a local self-government unit responsible for urban planning affairs, in accordance with the provisions of the Law on Spatial Planning.

If the owner of the immovable property that expropriates does not accept the other appropriate immovable property in the name of compensation, or if the expropriation beneficiary cannot secure such a real estate, a fair remuneration in the amount of money that can not be lower than the market value of the real estate that was expropriated at the time of the adoption of the first instance decision on Expropriation, or at the time of conclusion of the agreement.

Market value is expressed in the price that can be achieved on a market for certain real estate and which depends on the relationship between supply and demand at the time of its determination.

The personal and family circumstances of the former owner of an expropriated real estate shall be taken into account as a correction of the increase in the amount of the compensation determined if these circumstances are essential for the material existence of the former owner, and especially in the event of the expropriation of a larger part and the whole land or business premises. The former owner performed the allowed business activity, his material existence was endangered, as well as in cases when, due to expropriation, members of the agricultural household must move from the area where they resided or stayed.

The agricultural value of one land consists of a two-part rule:

- the value of the land itself
- value on it

For the purpose of making as high as possible and more realistic estimates, we propose to use two criteria for assessing the value of agricultural land:

a) Estimated value of land based on yield (benefit that land gives regular exploitation)

In order to get the real value of agricultural land, it is important that for each crop, usually three grown crops: corn, wheat and fodder, calculate the net profit from its output, or potential revenue minus the variable costs (production costs).

The resulting certain average value represents the capitalized annual rent, ie cash, which would be deposited with the usual interest rate, brought the appropriate amount.

An estimate of the potential real value of the land in question was made according to the form:

$$\text{Actual value of the land} = \frac{100 \times P}{K}$$

$$P = \text{the amount of the obtained gain on the land}$$

$$K = \text{usual interest on time deposits}$$

The price of the land is influenced by the supply and demand for the land. Interest and annuity determine the natural price of a country and the competition is factual, which oscillates around the natural.
b) Evaluation of the value of the land based on the market or traffic value of the land

The assumption is that the market value of the land is the most realistic fair compensation, as this enables the acquisition of other immovable properties of such characteristics. The market price would be determined as the average price of agricultural land realized in free circulation in a certain area and within a certain period of time. The market price is not an appropriate reflection of the real value of the land, even if it is freely formed. Therefore, it is not always fair for both the former owner and the expropriation beneficiary. We recommend that in the subject area all credible indicators for agricultural land use be taken into account, either according to the data of the tax administration or the real estate market using a system of comparative prices. It may happen that the market value of agricultural land is sometimes unfair due to the fact that various factors affect it, which are often not of economic character.

Corrective factors affecting the market price of the land

Using the above methods, the basic values of the soil are determined. The estimated baseline values of the land are influenced by the factors that the expert determines and determines in the field and which can increase or decrease the estimated base value for a specific percentage in the following manner:
- if the land is degraded, the estimated base value is reduced by 50%,
- if the application of modern mechanization is difficult on the plot, the estimated base value is reduced by 10%,
- if the land is neglected, the estimated base value is reduced by 7%,
- if the plot has no access directly from the road, the estimated base value is reduced by 5%,
- if the plot is located along a macadam road, it is increased estimated base value by 5%,
- if the land is regularly maintained, the estimated basic value is increased by 7%,
- if the plot is located next to the asphalt road, the estimated base value is increased by 10%,
- if the land can be considered as potential building land, the estimated base value for 100%.

The corrected basic value of the land represents the estimated market value of the land taking into account all the significant factors affecting the price of agricultural land.

The only way to perform quality equitable and impartial assessments in the subject area of expropriation is to form a methodology for assessing the value of expropriated agricultural land. Criteria for assessing the market value of agricultural land are clear, precise and uniform so as to provide significant support to expert findings and assessments.

Methodology of estimation of value of agricultural crops

An assessment of the value of rat crops is done for those cultures that are sown and located on the plot at the time of the assessment and which the owner will not be able to use for the purpose of land takeover. In this case, an estimate of income and loss of profits is made. The total loss of profit is estimated based on the expected profit of this production. In doing so, the average values for the Republic of Srpska are taken.

Estimates of lost profit in one-year crop cultivation

The total loss of profits in annual crop cultivations is based on the lost profit from that production for one year, and the basic calculation for estimation is shown in the following table:

<table>
<thead>
<tr>
<th>Culture</th>
<th>Income t/ha</th>
<th>Price KM/t</th>
<th>Total income KM/ha</th>
<th>Variable costs KM/ha</th>
<th>Total income KM/ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corn</td>
<td>5</td>
<td>300,00</td>
<td>1,500,00</td>
<td>565,00</td>
<td>935,00</td>
</tr>
<tr>
<td>Grain</td>
<td>4</td>
<td>270,00</td>
<td>1,080,00</td>
<td>545,00</td>
<td>535,00</td>
</tr>
<tr>
<td>Wheat</td>
<td>4</td>
<td>280,00</td>
<td>1,120,00</td>
<td>595,00</td>
<td>525,00</td>
</tr>
<tr>
<td>Grain</td>
<td>3</td>
<td>290,00</td>
<td>870,00</td>
<td>495,00</td>
<td>375,00</td>
</tr>
</tbody>
</table>
Estimates of lost profit on perennial fodder plants

The estimate of the total loss of profits on perennial fodder plants is based on the lost profit from that production for the years as many as the exploitation is estimated. Intensive exploitation depends primarily on the type of fodder and maintenance method. The expert on the field estimates the remaining period of exploitation and this period multiplies with the expected annual profit for that culture. The expected annual profit is shown in the following table:

<table>
<thead>
<tr>
<th>Culture</th>
<th>Yield t/ha</th>
<th>Price KM/t</th>
<th>Total income KM/ha</th>
<th>Variable costs KM/ha</th>
<th>Total income KM/ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Travno-dijetelinska smjesa</td>
<td>8</td>
<td>300,00</td>
<td>2.400,00</td>
<td>400,00</td>
<td>2.000,00</td>
</tr>
<tr>
<td>Prirodna livada</td>
<td>4</td>
<td>200,00</td>
<td>800,00</td>
<td>200,00</td>
<td>600,00</td>
</tr>
</tbody>
</table>

Estimates of lost profits on vegetable crops

The estimate of the total loss of profits on vegetable crops is based on the lost profit from that production for the number of years in which the exploitation is estimated. Intensive exploitation depends primarily on the type of vegetables and the method of maintenance. Potatoes are grown mainly in the subject area. The expected annual profit is shown in the following table:

<table>
<thead>
<tr>
<th>Culture</th>
<th>Yield t/ha</th>
<th>Price KM/t</th>
<th>Total income KM/ha</th>
<th>Variable costs KM/ha</th>
<th>Total income KM/ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potato</td>
<td>25</td>
<td>300,00</td>
<td>7.500,00</td>
<td>4.800,00</td>
<td>2.700,00</td>
</tr>
</tbody>
</table>

Methodology for estimating the value of fruit species

Article 57 of the Law on Expropriation ("Official Gazette of the Republic of Srpska", Nos. 112/06, 37/07, 110/08 and 79/15), which, among other things, is the basis for the evaluation of fruit species and grapevine for expert witnesses in agriculture. The fee for fruit trees and vines is determined:

- for fruit trees and vines that are in the stage of giving the fruit
- in the amount of the total income of that tree, or vine, for as many years as necessary for raising this kind of fruit tree, or vine and their development until the stage of giving the fruit;
- for fruit trees and vines, which did not begin to yield fruit - at the level of the costs necessary for the procurement, planting and cultivation of such seedlings;
- In addition to the compensation referred to in the preceding paragraph, a fee for technical wood is also determined, according to the criteria for granting forest tree fee, if the previous owner does not retain the harvested tree.

In the case of perennial fruit trees, pursuant to Article 57 of the Law on Expropriation, the so-called "The turnover coefficient, i.e. Number of years from planting to reaching this fruit species in full. Each fruit species has a specific coefficient with which the estimated yield is multiplied. When assessing, the climatic and soil conditions of this area, variety, market price, average yield and turnover coefficient are taken into account - a corrective factor. For fruit trees of chest diameter of more than 10 cm, the timber of these trees is estimated.

Evaluation of the value of fruit trees weight

For trees, breast diameter from 10 to 25 cm, the total wood mass is only fuel wood, while for trees, breast diameter from 30 to 60 cm, the total wood mass is divided into:

- wood waste 15% (which comes from the total wood mass)
- technical wood-logs 32%
- firewood 53%
The average price of technical wood (conifers and herbs) is taken from the price list of JP "Srpske šume" and amounts to 122,00 KM / m³, while the price of fuel wood is 33,00 KM / m³ in the state for hardwoods.

**Estimation of forest land value**

The Law on Expropriation ("Official Gazette of the Republic of Srpska", no. 112/06) in Article 58 stipulates that the compensation for expropriated forest land shall be determined at the level of the fee that would be determined for the nearest pasture of the identical position.

The fee for timber (mature or approximately mature forest) is determined on the basis of the value of the tree on the hive, determined in accordance with the basics of prices and the acts adopted on the basis of that system for the produced assortments (after deducting the cost of production).

Compensations for forest cultures that have not reached technical maturity are determined:

A) for young seedlings in which the costs of exploitation would be greater than the value of the average wood mass - compensation of the actual costs of procurement of seedlings, planting and breeding;

B) for other older trees - the levy for wood mass according to the criteria in the previous paragraph increased by the value of the increment lost due to the temporary felling.

The costs of raising young forests, created by artificial means, are determined at the level of the costs of afforestation, and the costs of raising young forests created naturally - in the amount of the costs of artificial afforestation of the seed.

Estimated basic values of forest land are influenced by the factors that the expert determines and determines in the field and which can increase or decrease the estimated basic value for a specific percentage in the following manner:

- if the land is degraded, the estimated base value is reduced by 50%,
- if the plot is located along a macadam road, the estimated base value is increased by 5%,
- if the plot is located next to the asphalt road, the estimated baseline value for the 10 %,

**ESTIMATES OF LAND AND OBJECTS**

**Estimated value of land**

Estimates based on conversion or the real estate market in this case are fully acceptable since the locations in question are located in the territory of the City of Bijeljina. In general, it can be concluded that there has been a recent trend of decreasing the volume of land traffic. Such data on the market are available, as well as data from the Tax Administration of Republic Srpska (Overview of Market Value of Real Estate by Zones for Towns and Municipalities in Republic Srpska). For the subject cadastral municipalities in the territory of the City of Bijeljina, prices are available for most land categories, as well as other types of real estate (http://www.poreskaupravars.org/SiteCir/TrzisneVrijednostiNepokretnosti.aspx).

For the purpose of making this assessment, we also used the Rulebook on Valuation of Real Estate Value of the RS RS No. 37, which can also serve, in part, as the basis for establishing a market or fair compensation for agricultural land.

According to the structure of the area, the agricultural land occupies 154 187 m² or 99.12% of the total expropriated area (only the area under private ownership that is the subject of expropriation is taken into account), the forest area is 183 m² or 0.12%, the water area is 213 m² or 0.14% and other land (yard) occupies 968 m² or 0.62%. Agricultural land is dominant in the surface structure. Of the total agricultural land dominated by the fields is 93.37, garden 2.24%, orchard 4.39% of expropriated plots. The rest are orchards with 0.87%.
RESETTLEMENT ACTION PLAN FOR THE CONSTRUCTION OF EMBARKMENT IN THE CITY OF BIJE(LINA) IN THE FLOOD CONTROL PROJECT OF THE RIVER DRINA IN BOSNIA AND HERZEGOVINA BOOK A 1: SECTOOPN FROM CHANNEL „DRINA-DAŠNICA” TO MOUTH OF THE RIVER JANJA IN THE RIVER DRINA IN LENGTH OF 2.8 KM

<table>
<thead>
<tr>
<th>Land type</th>
<th>Total area/m²</th>
<th>Market value BAM</th>
<th>Paid allowance BAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field</td>
<td>144279</td>
<td>1.6</td>
<td>BAM 231,978.27</td>
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<tr>
<td>Garden</td>
<td>3354</td>
<td>1.6</td>
<td>BAM 5,392.71</td>
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<tr>
<td>Orchard</td>
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<td>BAM 10,537.82</td>
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<td><strong>TOTAL AGRICULTURAL LAND</strong></td>
<td><strong>154187</strong></td>
<td></td>
<td><strong>BAM 247,908.80</strong></td>
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</tbody>
</table>

<table>
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<tr>
<th>Land type</th>
<th>Total area/m²</th>
<th>Market value BAM</th>
<th>Paid allowance BAM</th>
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<tr>
<td>Forest</td>
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<tr>
<td><strong>FOREST LAND</strong></td>
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</table>

<table>
<thead>
<tr>
<th>Land type</th>
<th>Total area/m²</th>
<th>Market value BAM</th>
<th>Paid allowance BAM</th>
</tr>
</thead>
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<tr>
<td>River</td>
<td>213</td>
<td>1</td>
<td>BAM 213.00</td>
</tr>
<tr>
<td>Yard</td>
<td>968</td>
<td>1.6</td>
<td>BAM 1,548.80</td>
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<tr>
<td><strong>TOTAL CONSTRUCTION LAND</strong></td>
<td><strong>1181</strong></td>
<td></td>
<td><strong>BAM 1,761.80</strong></td>
</tr>
</tbody>
</table>

Total cost for land is **249 963,40 BAM**.

ESTIMATION OF LOST PROFIT

Estimated lost profits for crops cultivation

Estimated value of crops cultivation is done for those cultures that are sown on the plot at the time of expropriation and which the owner will not be able to use due to land acquisition. In this case, an estimate of the lost loss (damage) is made to the owner. According to the findings on the estimated loss, the profit was estimated as follows:

1. Maize
   67.82 ha x 935 KM/ha = 63,407.96 BAM
2. Wheat
   57.77 ha x 535 KM/ha = 30,906.49 BAM

The total estimated value for crops that are sown on the plot at the time of expropriation and which the owner will not be able to use because of the land acquisition, i.e. estimated lost profits for agricultural crops for expropriated land amounts 94,314.45 BAM.

Estimation of the fruit trees value

Individual fruit trees and trees in orchards are estimated according to the same methodology based on corrective factor and price for the appropriate species.

Among the fruit trees in the scope of expropriation there are walnuts (33 pieces), plums (6 pieces), cherry (3 pieces, apricot (2 pieces).

Lost profit is estimated as follows:
1. Walnut
20 kg x 33 x 4.50 KM x 12 (correction factor) = 35,640.00 BAM

2. Plum
40 kg x 6 x 0.50 KM x 7 (correction factor) = 900.00 BAM

3. Cherry
20 kg x 3 x 1.00 KM x 5 (correction factor) = 450.00 BAM

4. Apricot
25 kg x 2 x 1.00 KM x 5 (correction factor) = 300.00 BAM

The total estimated value of lost profits of individual fruit trees on plots that the owner will not be able to use due to
the expropriation is 48,145.05 BAM.

Within expropriated agricultural land the least area is under orchards 0.7046 ha where the apples and plums are
predominantly presented i.e. 141 apple and plum trees (corrective factor 0.5 is the same for both species so they are
added).

Lost profit is estimated as follows:
1. Apple and plum
35 kg x 141 x 0.50 KM x 7 (correction factor) = 17,262.70 BAM

The total estimated value of lost profits for fruit trees in orchards that the owner will not be able to use due to the
expropriation, i.e. estimated lost profit on fruit trees for expropriated land is 17,262.70 BAM.

Estimation of wood volume

For identified individual trees on plots, the wood volume compensation costs are determined based on the value of
the tree on the stump in accordance with the price base and the acts adopted on the basis of that system for the
produced assortments (after deducting the cost of production).

For trees with diameter-at-breast height (DBH) from 10 to 25 cm, the total wood volume is only firewood, while for
trees with diameter-at-breast height (DBH) from 30 to 60 cm, the total wood volume is divided into:
• wood waste 15% (which comes from the total wood mass)
• technical wood-logs 32%
• firewood 53%

The average price of technical wood (softwoods and hardwoods) is taken from the price list of PE "Srpske šume" and
amounts 122.00 BAM/m³, while the price of fuel wood is 33.00 BAM/m³ in the state for hardwoods.

The compensation costs for wood volume are calculated based on the price of 78.09 BAM /m³
1. Oak
82 x 1 x 78.09 = 6,403.70 BAM

2. Hornbeam
57 x 1 x 78.09 = 4,451.35 BAM

The wood volume for fruit trees is calculated based on the price of 22.18 BAM/sq m

383 x 0.25 x 22.18 = 2,124.45 BAM

Total compensation for wood volume is: 19,082.45 BAM.
Other regulations

The fee for expropriated agricultural, construction and urban construction land is determined in cash, so that it is fair and not lower than the market value of such land.

The amount of compensation for expropriated immovable property in court proceedings is determined according to the circumstances at the time of the adoption of the first instance decision on compensation.

If the beneficiary of the expropriation is handed over the immovable property before the validity of the expropriation decision, the owner has the right to choose the fee to be determined either under the circumstances at the time of the transfer of the immovable property or at the time of the adoption of the first instance decision on compensation.

The former owner is also entitled to compensation for the lost benefit that he would have achieved by the previous method of exploitation of the expropriated real estate, from the date of handing over, and the immovable property to the owner of the expropriation until the date of receipt of the immovable property in exchange or until the expiration of the deadlines set for payment or the deposit of the monetary compensation.

The former owner of the expropriated land has the right to collect the crops and collect the fruits that ripened at the time of entering the property of the expropriated land.

If, prior to the entry into the possession of the expropriation beneficiary, the former owner was unable to collect the crops and collect the fruits, he was entitled to the crop benefit after deducting the necessary costs which he would have before harvesting or harvesting.

In case of establishment of easement, the compensation is determined in the amount for which the market value of the immovable property, as well as for the resulting damage, is due to the established easement.

In case of leasing, the fee is determined at the level of the rent that is achieved on the market.

The fee can be determined in the form of a one-off amount for the entire duration of the lease or in the occasional payments that are paid at equal intervals.

The fee is calculated from the date when the expropriation beneficiary entered the land.

For any damage resulting from the establishment of a lease, the leaseholder responds to the owner of the land according to the general regulations on liability for damage.

The fee for the temporary seizure of land shall be determined in the amount and in the manner prescribed by this law for compensation in case of leasing.

If it is an expropriation of immovable property of such an extent that, for that reason, a considerable number of inhabitants must move out of the region where the expropriated real estate is located, a special law may prescribe the forms and conditions of compensation.

The previous owner may request that the fee be determined according to the provisions of this law, if it is more favorable for him.

The expropriation beneficiary can not expropriate the immovable property until it has fulfilled the obligations regarding the compensation determined on the basis of a special law.

Procedure for determining compensation

After the validity of the expropriation decision, the administrative body shall be obliged, without delay, to arrange and hold an oral hearing for the consensual determination of the compensation for expropriated immovable property.
The administrative body shall endeavor to obtain a compensation agreement by the parties, warning them of their rights and obligations under the provisions of this law.

In order to prepare the hearing, the parties may submit their bids and the administrative body, obtain written information from other bodies, facts that may be of importance for determining the amount of compensation.

The agreement on compensation for expropriated real estate must contain the form and amount of the fee and the deadline in which the expropriation beneficiary is obliged to fulfill the obligations regarding compensation.

The compensation agreement is entered in the record, which must contain all the data necessary for fulfillment of the obligation of the expropriation beneficiary.

The compensation agreement or part of the compensation is concluded when both parties sign the minutes into which the agreement was entered.

The record in which the fee agreement is entered has the power of an executive document.

If a compensation agreement is not reached within two months from the date of the validity of the expropriation decision, the administrative body shall without delay provide a final decision on expropriation with all the files to the competent court in whose territory the expropriated immovable property is located, in order to determine the compensation in the extrajudicial procedure. The authority referred to in the preceding paragraph may also submit a decision on expropriation with the files to the competent court before the expiration of a period of two months if, from the statements and conduct of the parties, it concludes that an agreement on compensation cannot be reached.

If the administrative body fails to comply with the provision of paragraph 1 of this Article within the specified time period, the former owner of the expropriated real estate, as well as the expropriation beneficiary, may directly contact the competent court in order to determine the fee.

The procedure for determining the fee for expropriated real estate is urgent.

On the day of the validity of the decision on total expropriation on expropriated immovable property, mortgages, personal easements and other real rights.

If an expropriated immovable property existed a mortgage, a right of pledge or some other real right, the expropriation beneficiary is obliged to deposit the corresponding amount of the fee with the bank in a special account, except in cases when the owner of the expropriated immovable property burdened with the mortgage is given in the name of the fee another immovable property Mortgage moves to this real estate.

The real rights from the paragraph are deleted in the land registry on the proposal of the expropriation beneficiary, if it previously has deposited the appropriate amount of the fee with the bank.

In the event that a mortgage existed, the bank will pay compensation to the owner of an expropriated immovable property or compensation to the holder of the real right only on the basis of their written agreement verified by the competent court or court decision.

The registration of the right of ownership and other real rights to an expropriated real estate, as well as the immovable property that is given in the name of the compensation to the previous owner, shall be executed on the basis of a final decision on expropriation and proof of paid compensation, if this decision determines cash remuneration or evidence of The acquisition of the right of ownership of the former owner on the other relevant real estate, and at the request of the expropriation beneficiary or the previous owner of the immovable property.

CONCLUSION

Compensation costs for agricultural and forest land, fruit trees, loss of profit on agricultural crops, forest stands and individual trees, as well as unclassified land within concerned expropriated are evaluated in accordance with the rules of the profession and the methodology previously explained in detail. The estimated value per items is shown in the following table:

<table>
<thead>
<tr>
<th>TYPE OF PROPERTY</th>
<th>PROCIJENJENA VRIJEDNOST U KM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural, forest, uncategorized land</td>
<td>BAM 249,963.40</td>
</tr>
<tr>
<td>Increase of 25% for agricultural and forest land</td>
<td>BAM 62,050.40</td>
</tr>
<tr>
<td>Lost profit for agricultural crops</td>
<td>BAM 94,314.45</td>
</tr>
<tr>
<td>Fruit trees and wood volume</td>
<td>BAM 73,635.15</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>BAM 479,963.4</strong></td>
</tr>
</tbody>
</table>
Total amount of funds necessary for the expropriation of agricultural and forest land, fruit trees, lost profits in agricultural crops, forest stands and individual trees, as well as uncategorized land amounts to 479,963.40 BAM (four hundred seventy-nine thousand, nine hundred sixty-three 40/100 convertible marks).
ANNEX 2

LEGALIZATION OF PRIVATE OWNERSHIP

1. Law on Spatial Planning and Construction („Republika Srpska Official Gazette, No. 40/13)

Private property legalization method is primarily defined by the Law on Spatial Planning and Construction; Chapter V Legalisation especially refers to this (Articles from 151 to 169).

V LEGALISATION

1. Legalisation procedure

1.1. Notion of legalization and legalization request submission

Article 151

(1) In sense of this law, legalisation represents additional issuance of location conditions, building permit and use permit for structures, i.e. parts of a structure, which are constructed, begun or reconstructed without a building permit. This also refers to the structures constructed based on a building permit, on which a departure from the building permit and the main design was committed during construction, but which were constructed or whose construction started by the day of entering of this law into force.

(2) A constructed, started or reconstructed structure referred to in paragraph 1 of this Article is considered a structure for which a legalisation request was submitted in line with regulations which were earlier valid or if a structure was registered (a request submitted, aerial photogrammetry image, a spatial planning document, an image of the existing condition etc.) with a body in charge to issue a building permit or with a town planning and construction inspectorate prior to entrance of this law into force.

(3) Exceptional from paragraph 1 of this Article, in line with the provisions of this law, a procedure for legalisation of completed structures is implemented without additional issuance of location conditions except if necessary for the legalisation of a structure on state-owned land.

(4) Structures built prior to the first aerial photogrammetric imaging performed for the area of a local self-administration unit by the end of 1980 are considered lawfully constructed.

(5) The owners of lots bordering on a lot on which a structure that is the subject of legalisation is located, who did not demand from inspection supervision during illegal construction to take measures in order to prevent illegal construction or did not state an objection to such construction to a body in charge to issue a construction permit, do not hold a capacity of a party in the procedure of legalisation of such structure.

Article 152

Exceptional from Article 151 of this Law, for individual residential and individual residential and business facilities whose gross construction surface is lower than 400 sq m, except for complex facilities in terms of this Law, additional construction and usage permits will be issued in the same decision when a body in charge to issue a construction permit establishes that a facility that is subject of legalisation was completed and that it meets the criteria prescribed for construction and usage.
(1) A procedure of legalisation of the structure referred to in Article 151 paragraph 1 if this Law is initiated upon a request of the investor or owner of the illegally constructed facility, i.e. illegally constructed part of the facility.

(2) A local self-administration unit body in charge of legalisation affairs performs an insight on the spot within 30 days from the request submission date, and notifies the applicant of to which extent legalisation is possible and which evidence is to be submitted subsequently as supplement to the request.

(3) A planning basis for legalisation of the facility referred to in paragraph 1 of this Article is implementing spatial planning documents. In the absence of such a document for the land on which the facility was constructed, a procedure for establishment of a planning basis for legalisation is implemented in line with the provisions of this Law.

(4) A request for legalisation is submitted within 2 years from the day of entrance of this law into force.

(5) The owners of illegally constructed facilities, meaning parts of facilities, who submitted legalisation requests within deadlines prescribed by previously valid Law on Spatial Planning and Construction, are not obliged to submit a new request in sense of paragraph 1 of this Law. The request submitted earlier is considered a request in sense of this Law and will be ended according to the provisions of the regulation that is more favourable for the applicant.

(6) A request for legalisation cannot be submitted after the expiry of the deadline referred to in paragraph 4 of this Article.

(7) The request referred to in paragraph 1 of this Article is a basis for temporary maintenance of the facility and connection to facilities of communal and other infrastructure until the legalisation procedure is irrevocably terminated according to the provisions of this Law.

1.2. Facilities for which an additional construction permit cannot be issued

Article 154

(1) An additional construction permit cannot be issued for the facilities constructed, i.e. reconstructed or annexed without a construction permit if:

a) the facility was constructed on land inconvenient for construction, such as: landslide, swamp, land exposed to floods and other elementary disasters and similar,

b) the facility was constructed with materials that do not provide durability and safety of the facility,

v) the facility was constructed on public land, i.e. on land planned for restructuring or construction of public facilities or on public land for which public interest is established in line with the provisions of a special law and

g) the facility was constructed in the zone I of natural goods protection, meaning in the zone of protection of cultural goods of exceptional significance and the zone of protection of cultural goods registered in the list of world's cultural heritage.

(2) Exceptional from the provision of paragraph 1 item v) of this Article, the relevant body shall issue a decision on temporary retention for a facility that was built on green areas (except for the facilities built on the existing or planned park areas) or if a facility was built in a protective belt of a public infrastructure good, with a previous consent from the body managing that good.

(3) Facilities built without a construction permit in the II and III degree of natural goods protection can be subject to legalisation if they had been constructed before the act of placing that good under protection was issued.

(4) Facilities built without a construction permit in the III degree of natural goods protection, after the issuance of the act placing that good under protection, can be subject of legalisation if they were constructed in accordance with the values, potential and capacities of the protected area, in line with sustainable development principles. This is established based on consents of the body in charge of affairs relating to protection of natural and cultural-historic heritage.
1.3. Documentation necessary for the legalisation of a finished facility

Article 155

(1) Exceptionally, legalisation for finished facilities referred to in Article 151 paragraph 1 of this law, which do not conform to the spatial planning document, can be performed without previous changes to the spatial planning document. This is applicable only if the deviance from the planned number of floors of the facility is 2 floors at most, out of which the last is attic or if the variation is up to 10% of the planned horizontal dimensions; however these deviances must not violate regulation and construction line.

(2) In case referred to in paragraph 1 of this Article, the investor, i.e. the owner of the facility built for commercial purposes, is obliged to pay the local self-administration unit also the amount of costs of changes and amendments to the spatial planning document, which would be demanded for the legalisation of such facility according to the expert opinion of the holder of the spatial planning document elaboration in whose coverage the facility is located, apart from the compensations for legalisation prescribed by the provisions of this law.

(3) The amount referred to in paragraph 2 of this Article which the investor, i.e. owner of the facility pays for changes to the spatial planning document is established by the relevant local self-administration unit body in a decision establishing the costs of rent and construction land development. This is based on average costs of the spatial planning documents elaboration in its area in the previous year. These funds are used for the spatial planning documents elaboration.

(4) The legalisation of the facility referred to in paragraph 1 of this Article can be done after the relevant body of administration has established that all conditions relating to stability and safety of the facility prescribed in this law are met, and that such legalisation has no negative impacts on neighbouring facilities and rights of other persons, based on the expert opinion of the holder of the spatial planning document elaboration in whose coverage the facility is located.

Article 156

(1) A decision on subsequent issuance of construction and usage permits for a finished facility referred to in Article 152 of this Law is issued based on:
   a) evidence of ownership,
   b) a construction permit if such permit was issued,
   c) a geodetic survey of the as-built state of an illegally built facility, made by a person authorised for surveying and cadastre of immovable and a copy of a cadastral plan,
   d) two copies of an as-built design for legalisation – architectural phase,
   e) minutes of performed expertise of technical validity, mechanical resistance, stability and quality of construction and conformity with conditions for usage of a facility, issued by a legal entity that has a licence to elaborate or review technical documentation or construct facilities,
   d) an opinion of a body dealing with the affairs relating to protection of natural and cultural-historic heritage if the facility is located in the zone of protection of natural or cultural goods,
   e) a consent of the relevant public company if the facility was built in a water good or in a protective belt,
   f) evidence of paid legalisation compensation of a facility, calculated according to this law for issuance of a subsequent construction and usage permit for illegally built facilities and
   2) evidence of paid compensations prescribed in other laws.

(2) A finished facility referred to in paragraph 1 of this Article is considered a facility or a part of facility that represents a functional unit on which all construction, craftsman and other works were done; these works affect stability, horizontal and vertical dimensions and appearance of the facility.

(3) The as-built design referred to in paragraph 1. item g) of this Article consists of:
a) general data of the facility's owner: name, family name, i.e. name and seat of the investor,
b) data of the authorised person that developed the as-built recording,
v) data of the facility's location: place, street and number, number of cadastral lot, name of cadastral borough and name of the local self-administration unit,
g) data of the facility's purpose,
d) data of the size of the building, gross and useful surface of the building, number of floors and total height of the building, value of the facility,
đ) drawings of floors layouts, cross-sections and façade in a 1 : 100 ratio, exceptionally in other adequate ratio,
e) description of the condition of the facility as to completion, i.e. condition of finished works and ž) photo documentation that consists of at least four photographs of all facades of the facility.

1.4. Decision of subsequent issuance of a construction permit for unfinished facilities

Article 157

(1) A decision on subsequent issuance of a construction permit for individual residential and individual business and residential facilities whose gross construction area is less than 400 sq m, is issued under the conditions prescribed in Article 156 of this Law except for complex facilities in sense of this Law, which were not completely finished, but on which the structure of the facility, roof and façade walls are finished. However, it is not necessary to submit evidence referred to in paragraph 1 item d) of the mentioned Article.

(2) A decision on subsequent issuance of a construction permit for unfinished facilities on which the works referred to in paragraph 1 of this Article are not finished is issued based on evidence referred to in Article 128 of this Law.

(3) A usage permit for facilities referred to in paragraphs 1 and 2 of this Article is issued according to the provisions of this Law.

Article 158

When minutes of performed expertise of technical validity, mechanical resistance, stability and quality of construction and conformity with conditions for usage of the facility or a design of a built facility that does not contain all necessary phases or parts of the design are enclosed as evidence in a procedure of legalisation, a body in charge of issuing construction and usage permits for a facility states in the preamble of its decision that it does not guarantee the safety and stability of the facility, given the minimal technical documentation enclosed with the request.

1.5. Subsequent issuance of a construction permit for public infrastructure facilities

Article 159

Exceptional to Article 151 of this Law, for public infrastructure facilities that are used without adequate documentation, construction and usage permits can be issued in one decision based on:
a) evidence of ownership and a proprietary certificate,
b) a copy of a cadastral plan with a charted facility that is subject to procedure and neighbouring facilities,
v) a technical description of as-built state of the facility,
g) the as-built design consisting of: situation of the facility, basic, cross-section, longitudinal cross-section with a profile of the field and appearance of the facility and
d) report of control testing of bearing capacity of the facility to trial loading, when such testing was envisaged in a procedure of issuance of a usage permit.

2. Compensations in a procedure of legalisation

Article 160

(1) The investor, i.e. owner of a facility for which the issuance of a decision of construction and usage permit subsequent issuance is requested is obliged to pay the facility legalisation compensation, i.e. a compensation for construction land development and rent prescribed in Article 73 of this Law, calculated in a procedure of the issuance of a decision on subsequent issuance of construction and usage permit for illegally constructed facilities (hereinafter: legalisation compensation).

(2) The investor, i.e. owner of a facility pays the compensation for the legalisation calculated for the total useful surface of the facility.

(3) The compensation referred to in paragraph 2 of this Article is paid to the account of public income of the local self-administration unit.

(4) The compensation for the legalisation is established in a decision issued ex officio by a local self-administration unit body in charge of communal affairs after the local self-administration unit body in charge of affairs relating to the issuance of a subsequent construction and usage permit has established that all other conditions are met and delivered necessary data for the calculation of this compensation.

2.1. Legalisation compensation reduction

Article 161

(1) A legalisation compensation referred to in Article 160 paragraph 1 of this Law is reduced for the investor, i.e. owner of an individual residential and individual residential and business facility with gross construction surface of up to 400 sq m, who permanently solved his residential issue and residential issue of members of family household by the construction of the facility whose legalisation is requested if he or members of his family household do not own other immovable property in the area of the local self-administration unit in whose area the facility that is subject of legalisation is located. This does not apply to facilities constructed in the first residential and business zone in line with the decision of the local self-administration unit referred to in Article 69 paragraph 1 of this Law, notably:

a) for apartments of total net useful surface of up to 100 sq m in family individual residential and individual residential and business facilities, decreased by 15% for every member of the family household, however the total decrease on this ground cannot exceed 75%.

b) for the next 100 sq m of net useful surface in the same facility the compensation is decreased by 10% for every member of the family household up to maximal percentage of decrease of 60%.

(2) A legalisation compensation referred to in Article 160 paragraph 1 of this Law is decreased for the investor, i.e. owner who is unemployed, as well as for unemployed full-of-age members of his household if he or members of his family household do not own other immovable property in the territory of the local self-administration unit in whose area the facility that is subject of legalisation is located. This does not apply to the facilities built in the first residential and business zone in line with the decision of the local self-administration unit, notably for business premises with total net useful surface of up to 100 sq m in family residential-business facilities, for every unemployed full of age member of the family household by 20%. However, the total decrease on this ground cannot exceed 60%.

(3) For apartments and business premises whose surface is larger than the surface referred to in paragraphs 1 and 2 of this Article, the investor, i.e. owner pays a legalisation compensation for a difference of really built surface and the surface up to which a decrease calculated in line with Article 160 of this Law is approved.
Article 162

(1) A legalisation compensation calculated in line with Article 160 of this Law is additionally decreased if the investor, i.e. owner of an individual residential and individual residential-business facility with surface of up to 400 sq m holds status of:

a) a disabled war veteran from category III to X or a member of his household holds that status, who acquired that status based on the regulations of the Republic relating to rights of war veterans, disabled war veterans and families of killed war veterans – by 50%,

b) war veterans from category I to V or a member of his household holds that status, who acquired that status based on the regulations of the Republic relating to rights of war veterans, disabled war veterans and families of killed war veterans – by 15% and

v) refugees, displaced persons or returnees who held that status at the time of illegal construction of a facility based on the regulations of the Republic relating to rights of refugees and displaced persons – by 30%.

(2) The family of a killed war veteran or a disabled war veteran in category I or II, i.e. if the investor is a member of his family household, as well as a minor child whose both parents were murdered, killed, died or went missing as civil war victims, who acquired that status based on the regulations of the Republic and persons who hold status of the most severe civil disabled persons in wheelchair and blind persons, do not pay the legalisation compensation.

(3) A person referred to in paragraphs 1 and 2 of this Article is not recognised the rights that he can exercise in line with the provisions of this Article if he had already exercised the rights in a procedure of resolving a residential issue by allocation of a state-owned property based on his status.

Article 163

(1) The decreases that are recognised to investors based on the provisions of Articles 161 and 162 of this Law represent subventions of local communities for resolution of residential needs and issues of employment of the mentioned persons.

(2) The sum of all decreases of the legalisation compensation, which are recognised to the investor of an illegally built facility based on Articles 161 and 162 of this Law cannot exceed 80%, except for the persons referred to in Article 162 paragraph 2 of this law.

(3) The investor pays a legalisation compensation for the facilities referred to in Article 125 of this Law, in the amount of 50% of the amount referred to in Article 160 of this Law, decreased under the conditions prescribed in Articles 161 and 162 of this Law.

(4) The investor pays a legalisation compensation referred to in Article 160 of this Law for the legalisation of the facilities built in the first residential-business zone and for the legalisation of facilities that the investors built for commercial purposes in full amount.

(5) For the legalisation of unfinished facilities referred to in Article 157 paragraph 2 of this Law, the investor is recognised legalisation compensation reductions envisaged in this Law only if a ceiling structure was built above at least one floor of the facility above the ground.

2.2. Legalisation compensation payment method

Article 164

The investor, i.e. owner can pay the legalisation compensation calculated in accordance with Article 160 of this Law in following ways:

a) in cash in single payment, with an additional 10% discount

b) in equal monthly instalments for a payment period that cannot exceed 10 years, with a 1% annual interest and
v) in bonds of the Republic issued for material and immaterial damage.

Article 165

(1) The investor can pay legalisation compensations in a combination of envisaged payment methods prescribed in Article 164 of this Law.

(2) A regulation of the Government establishes detailed conditions, method of calculation and payment of the legalisation compensation for facilities.

3. Temporary retention of illegally built facilities

Article 166

(1) An illegally built facility in usage or its part that cannot be permanently legalised in line with the provisions of this Law is temporarily retained until the land on which it was built is brought to its end use according to the implementing spatial planning document. A local self-administration unit body issues a decision with this regard.

(2) The investor referred to in paragraph 1 of this Article is obliged to pay the amount of 20% of the legalisation compensation calculated in line with Article 160 of this Law for temporary retention of the facility, without a right to reduction.

(3) Documentation prescribed by the provisions of this Law is enclosed for temporary retention of the facility for certain type and size of the facility.

(4) No decision on temporary retention can be issued for the facilities referred to in Article 154 paragraph 1 of this Law.

(5) A land rent contract or other contract in the law-prescribed form can serve as evidence of solved property and legal relations during the issuance of a decision on temporary retention of the facility.

(6) The facility referred to in paragraph 1 of this Article for which a decision on temporary retention is issued can be connected to the facilities of communal and other infrastructure.

(7) A decision on permanent retention can be issued for the facility referred to in paragraph 1 of this Article for which a decision on temporary retention was issued if a new implementing spatial planning document is issued before the expiry of temporariness, which document planned its retention and the compensation was paid in line with paragraph 2 of this Article is calculated in the legalisation compensation costs.

Article 167

The investor of a facility referred to in Article 166 paragraph 1 of this Law is obliged to remove the facility at his cost after the conditions for temporary retention are terminated, without a right to compensation for the removed facility.

Article 168

(1) If a legalisation request is submitted, the relevant town planning and construction inspector issues a conclusion that will terminate a decision implementation procedure for removal of an illegally built or started facility or a part of the facility until the procedure referred to in Article 151 of this Law is irrevocably terminated, except if it was established an appropriate procedure that the retention of such facility would disable the bringing to its end use of the land on which it was built in line with the implementing spatial planning document.

(2) When the procedure referred to in paragraph 1 of this Article is finished by issuance of a decision on subsequent issuance of construction and usage permits, the inspector will discontinue the
procedure of implementation of a decision on removal of the illegally built or started facility or part of the facility after that decision became irrevocable.

(3) When the procedure referred to in paragraph 1 of this Article irrevocably terminates by dismissal or rejection of the request, a town planning and construction inspector will continue the implementation of a decision on the removal of an illegally built or started facility or part of the facility.

(4) The relevant town planning and construction inspector is obliged to initiate a procedure for the removal of an illegally built facility after the expiry of the deadline referred to in Article 153 paragraph 4 of this Law for which the investor did not submit a legalisation request.

2. Decree of conditions, method of calculation and payment of the legalisation compensation for facilities („Republika Srpska Official Gazette“, No. 97/13)

The legalisation compensation amount is defined in the Decree of conditions, method of calculation and payment of the legalisation compensation for facilities.
ANNEX 3

INFORMATION LEAFLET
LAND ACQUISITION AND RESETTLEMENT POLICY
PROJECT OF EMBARKMENT CONSTRUCTION IN THE CITY OF BIJELJINA IN THE FLOOD CONTROL PROJECT OF THE RIVER DRINA IN BIH, SECTION 2 STAGE 4, WITH TRIBUTARY OF THE RIVER JANJA

Below are given the form and content of the information leaflet of the project of construction of the dike in the town of Bijeljina in the framework of the project of flood control of the river Drina in Bosnia and Herzegovina, Section 2 stage 4 with the influx of Janja.

A. Introduction
   a) A short description of the project
   b) Situational representation of facilities
   c) Total surface of the land by categories

B. Planning / Implementation of the rehabilitation and compensation programme

C. Policy and resettlement principles

D. Conditions and rights to compensations
   a) Conditions for compensations
   b) Rights to compensations

E. The amount of compensation
   Table beneath represents a specification of the amounts of compensation for affected property

<table>
<thead>
<tr>
<th>Item</th>
<th>Compensation calculation</th>
<th>Unit</th>
<th>Unit value in KM</th>
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</thead>
<tbody>
<tr>
<td>Agricultural land</td>
<td>Along the entire length</td>
<td>m</td>
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<tr>
<td>Non-agricultural land</td>
<td>Settlements in embankment coverage</td>
<td>m</td>
<td></td>
</tr>
<tr>
<td>Forest land</td>
<td>Forest land in embankment coverage</td>
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<tr>
<td>Crops</td>
<td>Market value of the product x surface (m)</td>
<td>m</td>
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<tr>
<td>Non-productive fruiters</td>
<td>Based on resources necessary for fruiters growing</td>
<td></td>
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<tr>
<td>Productive fruiters</td>
<td>Based on future income of year x necessary for new growing of a fruiter</td>
<td></td>
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<tr>
<td>Facilities</td>
<td>Based on costs of dislocation (material, manpower, transport)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>Compensation</td>
<td>As stated in the matrix of compensation</td>
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</tbody>
</table>

F. Appellate procedure

G. Special recommendations for affected persons relating to the legalisation of lots that can be legalised

H. Contact information
   Here will be listed contact person for further information and advice:

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<thead>
<tr>
<th>No.</th>
<th>Legal entity</th>
<th>Name and surname of the contact person</th>
<th>Contact data</th>
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## COMPLAINTS AND GRIEVANCE SUBMISSION FORM

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<tr>
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<tbody>
<tr>
<td><strong>Contact Information</strong></td>
<td>Mail:</td>
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<tr>
<td>Please indicate the preferable means of communication (Mail, Telephone, E-mail)</td>
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<tr>
<td>□ Mail:</td>
<td>________________________________________________________</td>
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<td>□ E-mail:</td>
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</tbody>
</table>

Describe the grievance/claim: What is the complaint about? What is the claim?

Date of Negotiation: Resolution of Negotiation:

What is the basis of your claim?

Signature: _____________________________
Date:    _______________________________
ANNEX 4

REPORT OF THE PUBLIC DEBATE HELD ON 27.09.2017 IN THE GREAT HALL OF THE CITY OF BIJELJINA WITH REGARD TO THE DEVELOPMENT OF A RESETTLEMENT ACTION PLAN FOR SECTION 2, STAGES 1, 2, 3 AND 4 INCLUDING THE JANJA RIVER REGULATION IN A LENGTH OF 1.8 KM JANJA LOCAL COMMUNITY

On 27 September 2017, a Public presentation and a Public debate relating to the Resettlement Action Plan were conducted for the construction of a Drina river protection dyke project, Section 2, including Stages 1,2,3,4 and the Janja river regulation in a length of 1.8 km for Janja 1, Janja 2 and Janja 3 cadastral boroughs.
The invitation for public insight into this document and for the public debate was published in the "Glas Srpske" on 16 and 17 September 2017. All documents, including graphic annexes with the marked plots and owners located within the expropriation line were present at the Great Hall of the City Administration, City of Bijeljina in hard copy, and digital copy on the website of the City of Bijeljina Administration and the RS Ministry of Agriculture, Forestry and Water Management/APCU, and the links were published in public invitation.
The invitation also stated that the public insight would last in a period from 18 September to 3 October 2017, and that during the public insight all interested natural and legal entities will be able to submit remarks and opinions relating to the draft Resettlement Action Plan and Expropriation report by entering them in the register that will be kept at the Great Hall of the City Administration, City of Bijeljina and/or by posting them to the address of the City Administration, City of Bijeljina or RS Ministry of Agriculture, Forestry and Water Management, as well as by sending them to e-mail addresses of the mentioned institutions.
The invitation for public insight and public debate relating to the mentioned documents was also published in classified ads on 20, 21 and 22 September on RTVBN.

In accordance with the invitation, the public debate was conducted in the Great Hall of the City Administration, City of Bijeljina on 27 September 2017, beginning at 11 o’clock for the Janja cadastral borough.
Mister Siniša Cukut, a representative of the Civil Engineering Institute IG LLC Banja Luka opened up the public debate; he greeted the present and emphasised that in addition to ordinary citizens, the public debate was also attended by:

On behalf of the Consultant – Civil Engineering Institute IG LLC Banja Luka:
1. Siniša Cukut, Coordinator of the environmental protection sector
2. Bojana Ivić Župić, Expert associate for the environmental protection
3. Maja Pešević, Expert associate and designer for geodetic activities

On behalf of the Investitor - RS Ministry of Agriculture, Forestry and Water Management/ Agriculture Project Coordination Unit (APCU):
1. Jelena Đukić, Associate in preparation of the Drina flood protection project Ministry of Agriculture, Forestry and Water Management Agriculture Project Coordination Unit
2. Mika Stevanović, Predstavnik Ministry of Agriculture, Forestry and Water Management /Agriculture Project Coordination Unit

On behalf of the designer – Zavod za vodoprivredu d.o.o. Bijeljina:
1. Dejan Hrkalović, Designer

On behalf of the City of Bijeljina:
1. Mićo Mićić, Mayor of the City of Bijeljina
2. Tomica Stojačković, Head of the Department for Residential and Communal Activities and Environmental Protection
3. Milana Zuban, Head of the Department for Property and Legal Affairs
4. Milena Marjanović, expert associate for geodetic activities

The present were also greeted by Mr Tomica Stojačković, Head of the Department for Residential and Communal Activities and Environmental Protection on behalf of the City of Bijeljina.

After the introductory addressing, the subject Resettlement Action Plan was presented. Since infrastructural projects require the acceptance of their possible positive or negative social impacts, the present were given a detailed explanation of the World Bank's procedures in the context of land expropriation and rights of the populace to fair compensation in the case of expropriation; their issues are also considered by local laws in this field. After the Resettlement Action Plan for the Drina river protection dyke construction project, stages 1, 2, 3 and 4 (including the Janja river regulation in a length of 1.8 km) was presented the present were addressed by Mr Mika Stevanović who gave an overview of events that preceded the elaboration of project documentation for the Drina river protection dyke construction project. He emphasised that extensive flooding was registered along the river Drina over the last ten years, notably 2004, 2005 and December 2010, especially in the lower part of the watershed in the Republika Srpska, between Zvornik and the confluence of the river Sava, and many locations in the central Drina river watercourse, which belong to Goražde Canton in the FBiH. Immediately after the flooding in 2010, relevant institutions of Bosnia and Herzegovina, with the support of the Entities of the Republika Srpska and the Federation of Bosnia and Herzegovina in June 2012 formally requested that the World Bank consider a possibility of providing the funds for the Drina Flood Protection Project for Bosnia and Herzegovina (BAFPP). The World Bank positively reacted to this request and accepted to consider support to the establishment of urgent measures for management - mitigation of floods in the territory of two Entities in Bosnia and Herzegovina, notably for the areas that were most jeopardised by the floods in 2010 in the Drina drainage basin. The support was given to the implementation of two projects, notably in the area of Goražde (Goražde, Foča-Ustikolina and Pale-Prača) in the Federation of BiH and the area of Bijeljina (Bijeljina and Janja) in the Republika Srpska.

Mister Stevanović emphasised that the elaboration of project documentation for the construction of a protection dyke on the river Drina was funded by the proceeds of the loan from the (IDA) WB, and the consultant for the elaboration of project documentation is Zavod za vodoprivredu d.o.o. Bijeljina in consortium with Institut za vodoprivredu "Jaroslav Černi" A.D. Beograd. The WB, as the holder of the loan from the (IDA) WB, appointed the Ministry of Agriculture, Forestry and Water Management of RS / Agriculture Project Coordination Unit for the Republika Srpska territory.

The first step in the implementation of this project was the development of a Feasibility study for the Drina river flood protection in the area of Semberija and Janja, City of Bijeljina, which was developed by Zavod za vodoprivredu Bijeljina in January 2014. It was followed by the development of a Conceptual design for flood protection from the Drina river high waters in the City of Bijeljina in February 2016, and in 2017, the main design was developed by Zavod za vodoprivredu Bijeljina in consortium with Institut za vodoprivredu "Jaroslav Černi" A.D. Beograd.

After these documents were elaborated and the expropriation line was defined, Civil Engineering Institute was tasked with preparing a Resettlement Action Plan and Expropriation Report for the construction of a protection dyke on the river Drina project, which is presented here.

After Mr Mika Stevanović addressed the present, Mr Siniša Cukut opened the public debate and provided the present with a possibility to submit their questions and get involved in the discussion.

Mr Mihajlo Vlađenović, one of the owners of plots that are comprised by the project in the area of the Janja local community raised a question if substitute land can be provided for the land in the project coverage. This question was replied by Mrs Milana Zuban, Head of the Department for Property and Legal Affairs in the City of Bijeljina,advertising to the rights guaranteed to the owners of plots according to the valid Expropriation Act that is applicable in the territory of the Republika Srpska, it to say that an owner is entitled to compensation in other real estate for the expropriated real estate; if the expropriation beneficiary cannot provide such real estate fair cash compensation is determined, which cannot be lower than the market value of the expropriated real estate. Mrs Zuban explained to the present that in one phase of the expropriation implementation land owners are asked to state whether they want substitute land or fair cash compensation, and in accordance with their choices further activities are conducted. Mrs
Zuban simultaneously explained the role of the City of Bijeljina in the procedure land expropriation for structures of general interests as is the Drina river protection dyke construction project.

Mr Ljubo Maletić, President of the Association of Farmers “Grad Bijeljina Republika Srpska” said that this project should have been discussed a long time ago, 5-months ago since the Main design is already developed. He especially stressed that none of the present is against the dyke construction, quite the reverse they all are for the dyke construction, but with the dyke alignment that was designed by the designer who visited the project area. A majority thinks that the alignment is poorly positioned and that it was designed from an office, without any visit to terrain. Mr Maletić pointed out that this is the most fruitful soil in Semberja, and we must keep every gram of soil as a gram of gold because that is the most precious what this nation has. They also raised a question why the dyke is 40 metres wide since such a wide strip caused larger areas to be expropriated.

Mr Mika Stevanović explained that several variant solutions were considered for designing the alignment and the most favourable solution for a level of 100-year water was selected, with the demands and good engineering practice being abided by. He also pointed out that neighbouring states Croatia and Serbia would not allow the river bed be deepened since that would jeopardise their territories.

Mr Husein Samić, from the Janja local community expressed his concern that the technical solution to this design was made in an office, not based on field visits.

Mr Đzevet Aganović, a representative of the Janja local community raised a question whether the dyke alignment can change.

A general conclusion is that the population is not satisfied with the alignment position, they consider that they should have been involved in the process of the preparation of design documentation and dyke alignment positioning, it is to say that the adopted technical solution for which the Main design for a protection dyke on the river Drina was developed, approved and reviewed is not suitable.

The designer points out that the good engineering practice was abided by, all calculations were conducted, which were accepted during the designing, all constraints faced during the elaboration of design documentation such as geo-mechanical properties of soil that is suitable for dyke construction in the territory of the Republic of Serbia were taken into consideration. The legal procedure of developing a Preliminary design, then a Main design that was reviewed by an authorised company Zavoda za vodoprivredu Sarajevo was abided by; thus the design documentation is accepted as technically valid and complete technical documentation.

The presentation of the Resettlement Action Plan for Section 2, stages 1, 2, 3 and 4 (including the project of the Janja river regulation in a length of 1.8 km) included the public debate that started at 11 o’clock and ended at 12:40 hours.

**Viewpoint of the author of the subject RAP:** no remarks to the Resettlement Action Plan and Expropriation report were submitted during the conducted Public presentation, public debate and discussion on 27.09.2017 for the Janja local community or during the public insight that lasted form 18.09.2017 to 3.10.2017. The register of remarks and opinions that was kept at the premises of the City of Bijeljina during the public insight also showed no remarks.

We point out that the designer - Zavod za vodoprivredu delivered correspondence and evidence of holding meetings and presentations of technical solutions in the project with the World Bank, representatives of the City of Bijeljina, „Vode Srpske“ Bijeljina, Institut Jaroslav Černi Beograd.

Also, a letter - explanation states that the Council of the jačna Local community issued an agreement in principle relating to the designed alignment of the regulated Janja river bed in a session held on 28.07.2015, as well as to other significant elements of the concept of Preliminary technical solution to Development of the lower Janja river course from its confluence with the river Drin upstream in a length of about 8.0 km, including protection from hilly and internal waters in Novo naselje in Janja.

In addition to that, the City of Bijeljina has delivered the lists of attendees with signatures in several meetings held in local communities during the period of technical documentation preparation for the Drina dyke construction project, notably:

- Meeting of the representatives of the City of Bijeljina, Designer and Projektanta LCs Dvorovi, Novi Dvorovi, Medaši, Balatan with a topic: the Drina dyke construction, at 10:00 hours on 26.11.2015
- Meeting of the representatives of the City of Bijeljina, Designer and Amajlje LC with a topic: the Drina dyke construction on 25.11.2015
- Meeting of the representatives of the City of Bijeljina, Designer and Popovi LC with a topic: the Drina dyke construction on 25.11.2015
- Meeting of the representatives of the City of Bijeljina, Designer, expropriation report consultant and LCs Popovi, Amajlje, Kojčinovac, Medaši with a topic: the Drina dyke construction on 16.02.2016 at 13.00 hours
In the continuation are given the list of attendees and photographs of the public debate that was held in the City Administration, City of Bijeljina with regard to the subject RAP on 27.09.2017.
AKCIJNI PLAN PRESELJENJA ZA IZGRADNJU ODBRAMBENOG NASIPA U GRADU BIJELOJNA U OKVIRU PROJEKTA ODBRANE OD POPLAVA RIJEKE DRINE U BIH, KNJIGA 1: DIONICA OD KANALA „DRINA-DAŠNICA” DO UŠĆA RIJEKE JANJE U RIJEKU DRINU U DUŽINI OD 2,6 KM
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MESTO ODREĐENJA: VELIKA SALA GRADSKE UPRAVE GRADA BULEVINA SA POČETKOM U 11:00 CASA ĐA


ZA PROJEKT IZGRADNJE SISTEMA ODBRAMBE NOSA U RIEKU DRINU K. O. JANJU

AKCIONI PLAN PRISELENIJA, DIONICA 2. ETAPA, 2. 4. UKLJUČUJE PRIROĐU JANJU

EVIDENCIJA PRISELENIJA
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<td>Acme Corp</td>
<td><a href="mailto:JaneDoe@acme.com">JaneDoe@acme.com</a></td>
<td>123-456-7890</td>
</tr>
<tr>
<td>2</td>
<td>John Smith</td>
<td>Beta Inc</td>
<td><a href="mailto:JohnS@beta.com">JohnS@beta.com</a></td>
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<td>Michael Lee</td>
<td>Delta Ltd</td>
<td><a href="mailto:MichaelL@delta.com">MichaelL@delta.com</a></td>
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RESETTLEMENT ACTION PLAN FOR CONSTRUCTION OF EMBARKMENT IN THE CITY OF BIJELJINA WITHIN THE FLOOD CONTROL PROJECT OF DRINA RIVER IN BIH

BOOK 2: REGULATION OF THE RIVER JANJA IN THE LENGTH OF 1.8 KM

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PREPARED FOR:

MINISTRY OF AGRICULTURE, FORESTRY AND WATER MANAGEMENT OF THE REPUBLIC OF SRPSKA
UNIT FOR COORDINATION OF AGRICULTURAL PROJECTS

October 2017
## SUBJECT
RESETTLEMENT ACTION PLAN FOR CONSTRUCTION OF EMBARKMENT IN THE CITY OF BIJELJINA WITHIN THE FLOOD CONTROL PROJECT OF DRINA RIVER IN BIH

**BOOK 2: REGULATION OF RIVER JANJA IN THE LENGTH OF 1.8 KM**

## CLIENT
Ministry of Agriculture, Forestry and Water Management of the Republic of Srpska / Unit for Coordination of Agricultural Projects

## CONSULTANT
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## REF. Number
IZ-IGBL-IN-EK – 0864/17

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**Used acronyms and abbreviations**

APP – Resettlement action plan

APs – Affected persons

AHs - Affected households

BAFPP - Flood protection project in Bosnia and Herzegovina

BiH - Bosnia and Herzegovina

DRBMP - Drina River Basin Management Plan

WB – World Bank

WBFDI - West Balkans Regional Initiative on Flood and Drought Management

EU - European Union

RS – Republika Srpska

FBiH - Federation of Bosnia and Herzegovina

FPP - Flood protection project

NVO - Nongovernmental organisation

ST - Chainage
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GLOSSARY

EXPROPRIATION: Expropriation is the deprivation or restriction of the right to ownership of immovable property with an equitable remuneration that cannot be lower than the market value of the immovable property.

IMMOVABLE PROPERTY: Immovable property is everything on the surface of the land, constructed above or below it, intended to stay there permanently, or embedded into the immovable property, added thereon, or upgraded or in some other way connected with the property and represents a part of that immovable property until separated therefrom.

LAND ACQUISITION: A procedure for occupation/acquisition of land or a part of land owned or possessed by a person in favour of the state due to public interest for which the owner is fairly compensated.

AFFECTED PERSONS (AP): Individuals affected by the project, i.e. individuals adversely affected by the project implementation.

AFFECTED HOUSEHOLDS (AH): All members of a household living under the same roof, which acts as a unique economic unit, which are adversely affected by the project. It can consist of one nucleus family or enlargement of a family group.

RIGHT TO COMPENSATIONS: All owners and users who live or use immovable property in the Project affected area during the reference date for the establishment of a right to compensation are entitled to compensation or aid, as set out in the Compensation matrix.

COMPENSATION FOR IMMOVABLE PROPERTY: An established value of fair compensation for land based on its production potentials and location. Costs of the substitution of houses and facilities (current fair market value of construction material and works without depreciation or losses for salvaged construction material), and market value of construction, crops, trees and other goods.

RESETTLEMENT: Physical relocation of affected persons/affected households from the place of their residence prior to the beginning of project implementation.

3 According to the Law on Expropriation of the Republic of Srpska for expropriated property owner is entitled to compensation in other real estate, if expropriation beneficiary cannot provide such real property is determined by fair compensation in cash, which can not be lower than the market value of real estate to be expropriated.
INTRODUCTION

The experience of the World Bank shows that during the implementation of development projects in the past, unless these are controlled, major economic, social and environmental risks occur, such as: dislocation and dismounting of production systems, population facing poverty due to the loss of property and income, resettlement of population to environments that are not suitable for their production capacities with stronger business competition, weakening of the institution of community and social network, dispersion of population that is in family relations, and their tradition, culture as well, reducing possibilities of potential mutual aid or total loss thereof.

World Bank Policy OP 4.12. – Involuntary Resettlement precisely defines protection measures for resolution and mitigation of the above-mentioned risks. Annex A (OP 4.12) - Involuntary Resettlement Instruments describes the elements of a resettlement plan. In line with Annex A, the scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about:

- the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and
- the legal issues involved in resettlement.

Subject of the Drina Flood Protection Project is the protection of the area of Semberija and the city of Bijeljina from high waters of the Drina river, with a return period of 100 years.

Over the last ten years, years with significant precipitation were registered, notably 2004, 2005 and the most intensive in December 2010, which caused inundation to diverse extents and caused inflicted significant damages to the Drina drainage basin. Also, extensive damages were registered in dry periods, notably in 2001, 2007, 2008 and 2011, especially in agricultural production, which affected the provision of sufficient food in the Drina drainage basin. In early December 2010, extensive floods occurred in Semberija, Janja and the city of Bijeljina. The Drina river deluge flooded about 83.60 sq km of agricultural land and significant damages were inflicted, which were assessed to about thirty million convertible marks.

The dyke is to provide protection from the Drina river high waters in the villages of: Balatun, Međaši, Dvorovi, Popovi, Amajlije, Janja and a new village of Obriježi, as well as significant agricultural areas with high classes of land capability for agricultural production (8 350 ha flooded). The dyke alignment is designed completely within the borders of the Republika Srpska.

Subject dyke has a total length of 34.78 km, which is divided into the following three sections:

- Section 2 comprises the middle part of the Bijeljina - Badovinci main road embankment alignment to the Janja river confluence in a length of 16.12 with the Janja tributary regulation, which is affected by the Drina river high water in a length of 1.8km.
- Section 1 comprises the alignment from the Selište canal, upstream to the Pavlovich bridge; it is to say the main road Bijeljina – Badovinci in a length of 9.97 km.
- Section 3 comprises the alignment from the Janja river confluence to the village of Glavičica in a length of 8.68 km.

The highest priority is the construction of section 2, which directly protects the City of Bijeljina and the village of Janja from high waters, followed by section 1, and afterwards by section 3.

Planned sections are divided into stages of construction in order to facilitate more efficient land purchase, to generate conditions for acquiring the permit to build the structure, and to facilitate structure construction as well.

In the stage of preparing the Drina river flood protection project, a preliminary RAP for all three sections was developed in 2014, which showed that the project would have no negative impacts on population relocation in the project coverage zone. The preliminary RAP was developed because there was no adequate project-technical
documentation that would facilitate the elaboration of a final RAP, hence subject of this document is the elaboration of final Resettlement action plans based on the Main design and defined expropriation lines. Since the Drina river flood protection project will be implemented in several construction stages, the Consultant shall develop final RAPs by sections, i.e. by stages.

Book 2 represents a resettlement action plan for the project of the Janja River section Regulation in a length of 1.8 km.
SUMMARY

The construction of protection dyke in the city of Bijeljina project under the Drina flood protection project in BiH is funded by the loan from the World Bank, International Development Association (WB-IDA), and the principal creditor is the Government of RS that appointed the Ministry of Agriculture, Forestry and Water Management, i.e. Agriculture Project Coordination Unit which is a part of the said ministry, to implement the project. A resettlement action plan was prepared in line with the World Bank's Operational Policies O.P.4.12. for each state separately.

The subject of Book 2 is the Resettlement Action Plan for a section of the Janja River regulation in a length of 1.8 km.

Given the urgency to solve the protection of the Janja settlement from floods, in May 2016, the City of Bijeljina purchased the land necessary for the Janja River regulation in a length of 1.8 km, unfortunately without notifying the APCU, World Bank's team and without a developed RAP. APCU hired a consultant to develop a final RAP in line with the procedures and conditions generated for the elaboration of a RAP.

The river Janja is a left tributary of the Drina River, whose influx is located in the zone of the designed dyke of the Drina River. The regulation of the Janja River in the zone of influence of the Drina River high waters and the torrential waters of the Janja River would protect the facilities and population of the village of Janja, which was significantly endangered and flooded several times.

Because of the huge damages that Janja settlement had from the high waters of the Drina River and the torrential waters of the Janja River, the competent institutions of the City of Bijeljina initiated a procedure for solving and protecting citizens of the settlement of Janja. In the framework of the resolution of this issue, the City of Bijeljina provided funds for the purchase of land in the regulation zone of the Janja River in the scope of the project for the construction of a Drins dyke in a length of 1.8 km.

The Government of the Republika Srpska has adopted the Decision on determining the general interest in regulating the lower flow of the Janja River from the confluence with the Drina river upstream (Official Gazette of the Republic of Srpska No. 111/15 of 16.12.2015), which includes the regulation zone of the Janja River, which is located in the scope of the construction of the Drina dyke in a length of 1.8 km. A legal basis for the effected expropriation of land is the mentioned Decision and the legal procedure defined by the Expropriation Act.

The level of development of outbuildings, fences and residential facilities in the direct vicinity of the Janja river conditioned the type of bed regulation. It was envisaged that the future protection of the settlement of Janja from floods will be achieved by increasing a flow capacity of the principal bed (by deepening and widening of the existing bed) and by the construction of massive related dykes on both sides of the regulated Janja river bed. Bearing in mind a narrow corridor for the Janja river regulation, this coverage does not have a large area of land for purchase, it means there is no “wide” occupation of land expect for a very narrow corridor for the needs of constructing bank protection.

The purchase of the land within the range of 1.8 km of the Janja River was completed in May 2016 in agreement with the owners of the land and buildings, AND according to the data from the competent service of the City of Bijeljina until the end of this RAP, or until 15.03.2017.there were no complaints. Three plots that are not pursued yet are explained below. The purchase of land was made on the basis of the expropriation report prepared by the company Elaborat Geomatic Bijeljina completely in agreement with the owners of the land and facilities in accordance with the legislation and OP 4.12.

The purchase of land was made with prior consultations with the people affected by the project, with formal and informal discussions, public meetings in local communities, and a compromise agreement and payment of land and buildings fees. The procedure for the purchase of land within the 1.8km river Janja was done in accordance with domestic legal regulations, and the analysis of the purchased purchase and other initiated procedures in accordance with the Law on Expropriation was established that:
1) Out of the total number of 112 privately-owned parcels, an agreement in the preliminary procedure was concluded for a total of 100 plots, i.e. an agreement on payment of fair compensation for real property under the Expropriation Act of the Republika Srpska, which means that there were no complaints. Namely, according to the Expropriation Act of the Republika Srpska, after establishing general interest with a party, a compensation agreement can be reached, whereby the record of the agreement is formed as proof that the beneficiary of the expropriation previously settled the issue of acquiring the ownership right on a certain immovable property (a written bid, public advertisement, purchase, waivers, etc.). (There were no complaints)

2) For 9 privately-owned plots in the scope of the Janja river regulation project, in a length of 1.8 km, the procedure for entering into possession of the property was initiated, since the owners were on unknown addresses, i.e. a temporary representative was appointed to 9 plots, in accordance with Article 33 of the Expropriation Act of Republika Srpska. Article 33 of the Expropriation Act states that the Expropriation Beneficiary acquires the right to possess an expropriated real estate by the date of validity of the expropriation decision if he has previously paid the owner of the expropriated property for the previous owner, or has transferred another appropriate immovable property, otherwise, the date of payment of the compensation, by transferring into possession of another appropriate immovable property, unless otherwise agreed between the former owner and the expropriation beneficiary. Exceptionally, when it comes to the construction of infrastructure, the Government may, at the request of the expropriation beneficiary, set out the valid reasons for the urgent entry into possession of the real estate, decide that the immovable property will be transferred to it after the final decision on expropriation is finalized, if it finds that this is necessary because of the urgency of the case or to prevent significant damage. (There were no complaints)

Recalling the previous, the Municipality of Bijeljina on 13.02.2017. requested from JP "Directorate for Construction and Development of City" d.o.o. Bijeljina Minutes from the location of the site on the value of the real estate that are the subject of expropriation-the premature entry into the scope of the Janje River regulation section, in the length of 1.8 km, in order to request the Government of the Republic of Srpska to enter the land in accordance with Article 33 of the Law on Expropriation Possession of expropriated property before the validity of the decision, ie the date of payment of the compensation fee.

Pursuant to the Expropriation Law, funds were previously provided under the pay guarantee number: 0011-431 / 16 dated February 25, 2016. Year, issued by Pavlović International bank A.D. Slobomir Bijeljina on the amount of 500.000,00 KM.

Also, prior to the adoption of the Decision, evidence was provided about the status and value of expropriated real estate (finding and expert opinion as well as other relevant evidence regarding the estimation of the value of expropriated real estate).

The total area of 9 parcels that are the subject of the entry into the possession is 28.463,00 sq m of which 4.739,00 sq m is within expropriation line (2.788,00 sq m are fields, 1.876,00 sq m are orchards, and the other land including yard and commercial land is 75.00 sq m. On these plots there are no identified objects or need for relocation.

3) Three parcels within the scope of this RAP were appealed against the Decisions of the Republic Administration for Geodetic and Property Legal Affairs (RUGIP), the Bijeljina Regional Unit, and the following was noted (complaints filed)
   • Parcel 1: The object of the expropriation is the land of 1 145 sq m (estimated values 30 013,00 BAM), of which approximately 560 sq m is used as a yard and there are 2 auxiliary illegally constructed objects with total area 22.12 sq m (summer house with an area od 16 sq m and estimated values 5 600,00 BAM and garden barbeque with an area of 6,12 sq m and estimated value of 3 240,00 BAM), while the rest of the land is used as an orchard. The Appellant asks for the change of the design solution and the laying of the route towards the other bank, which the designer rejects with regard to the rules of the profession, because he considers that the project solution is defined by the main project only acceptable solution due to the
specificity of the Janja river bank. The appellant also seeks the application of Article 11 of the Expropriation Law, which may also, upon the request of the owner, expropriate the rest of the immovable property if during the expropriation of a part of the immovable property it is established that the owner does not have an economic interest to use the rest, or if, consequently, the rest is disabled or important. His previous existence is aggravated or he is prevented from using the rest of the real estate normally. According to the assessment of JP "Directorate for Development and Construction of the City" d.o.o. Bijeljina expressed the opinion that the expropriation in question does not jeopardize the functioning of an illegally constructed building, given that it has been provided with access and that it may use neighboring plots for the needs of the yard and that there are no grounds for applying Article 11 Expropriation Law.

- Parcel 2 and 3: The object of the expropriation is the 2nd class field of 53 sq m and the courtyard of 3 sq m, which is owned by one natural person with part 1/1.
  The total area of the plot No 2388/2 which is in the yard of the yard is 282 sq m, out of which 3m2 is expropriated. Estimated value for land amounts 54,00 BAM:
  The total area of land on the plot No 2389/2 that is 2nd class field with area of 212 sq m, out of which an area of 53 sq m is expropriated with estimated values of 954,00 BAM. On the part of the parcel intended for expropriation there is an auxiliary building (workshop with garage) with an area of 14,5 sq m (estimated values 8 000,00 BAM) and forged fence in the length of 17 meters (estimated values 2 550,00 BAM).

The owner of the plot in the appeal procedure requests the modification of the design solution and the shift of the route of the road on the Janje river regulation section in the part on which its plots are located. According to the Opinion of the designer appearing on the appeal against the expropriation decision, there is no possibility of local deviation-the completion of the route of regulation towards the opposite (right) coast only in the zone of the said parcel, because for this turning it would be necessary to start and finish significantly upstream and downstream of the mentioned deviation on both cables. Which would cause a collision with a much larger number of coastal facilities. The total estimated value for parcels for which property and legal issues have not yet been resolved amounts to 50 411,00 KM.

The total area of land in the coverage of this RAP is 27 610.00 sq m in 124 plots. One residential building - a single-storey house for residence with an area of 28 sq m, which is comprised by expropriation (the whole house was purchased in an area of 68.30 sq m), and 13 outbuildings with an area of 263.62 sq m were identified in the territory of the coverage of this RAP.

Out of the total number of parcels (124) identified in the coverage of the Janje River regulation section in a length of 1.8 km, 112 parcels with an area of 24.590,00 sq m are privately owned, while 12 parcels with an area of 3,020.00 sq m are in state-owned, which means that a ratio of private to state ownership is 10.94%: 89.06% in favor of private ownership.

The amount of the market value of real estates in the territory of the City of Bijeljina is determined by the residential and business zones defined by the Decision on spatial planning and construction land ("Official Gazette of the City of Bijeljina", number: 11/14) and in accordance with the Decision on the value of real estate by zones in the territory of the City of Bijeljina on 31.12.2015 (Decision of the Assembly of the City of Bijeljina number 01-022-104/15 of 17.12.2015). The subject parcels are located partly outside the construction areas and other construction land in terms of Article 6 of the Regulation on Spatial Planning and Construction Land ("Official Gazette of the City of Bijeljina", Nos. 11/14, 19/14 and 21/14), in the settlement of the city character of Janja and are registered as agricultural land in Janja 1 cadastral borough and Janja 2 cadastral borough. Pursuant to Article 13 of the Decision on the amount of real estate value per zone in the territory of the City of Bijeljina on December 31, this land is located in the non-residential-business sub-zone 1. The market value of the agricultural land is 1.60KM/sq m, while the building land is in the area of the municipality of Bijeljina number 01-022-104/15 dated 17.12.2015. In relation to the housing and business zone, it is estimated at: 1) for the fifth housing business zone 18.00 KM/sq m, 2) for the sixth residential business zone 9.00 KM/sq m. For outbuildings there is no defined market value, but fair compensation is determined in accordance with the assessment of field experts and in consultation with the owner.

According to the ownership structure and purpose, the land and facilities within the scope of this RAP can be categorized into the following categories:
Category 1: Privately-owned agricultural land on the surface of 14,564.00 sq m market value 1.60 KM/sq m (achieved price 1.74 KM/sq m)
Category 2: Forest land in the fifth residential business zone with an area of 578 sq m with a market value of 2.55 KM/sq m (achieved price 3.84 KM/sq m)
Category 3: Building land in the fifth residential business zone with an area of 8871 sq m with a market value of 18 KM/sq m (achieved price 24.09 KM/sq m)
Category 4: Auxiliary facilities in the fifth residential business zone (total of 13 auxiliary facilities) with an area of 263.62 sq m for which there is no defined market value, but fair compensation is determined in accordance with the expert field assessment and in consultation with the owner (the price reached 533.18 KM/sq m)
Category 5: Buildings and structures - 1 house in the fifth residential business zone with an area of 68.3 sq m market value of 585.00 KM/sq m (achieved price 642.02 KM/sq m)
Category 6: Building land in the six residential business zone with an area of 1721 sq m market value of 9 KM/sq m (achieved price 11.74 KM/sq m)
Category 7: State-owned land under the roads with an area of 2,873.00 sq m
Category 8: Other state-owned land with an area of 147.00 sq m

The categories of land that are state-owned (categories 7 and 8) are not subject to land compensation.

Physical relocation of people occurred in the coverage of this RAP, meaning a residential facility was identified; other substitute real estate was purchased for this facility as per personal choice (of the owner/affected person), this real estate was registered to their name immediately after the purchase. Also, there is no usurpation of other people’s land nor were any companies identified in the coverage of this RAP.

In the scope of this RAP there was only one physical relocation of a household, ie a residential object was identified for which, according to the personal choice (of the owner/affected person), another replacement property was purchased, which was immediately registered after it was purchased on his behalf. Also, there are no encroachers or any other informal users of the affected land or identified business entities in the scope of this RAP.

In addition to one residential facility, 13 auxiliary facilities (3 sheds, 3 pantries, 4 canopies, 1 workshop with garage, 1 summer house, 1 garden barbeque) with a total area of 263.62 sq m have been identified for which fair compensation was determined on the basis of the assessment of the building by the expert in the field of construction and in consultation with the owners. The price reached 533.18 KM/sq m, based on the fact that it is in accordance with the Decision on spatial planning and construction land, ("Official Gazette of the City of Bijeljina", number: 11/14) and in accordance with the Decision on the value of real estate by zones in the territory of the City of Bijeljina on 31.12.2015. (Decision of the Assembly of the City of Bijeljina on the number 01-022-104 / 15 of 17.12.2015). In the same zone for a building - a house a market price of 585.00 KM/sq m was determined, it is obvious that a very high price was obtained for an ancillary facility of 533.18 KM/sq m, that is, the price was achieved in agreement with the affected persons.

### Table 1 Summary of impacts for the Janje river regulation section in length from 1.8 km

<table>
<thead>
<tr>
<th>No.</th>
<th>Impacts</th>
<th>Unit</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>STRUCTURE OF OWNERSHIP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Total number of parcels covered</td>
<td>Cadastral plot</td>
<td>124</td>
</tr>
<tr>
<td>2</td>
<td>Total area of the parcels covered</td>
<td>sq m</td>
<td>27,610.00</td>
</tr>
<tr>
<td></td>
<td>TOTAL AREA OF LAND, BY OWNERSHIP STRUCTURE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Private-owned plots</td>
<td>Cadastral plot</td>
<td>112</td>
</tr>
<tr>
<td></td>
<td>sq m</td>
<td>24,590.00</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>State-owned plots</td>
<td>Cadastral plot</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>sq m</td>
<td>3,020.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total price for land</td>
<td></td>
<td>BAM 259,391.80</td>
</tr>
</tbody>
</table>

115
The total number of people affected by the project is 427, and the total number of households is 168.

The legal and political framework for land purchase and resettlement within this project was adopted to support the APs and / or households for the lost land and property, income and living resources, which was addressed in detail in chapter IV "Legal and political framework". The cut-off date for the compensation for land, property and facilities under this RAP is May 2016, and fair compensation at a price not lower than the market value shall be paid in line with domestic legislation and O.P.4.12. (chapter 4.3.2. Compensation matrix).

The Ministry of Agriculture, Forestry and Water Management of the Republika Srpska is an institution through which this project is implemented; it is to say the WB, as the holder of the loan from the (IDA) WB, appointed the Ministry of Agriculture, Forestry and Water Management of RS / Agriculture Project Coordination Unit (APCU) for the Republika Srpska territory. The Resettlement action plan (RAP) defines procedures that will be followed by the Ministry of Agriculture, Forestry and Water Management of the Republika Srpska, as well as the actions/steps to be taken in order to adequately implement resettlement and payment of compensation to affected persons and households.
Agriculture Project Coordination Unit shall closely cooperate with other institutions during the RAP implementation; of these institutions, the most significant are the Republic Administration for Geodetic and Property and Legal Affairs, and the Department of Property and Legal Affairs of the City of Bijeljina.

The Municipality of Bijeljina is proposed to appoint an official to liaise with the community, who will be in charge of consultation with vulnerable persons, as well as for communication with the representatives of local communities. Prior to the project implementation commencement, all affected groups shall be notified of the Project coverage and contact information based on which the mentioned groups can get additional information.

A grievance mechanism has been established to allow vulnerable persons to submit an appeal to any decision relating to temporary or permanent loss of land, property or income source, and to define compensation therefor. In other words, protection of owners’ rights, i.e. rights of users of real estates that are expropriated is provided through the World Bank Policy O.P.4.12. and domestic legislation, it is to say two-instance administrative and court proceedings, with a guaranteed right to appeal.

This RAP also defines the monitoring of RAP updates, its implementation, as well as the timeliness of providing vulnerable persons with institutional and financial aid, conceived as an integral part of the total project functioning and management. The objective of monitoring and evaluation is to provide all interested parties with feedback information relating to the implementation progress and timeliness, as well as the timely identification of possible problems, i.e. their resolution.

A detailed audit of the implemented procedure for expropriation of land and facilities located within the expropriation line of the project for the Janja river training in a length of 1.8 km, which is subject of this RAP, it is to say the implemented procedure of consultations and participation of stakeholders in the process of land acquisition established that the implemented procedures completely conforms to the World Bank’s Operational Policies OP 4.12 involuntary (forced) resettlement. A certificate of conformity makes an integral part of this RAP and is given in Annex 4.
XI. INTRODUCTION

11.1. Project description

Conclusion of the Government of RS number 04/1-012-2-396/14 dated 26.02.2014 adopted the initiative for negotiations with the World Bank, International Development Association (WB-IDA) relating to the funding of the Drina Flood Protection Project. Decision of the National Assembly accepted taking a loan from the World Bank, International Development Association. In May 2015, the effectiveness of the project was declared. The main lender for credit funds is the RS Government; it appointed the Ministry of Agriculture, Forestry and Water Management, i.e. Agriculture Project Coordination Unit that makes a part there of, to implement the project.

The Drina rove international drainage basin represents one of the most significant and water-rich river basins in the area of West Balkans. For that reason, the Drina river has a large and underused development potential in several countries and regions through which it flows. So far, the Drina river water potential has been in limited use only in some elements of a complex target structure. At the moment, the most present is only partial hydro-energy usage of the Drina flow and basin, whereas water supply, irrigation and some other segments of water management targets are present in a completely limited scope. Even the most necessary works relating to bed regulation and stabilisation were omitted, as well as joint placement of the exploitation of materials from the bed under control, which is a result of the fact that all such activities now require a close coordination of the countries of BiH, Serbia and Montenegro.

Taking into account the aforementioned causes and tendencies with the floods, as well as the fact that flood protection systems were developed in line with needs in the past period, only the maintenance of protective structures had been carried out, to a reduced extent in relation to necessary maintenance into the bargain, the relevant institutions in Bosnia and Herzegovina, supported by the entities the Republika Srpska and the Federation of BiH in June 2012 formally asked the World Bank to consider a possibility of providing funds for the Flood protection project in Bosnia and Herzegovina (BAFPP).

The World Bank responded positively to this request and agreed to consider support for the establishment of urgently needed management-mitigation measures in the two entities of Bosnia and Herzegovina, notably for the areas that were most jeopardised by floods in 2010 in the Drina river basin.

Support was given to the realization of two projects, notably for the area of Gorazde (Goražde, Foča-Ustikolina and Pale-Prač) in the Federation of Bosnia and Herzegovina and the area of Bijeljina (Bijeljina and Janja) in the Republika Srpska. The project would be financed from the World Bank (IDA) loan, except for a part of the investments relating to the costs of property legal relations for the expropriation of land along the alignment of the planned dykes. These funds would be provided as a national public contribution at the local level.

The WB as the holder of the loan from the World Bank (IDA) appointed the Ministry of Agriculture, Forestry and Water Management of RS / Agriculture Project Coordination Unit for the territory of the Republika Srpska.

Complex dynamics of the river bed development cause morphological changes that alter the morphological river structure every year. Current situation has resulted in the banks caving in, the removal of the most fertile land and the flooding of large areas of agricultural and construction land, settlements on the banks and other. Such situation, from the environmental point of view, adversely affects the protection of people, flora and fauna, land, water, air, climate, landscapes, material goods, cultural heritage and other elements of the environment.

Data on floods that occurred in the past and have had a significant negative impact on the environment are used according to the available data from the Preliminary Flood Risk Assessment for the territory of Republika Srpska. According to Preliminary assessment data, typical flood events occurred during 1896, 2010 and 2014.
The findings from the study of the May 2014 flood wave are very important for the dynamic realisation of a protective system of the left Drina dyke in the territory of the City of Bijeljina. These floods are very instructive events and they represent some kind of a reliable physical model of terrain flooding in a scale of 1:1.

Bearing in mind this important fact - that the genesis and dynamism of the wave in the territory of the City of Bijeljina (Semberija and Janja), were already observed during the floods in 2010-2014, the dynamics of the phase realization of the planned - protective dyke on the left Drina bank, should be based on an analysis of these phenomena. This analysis shows that, in the construction of the left Drina dyke by stages, the priority should be given to the construction of the Second section, which includes a section of the dyke from the main road Bijeljina-Badovinci, upstream to the Janja confluence and the Janja regulation in a length of 1.8 km. Then, the construction of the First section, from the channel Selište upstream to the main road Bijeljina-Badovinci would follow, and ultimately the whole entire protection system would be completed by the construction of the Third section, from the Janja river confluence, upstream to the settlement of Glavičice.

In the stage of preparing the Drina river flood protection project, a preliminary RAP was developed, which showed that the project would not have a negative impact on the relocation of the population in the area of the project coverage. The preliminary RAP was developed because there was no adequate project-technical documentation that would facilitate the elaboration of a final RAP. Considering that the main design for the construction of a protection dyke in the City of Bijeljina under the Drina flood protection project in BiH was developed in 2016 conditions were created for the preparation of the final version of the RAP. The RAP was divided by sections and stages for practical reasons.

The subject of this RAP (Book 2) is the Resettlement Action Plan for a Janja River training section in a length of 1.8 km.

Considering the urgent need to solve the protection of the settlement Janja from flooding, the City of Bijeljina has purchased the land necessary for the regulation of the Janja River in a length of 1.8 km.

The cut-off date for land, property and facilities fees under this RAP is May 2016.

The river Janja is a left tributary of the Drina River, whose influx is located in the zone of the designed dyke of the Drina River. The regulation of the Janja River in the zone of influence of the Drina River high waters and the torrential waters of the Janja River would protect the facilities and population of the village of Janja, which was significantly endangered and flooded several times. Because of the huge damages that Janja settlement had from the high waters of the Drina River and the torrential waters of the Janja River, the competent institutions of the City of Bijeljina initiated a procedure for solving and protecting citizens of the settlement of Janja. During the process of finding a solution to this issue, the City of Bijeljina provided funds for the purchase of land in the regulation zone of the Janja River in coverage of other project which will be used as a base for solving the Janja river regulation in a greater length.

The Government of the Republika Srpska has adopted the Decision on determining the general interest in regulating the lower flow of the Janja River from its confluence with the Drina river and upstream (Republika Srpska Official Gazette No. 111/15 of 16.12.2015), which includes the regulation zone of the Janje River, which is located in the scope of the construction of the Drin embankment in the length of 1.8 km. The legal basis for the expropriation of land is mentioned Decision and legal procedure defined by the Law on Expropriation.

The extent of constructed auxiliary facilities, fences and residential buildings in the vicinity of the Janja River conditioned the type of river bad regulation. It is envisaged that the future protection from the flooding of the settlement of Janja will be realized by increasing the flow capacity of the main bed (deepening and expanding the existing bed) and by constructing solid concrete parapet walls and supporting embankments on both banks of the regulated river bed of the Janja River. Bearing in mind the narrow corridor for regulation of the Janja River, this area is not large in the land for purchase, i.e. there is no "wide" land acquisition except for the very narrow corridor for the needs of constructing bank protection.
The purchase of the land within the range of 1.8 km of the Janja River was carried out until May 2016 in agreement with the owners of the land and buildings, according to the data from the competent service of the City of Bijeljina until the end of this RAP, or until 15.03.2017. There were no complaints, except for the three plots for which the estimation was carried out by relevant experts in total amount of 50,411.00 BAM, from which 31,021.00 BAM is estimated for land, 16,840.00 BAM is estimated for 3 auxiliary objects (6.12 sq m + 16 sq m +14, 5 sq m), and 2550.00 BAM is estimated for forged fence in a length of 17 meters. The purchase of land was made on the basis of the expropriation report prepared by the company Elaborat Geomatic Bijeljina completely in agreement with the owners of the land and facilities in accordance with the legislation and OP 4.12. For the purpose of land purchase pre-financed funds were insured under the payable guarantee No: 0011-431/16 dated February 25, 2016, issued by Pavlović International bank A.D. Slobomir Bijeljina to an amount of 500,000.00 BAM.

The purchase of land was made with prior consultations with the people affected by the project, with formal and informal discussions, public meetings in local communities, and a compromise agreement and payment of land and buildings fees. The procedure for the purchase of land within the 1.8km of the Janja river was done in accordance with domestic legal regulations, and the analysis of the executed purchase showed that the purchase was executed in accordance with the rules of the World Bank. All owners of land and buildings have voluntarily accepted the purchase and agree with the compensation paid, which was confirmed by signing a purchase contract signed by the owner and the competent services of the City of Bijeljina.

The impact of the Janja River regulation section in a 1.8 km radius is limited to parts of cadastral municipalities Janja 1 and Janja 2. In the coverage of the said section, **one residential building and 13 auxiliary facilities** (3 sheds, 3 pantries, 4 canopies, 1 workshop with garage, 1 summer house, 1 garden barbeque) were identified.

The total land area in the scope of this RAP is 27,610.00 sq m, while the total number of parcels is 124. Of the total land area in the scope of this RAP is in private ownership 24,590.00 sq m or 89.06%, while in state ownership, which is not subject to compensation, is 3,020.00 sq m or 10.94%, so the following categories can be classified according to the ownership structure and categories of compensation:

**Category 1:** Privately-owned agricultural land with an area of 14,564.00 sq m at a market value of 1.60 KM/sq m (achieved price 1.74 KM/sq m)

**Category 2:** Forest land in the fifth residential business zone with an area of 578 sq m at a market value of 2.55 KM/sq m (achieved price 3.84 KM/sq m)

**Category 3:** Building land in the fifth residential business zone with an area of 8871 sq m at a market value of 18 KM/sq m (achieved price 24.09 KM/sq m)

**Category 4:** Auxiliary facilities in the fifth residential business zone (total of 13 auxiliary facilities) with an area of 263.62 sq m for which there is no defined market value, but fair compensation is determined in accordance with the expert field assessment and in consultation with the owner (the price reached 533.18 KM/sq m)

**Category 5:** Building objects - house in the fifth residential business zone with an area of 68.3 sq m at a market value of 585.00 KM/sq m (achieved price 642.02 KM/sq m)

**Category 6:** Building land in the sixth residential business zone with an area of 1721 sq m at a market value of 11.74 KM/sq m (achieved price 11.74 KM/sq m)

**Category 7:** State-owned land under the roads with an area of 2,873.00 sq m

**Category 8:** Other state-owned land with an area of 147.00 sq m

The categories of land that are state-owned (categories 7 and 8) are not subject to land compensation.
11.2. Corridor of the impact of the planned project

Disposition of the left Drina dyke alignment starts from Balatun, where it connects to the right dyke of the Main perimeter canal Selište, upstream to the settlement of Glavičice, in a length of ca 34.78 km. Since the protection dyke is very long (34.78 km), its construction is divided into three sections, and sections are divided into stages.

The subject of this RAP is a 1.8 km long Janja river regulation section, which enters Drinski nasip, i.e. stage 4 of section 2, which is the subject of Book 1 and is directly linked to it.

The Janja River regulation section starts at its confluence with the Drina river, running upstream to the bridge 1, and further upstream to the main road Bijeljina-Zvornik, with a total length of 1.8 km.

The following picture shows the layout of the Janja river regulation:
Figure 4 Layout solution for the Janja river bed regulation
11.3. Minimizing acquisition / land acquisition and resettlement

During the process of selecting a project solution, efforts were made to reduce land acquisition, it is to say land occupation and population resettlement as a consequence thereof to the least possible extent. In this regard, great efforts have been made to select the best engineering solution that will achieve the reduction of the number of areas or plots that would be the subject of acquisition, and consequently the reduction of resettlement as a consequence of land dispossession to the least extent possible. When choosing a project solution, the following was taken into consideration:

- During the consideration of dyke locations, great attention has also been paid to seeking solutions with as low environmental impact as possible, primarily impact on population by avoiding the dyke positioning through settlements.
- The intersection of local and access roads was reduced to the least possible extent
- The criteria relating to social, financial, technical-technological and environmental indicators were chosen to be applied to the selection of the most favourable variant.

The chosen project solution of the Janja River regulation in a length of 1.8 km causes permanent relocation of one residential building. Project solution anticipates the construction of a dyke in certain area, where expropriation is anticipated to be conducted in line with valid laws, directives, regulations and standards.

The expropriation study for a 1.8 km long Janja River regulation section was done by Geomatic Bijeljina (for two sections shown in Figure 3, with a total length of 1.8 km).

11.4. Preparation of the Resettlement Action Plan (RAP) and objectives

The Resettlement action plan (RAP) was developed in line with Contract No. BA-DFPP-IDA 5444-QCBS-BL-CS-15-004 for the construction of protection dyke in the city of Bijeljina project under the Drina flood protection project in BiH; it complies with the terms of reference, domestic legislation and World Bank's Operational Policy OP 4 .12 Involuntary (forced) resettlement in terms of its contents and technically.

A preliminary RAP for all three sections of the construction of Drina river protection dyke was developed in 2014, since the Consultant had the Preliminary design at disposal at that moment, it is to say there was no adequate project-technical documentation that would facilitate the elaboration of a final RAP, hence the subject of this document is the elaboration of a final Resettlement action plan for a 1.8 km long Janja River regulation section, on the basis of the Main Project and the defined expropriation line.

Stakeholders, including municipal authorities and affected persons (APs) have been consulted in the process of the Resettlement action plan preparation at this phase.

The Resettlement action plan (RAP) defines procedures that will be followed by the Ministry of Agriculture, Forestry and Water Management of the Republika Srpska/ Agriculture Project Coordination Unit (APCU) as well as the actions/steps to be taken in order to adequately implement resettlement and payment of compensation to affected persons and households.

The objective of this RAP is to mitigate the negative impacts of land occupation and resettlement, and to determine the compensations for different categories of affected persons, paying special attention to the most vulnerable categories.

Decision on determination of the general interest for the Janje river regulation section in a length of 1.8 m, which is the subject of this RAP (from the confluence of the rivers Janja and Drina upstream to the bridge 1, and further
upstream to the main road Bijeljina-Zvornik, with a total length of 1.8 km) was published in the Official Gazette of the Republic of Srpska No. 111/15 of 16.12.2015.

Land purchase has been conducted at a value not lower than the official market value in line with the World Bank’s Operational Policy OP 4.12 involuntary (forced) resettlement and domestic legislation, primarily Expropriation Act.

Pursuant to the Expropriation Law, funds were previously provided under the payable guarantee number: 0011-431/16 dated February 25, 2016 issued by Pavlović International bank A.D. Slobomir Bijeljina to an amount of 500,000.00 KM.

11.5. Limitations that the Consultant has encountered during the development of the Resettlement Action Plan (RAP)

Subject of this Resettlement action plan is a 1.8 km long Janja river regulation section that is part of the Drina river dyke in the construction of protection dyke in the city of Bijeljina project under the Drina flood protection project in BiH. The expropriation line was taken from the expropriation report developed by company Geomatic Bijeljina for the said coverage.

Due to an urgent need to solve the protection of Janja settlement from floods, in May 2016, the City of Bijeljina purchased the land necessary for the Janja River regulation in a length of 1.8 km, unfortunately without notifying the APCU and the World Bank team. APCU, in accordance with the procedures and created conditions for the development of RAP, hired a consultant for the development of the final RAP, which is the subject of this Book 2. However, it is to be noted that the purchase of land and buildings on the Janja River River Management section was carried out in accordance with the domestic legislation and the Operating Rules of the World Bank OP 4.12 involuntary (forced) resettlement.

So far, land and facilities have been purchased for all plots that are located in the coverage, but for three plots whose owners have residence in other country, thus consultations with them were arranged in accordance with their possibilities and commitments. Decisions on adoption of proposals for complete expropriation of real estates issued by the Republika Srpska Attorney General Office were issued for the mentioned three plots with the aim of developing the lower Janja river course to its confluence with the Drina river; this was done in accordance with the Decision on declaration of public interest (RS OG 111/15). An overview of necessary funds for the mentioned three plots was assumed from the Findings of conducted establishment of the market value of real estates-cadastral plots anticipated for expropriation under the Janja river regulation project in a length of 1.8 km.
XII. LIST AND IMPACT ASSESSMENT

12.1. Introduction

Impact assessment refers in detail to the loss of land, buildings and other assets in the coverage the Janja River regulation section in the length of 1.8 km (from the confluence with the Drina River upstream to the bridge No.1 and further upstream on the Bijeljina-Zvornik main road). Compensation and rehabilitation measures are defined in accordance with the mentioned impacts. A detailed inventory of all impacts has been made in accordance with the main project of flood protection in the area of the City of Bijeljina from the high waters of the Drina river.

The cadastral data for this RAP have been taken from the existing Expropriation report, which was done by Geomatic Bijeljina; other data referring to three parcels for which property and legal issues have still not been resolved, and for 9 privately owned parcels for which the procedure of entering into possession was launched since the owners reside at unknown addresses, meaning a temporary representative (attorney) has been appointed; in accordance with Article 33 of the Law on Expropriation of the Republika Srpska, the parcels were delivered a Decision on full expropriation in favour of the Republika Srpska and the decision on the implemented changes in favour of the Republika Srpska by the Department of Property Legal Affairs of the City of Bijeljina, as well as data on estimates and the spent financial resources.

Article 33 of the Law on Expropriation states that the Expropriation Beneficiary acquires the right to possess an expropriated real estate by the date of validity of the expropriation decision if he has previously paid the owner of the expropriated property, or has transferred another appropriate immovable property, otherwise, at the date of payment of compensation, or by transferring another appropriate immovable property into possession, unless otherwise agreed between the former owner and the expropriation beneficiary. Exceptionally, when it comes to the construction of infrastructure, the Government may, at the request of the expropriation beneficiary, set out the valid reasons for the urgent entry into possession of the real estate, decide that the immovable property will be transferred to it after the irrevocability of the expropriation decision, if it determines that this is necessary because of the urgency of the case or to prevent significant damage.

Below is an overview of the received data.

12.2. Impact on land, other property and income

12.2.1. General classification of the land under the influence of the project

The total area of land located in the line of expropriation of the Janja river regulation section in the length of 1.8 km, in the cadastral municipalities Janja 1 and Janja 2 is 27,610.00 sq m, while the total number of parcels is 124. This Action Plan includes all Plots located in the line of expropriation, or under the influence of the project, in accordance with OP 4.12 and domestic legislation (Expropriation Law), their full or partial expropriation will be carried out, that is, all or part of the coverage or their parts on which it was made Expropriation. Given the ownership structure, the land use and the category of compensation, the categorization of the land that is in the scope of this RAP to the following categories: Category 1: Privately-owned agricultural land on the surface of 14,554.00 sq m of market value of 1.60 KM/sq m (achieved price 1.74 KM/sq m); Category 2: Forest land in the fifth residential business zone on an area of 578 sq m of market value of 2.55 KM/sq m (achieved price 3.84 KM/sq m); Category 3: Building land in the fifth residential business zone on an area of 8871 sq m market value of 18 KM/sq m (achieved price 24.09 KM/sq m); Category 4: Auxiliary facilities in the fifth residential business zone (total of 13 auxiliary facilities) on an area of 263.62 sq m for which there is no defined market value, but fair compensation is determined in accordance with the expert field assessment and in consultation with the owner (the price reached 533.18 KM/sq m); Category 5: Building objects - house in the fifth residential business zone on the surface of 68,30 sq m market value of 585.00 KM/sq m (achieved price 642.02 KM/sq m); Category 6: Building plot in the sixth residential business zone on the
surface of 1721 sq m market value of 9 KM/sq m (price reached 11.74 KM/sq m); **Category 7**: State-owned land under roads of 2 873,00 sq m; **Category 8**: Other state-owned land on the surface of 147.00 sq m

The categories of land that are state-owned (categories 7 and 8) are not subject to land compensation.

The amount of the market value of the real estate on the territory of the City of Bijeljina is determined by residential and business zones defined by the Decision on spatial planning and construction land (“Official Gazette of the City of Bijeljina”, number: 11/14) and in accordance with the Decision on the value of real estate By zones in the territory of the City of Bijeljina on 31.12.2015. (Decision of the Assembly of the City of Bijeljina on the number 01-022-104/15 of 17.12.2015). The subject parcels are located partly outside the construction areas and other construction land within the meaning of Article 6 of the Regulation on Spatial Planning and Construction Land (“Official Gazette of the City of Bijeljina”, No. 11/14, 19/14 and 21/14), in the urban settlement The character of Janja and are taken as agricultural land in ko Janja 1 and k.o. Janja 2. Pursuant to Article 13 of the Decision on the amount of real estate value per zone in the territory of the City of Bijeljina on December 31, This land is located in the non-residential-business sub-zone 1. The market value of the agricultural land is 1.60KM/sq m, while the building land is in the area of the municipality of Bijeljina on the number 01-022-104 / 15 from 17.12.2015. In relation to the housing and business zone, it is estimated at: 1) for the fifth housing business zone 18.00 KM/sq m, 2) for the six residential business zone 9.00 KM/sq m. For ancillary facilities there is no defined market value, but fair compensation is determined in accordance with the assessment of field experts and in consultation with the owner.

Fair compensation for land and buildings was paid in accordance with the market value defined by the aforementioned Decisions; ultimately, a higher price than the market for the purchase of land and buildings.

<table>
<thead>
<tr>
<th>Impact category</th>
<th>Number of parcels</th>
<th>Surface (sq m)</th>
<th>Household number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land subject to compensation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Privately registered land</td>
<td>112</td>
<td>24 590.00</td>
<td>168</td>
</tr>
<tr>
<td>Land not subject to compensation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. State-owned land</td>
<td>12</td>
<td>3 020.00</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>124</td>
<td>26 710.00</td>
<td>168</td>
</tr>
</tbody>
</table>

12.2.2. Impact on crops

On agricultural land subject to compensation for crops, wheat and maize were identified as the dominant agricultural crops grown in Semberija.

<table>
<thead>
<tr>
<th>Culture</th>
<th>No parcels</th>
<th>Surface</th>
<th>Number of households</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corn</td>
<td>13</td>
<td>8,579.90</td>
<td>11</td>
</tr>
<tr>
<td>Wheat</td>
<td>19</td>
<td>5,962.30</td>
<td>14</td>
</tr>
<tr>
<td>In total</td>
<td>32</td>
<td>14,542.20</td>
<td>25</td>
</tr>
</tbody>
</table>

12.2.3. Impact on fruit trees and trees

Construction of embankments on the regulation of the Janja river, in a length of 1.8 km, will lead to the destruction of fruit trees and individual trees in a number of 292 trees. Areas under forest which are kept as public forests in public registers have been processed separately and are not subject of this chapter.
Table 4. Individual trees and fruit trees

<table>
<thead>
<tr>
<th>Type</th>
<th>Productive</th>
<th>Unproductive</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poplar</td>
<td>123</td>
<td>4</td>
<td>127</td>
</tr>
<tr>
<td>Walnut</td>
<td>95</td>
<td>2</td>
<td>97</td>
</tr>
<tr>
<td>Plum</td>
<td>28</td>
<td>1</td>
<td>29</td>
</tr>
<tr>
<td>Cherry</td>
<td>22</td>
<td>1</td>
<td>23</td>
</tr>
<tr>
<td>Apricot</td>
<td>16</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>Total</td>
<td>292</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

12.2.1. Facility impacts

Within the scope of this RAP, physical resettlement of people occurred, i.e., a residential building was identified for which another substitute real estate was bought by the personal choice (of the owner/affected person), which was immediately registered in their name after purchase.

In addition to one residential facility, 13 auxiliary facilities (3 sheds, 3 pantries, 4 canopies, 1 workshop with garage, 1 summer house, 1 garden barbeque) with a total area of 263.62 sq m have been identified for which fair compensation was determined on the basis of the assessment of the building by the expert in the field of construction and in consultation with the owners. The price reached 533.18 KM/sq m, based on the fact that it is in accordance with the Decision on spatial planning and construction land, ("Official Gazette of the City of Bijeljina", number: 11/14) and in accordance with the Decision on the value of real estate By zones in the territory of the City of Bijeljina on 31.12.2015. (Decision of the Assembly of the City of Bijeljina on the number 01-022-104 / 15 of 17.12.2015). In the same zone for a building - a house a market price of 585.00 KM/sq m was determined, it is obvious that a very high price was obtained for the ancillary facility of 533.18 KM/sq m, that is, the price was achieved in agreement with the affected persons.

12.3. The vulnerability of the population and the community

When it comes to ownership of the land in the area of Janja River regulation section, in a length of 1.8 km, there are 124 parcels in total, and of this number 90 parcels are located in Janja 1 cadastral borough, and 34 parcels in Janja 2 cadastral borough.

The total number of privately owned parcels is 112 in an area of 24,590.00 sq m. The total number of affected households is AH = 168, and the total number of affected persons AP=427.

When it comes to owners of land, 102 are men or 72.34% and 39 are women or 27.66%.

According to the data provided by the Bijeljina Center for Social Work, the persons affected by the project are not social welfare beneficiaries, by any category.

Table 5. Affected households by category

<table>
<thead>
<tr>
<th>IMPACT CATEGORY</th>
<th>IMPACT CATEGORY</th>
<th>IMPACT CATEGORY</th>
<th>IMPACT CATEGORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. AGRICULTURAL LAND</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ORCHARD 2</td>
<td>1,272.00</td>
<td>17</td>
<td>28</td>
</tr>
<tr>
<td>ORCHARD 3</td>
<td>3,463.00</td>
<td>41</td>
<td>81</td>
</tr>
<tr>
<td>ORCHARD 4</td>
<td>259.00</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>FIELD 1</td>
<td>75.00</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>FIELD 2</td>
<td>6,102.00</td>
<td>49</td>
<td>99</td>
</tr>
<tr>
<td>FIELD 3</td>
<td>718.00</td>
<td>5</td>
<td>12</td>
</tr>
</tbody>
</table>
12.3.1. Resettlement needs and strategy

When defining the route of the dyke, the designer took care of the facilities built in the subject area and tried to minimize the displacement, it is to say tried to avoid the sections where housing facilities were located. A technical solution to the protection of Janja settlement from inundation by the Janja river high waters, but also Drina river backwater in Section 2 (the river Janja penetrates the Drina dyke in Section 2, especially stage 4 of section 2 which starts from the canal „Drina-Dašnica” and ends at the confluence of the rivers Janja and Drina) was developed after extensive and detailed terrain research works with adequate optimisation of the alignment position. The construction of a dyke in this section was designed so that the line expropriation comprises a residential building with an area of 28 sq m. In accordance with the valid legal regulations, the house was bought at the price proposed by the appraiser it is to say the valuation committee for real estate and land, taking into account the condition of the building and the construction. The facility is located on the construction land belonging to the fifth housing and business zone, where the price of land is defined according to the Decision on the amount of real estate value per zone in the territory of the City of Bijeljina as at 31.12.2015 (Decision of the Assembly of the City of Bijeljina the number 01-022-104 / 15 from 17.12.2015) to: 18.00 KM/sq m, and the market value of a construction facility - a house at 585.00 KM/sq m. Based on the opinion of the assessor and in consultation with the owner, the following price has been achieved:

- price of land 18.00 KM/sq m,
- The price of a construction facility is estimated at 642.02 KM/sq m.

In the achieved value, according to the personal wishes of the owner / affected person, a replacement real estate was purchased which was immediately posted on behalf of the owner / affected person.

12.3.2. Business activities impact

No business entities were identified in the coverage of the subject project.

12.3.3. Employment impact

According to the planned project solution to the construction of a protection dyke in a Janja River regulation section with its tributary Janja, in the period of project realization, that is, during the period of dyke construction, it will be necessary to hire a larger number of workers of different qualification structures.
After the dyke is constructed, it will be necessary to maintain the structure, which will be the responsibility of Public Institution "VODE SRPSKE", Bijeljina. However, bearing in mind the present human resources (30 employees) in the area of a sub-sector for Semberija flood area, there is no actual need for an increase in the number of employees.

12.3.4. Common property impact

The dyke construction shall have an impact on joint (socially-owned) property, notably the following:

<table>
<thead>
<tr>
<th>OWNER</th>
<th>SURFACE</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUBLIC GOOD ROADS</td>
<td>2,307.00</td>
</tr>
<tr>
<td>PUBLIC WELL-WATER</td>
<td>19.00</td>
</tr>
<tr>
<td>REPUBLIC OF SRPSKA</td>
<td>128.00</td>
</tr>
<tr>
<td>ROADS</td>
<td>566.00</td>
</tr>
<tr>
<td><strong>IN TOTAL:</strong></td>
<td><strong>3,020.00</strong></td>
</tr>
</tbody>
</table>

All land listed in the table above is state-owned land and as such is not subject to land compensation.

12.4. Highly affected and vulnerable households

The project for the construction of a protective embankment on the left bank of the Drina River in a Janje River regulation section, in a length of 1.8 km, led to physical relocation since there is one residential building within the expropriation line, for which the purchase of a substitute real estate has been carried out.

According to the projected design solution for the construction of a protective embankment on the left bank of the Drina River on the Janja River regulation section in the length of 1.8 km from the mouth of the Drina River upstream to the bridge No.1, and further upstream on the main road Bijeljina-Zvornik, insight into the base Data of the competent Center for Social Work Bijeljina showed no identified highly affected and vulnerable households or members of households for which the project has a negative impact.

12.5. Gender equality and the effects of relocation

In the area covered by this RAP, the subject of which is the regulation of the Janja river in a length of 1.8 km in the cadastral boroughs of Janja 1 and Janja, 102 male owners of parcels have been registered with 72.34% and 39 women or 27.66%.

During the implementation of this project, special attention must be paid to ensuring that women who receive compensation for potential land expropriation or that women who are de facto "heads of the family" are clearly stated as recipients of benefits and that they receive this compensation indeed.

In addition, special attention shall be paid to the impact of resettlement on women (especially women are heads of the family) and other vulnerable groups during the resettlement action plan implementation monitoring.
12.6. Impact summary

The impact assessment for the coverage of this RAP in a length of 1.8 km in the Janje River regulation section is given in the following table:

Table 6, Summary of impacts for the Janje river regulation section in length of 1.8 km

<table>
<thead>
<tr>
<th>No</th>
<th>Impacts</th>
<th>Unit</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total number of parcels covered</td>
<td>Cadastral plot</td>
<td>124</td>
</tr>
<tr>
<td>2</td>
<td>Total area of the parcels covered</td>
<td>sq m</td>
<td>27,610.00</td>
</tr>
<tr>
<td>4</td>
<td>Private-owned plots</td>
<td>Cadastral plot</td>
<td>112</td>
</tr>
<tr>
<td></td>
<td>sq m</td>
<td>24,590.00</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>State-owned plots</td>
<td>Cadastral plot</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>sq m</td>
<td>3,020.00</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Category 1: Privately-owned agricultural land</td>
<td>Cadastral plot</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>(1.74 KM/sq m)</td>
<td>sq m</td>
<td>23,291.80</td>
</tr>
<tr>
<td>7</td>
<td>Category 2: Forest land in the fifth residential business zone</td>
<td>Cadastral plot</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>(3.84 KM/sq m)</td>
<td>sq m</td>
<td>578</td>
</tr>
<tr>
<td>8</td>
<td>Category 3: Building land in the fifth residential business zone</td>
<td>Cadastral plot</td>
<td>72</td>
</tr>
<tr>
<td></td>
<td>(24.09 KM/sq m)</td>
<td>sq m</td>
<td>8871</td>
</tr>
<tr>
<td>9</td>
<td>Category 4: Auxiliary facilities in the fifth residential business zone</td>
<td>Cadastral plot</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>(533.18 KM/sq m)</td>
<td>sq m</td>
<td>263.62</td>
</tr>
<tr>
<td>10</td>
<td>Category 5: Building objects - house in the fifth residential business zone</td>
<td>Cadastral plot</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>(642.02 KM/sq m)</td>
<td>sq m</td>
<td>68.30</td>
</tr>
<tr>
<td>11</td>
<td>Category 6: Building land in the sixth residential business zone</td>
<td>Cadastral plot</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>(11.74 KM/sq m)</td>
<td>sq m</td>
<td>1,721.00</td>
</tr>
<tr>
<td>12</td>
<td>Category 7: State-owned land under the roads</td>
<td>Cadastral plot</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>(Not an act of compensation)</td>
<td>sq m</td>
<td>2,873.00</td>
</tr>
<tr>
<td>13</td>
<td>Category 8: Other state-owned land</td>
<td>Cadastral plot</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>(Not an act of compensation)</td>
<td>sq m</td>
<td>147.00</td>
</tr>
<tr>
<td>14</td>
<td>The area under wheat crops</td>
<td>sq m</td>
<td>5,962.30</td>
</tr>
<tr>
<td>15</td>
<td>The area under corn crops</td>
<td>sq m</td>
<td>8,579.90</td>
</tr>
<tr>
<td>16</td>
<td>The area under orchards</td>
<td>sq m</td>
<td>4,994.00</td>
</tr>
<tr>
<td>17</td>
<td>Number of affected trees</td>
<td>Br.</td>
<td>292</td>
</tr>
<tr>
<td>18</td>
<td>Residential buildings (1 residential buildings)</td>
<td>sq m</td>
<td>28.00</td>
</tr>
<tr>
<td>19</td>
<td>Auxiliary facilities (13 auxiliary facilities)</td>
<td>sq m</td>
<td>263.62</td>
</tr>
<tr>
<td>23</td>
<td>Number of affected households AH</td>
<td>Br.</td>
<td>168</td>
</tr>
<tr>
<td>24</td>
<td>Number of affected persons AP</td>
<td>Br.</td>
<td>427</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>BAM 515,946.00</td>
<td></td>
</tr>
</tbody>
</table>
XIII. SOCIO-ECONOMIC INFORMATION

13.1. Introduction

The goal of a socio-economic analysis is the collection of general data on the socio-economic status of vulnerable persons. The subject of socio-economic researches are plots and vulnerable persons in the coverage of the construction of a protection dyke in the City of Bijeljina project within the Drina river flood protection project in BiH, a section of the Janja River regulation in a length of 1.8 km.

13.2. Endangered population and demography

Subject of this Resettlement Action Plan is a Janja river regulation section in a length of 1.8 km. The section of the Janja River regulation starts from the confluence of the rivers Janja and Drina upstream of the bridge 1, and further upstream to the main road Bijeljina-Zvornik, with a total length of 1.8km.

The territory of the City of Bijeljina with the city administrative centre has a total of 67 inhabited places that are organized in 70 local communities, of which 13 are local communities in the urban area of Bijeljina, and 57 local communities in rural areas. The largest inhabited place is the administrative centre of Bijeljina, which according to the preliminary results of the 2013 census has 45,291 inhabitants, followed by the settlement of Janja with 12,233 inhabitants, with a total number of households 3184 and a total number of apartments 4272.

The scope of the project includes Janja 1 and Janja 2 cadastral boroughs.

13.3. Proximity of urban and rural areas

The City of Bijeljina is located in the northeast part of the Republika Srpska and BiH and comprises a lowland geographic area of Semberija and Majevica mild hills. The territory of the City occupies 734 square kilometres of predominantly lowland and lowland-hilly Semberija plain, with an average altitude of about 90 metres. Semberija makes this region most fruitful in the Republika Srpska and BiH.

According to the area, the City of Bijeljina is the eighth local community, among 68 municipalities and towns in the Republika Srpska; and according to the number of inhabitants it occupies the second position. Its special geographic position, economic and human resources contributed to Bijeljina becoming a regional centre to which the municipalities of the Majevica and Birač regions gravitate. Bijeljina houses the seat of several institutions of the Republika Srpska as well as several organisation units of some administrative bodies, and the seat of district judicial bodies. Bijeljina is also a university centre, where about five thousand students study at several universities.

Owing to its position in the northeast, Bijeljina has good connections with border crossings with neighbouring Croatia and Serbia, and the most important urban centres in BiH as well. These include Banja Luka, Brčko, Tuzla and Sarajevo, as well as Croatia (Zagreb, Osijek) and Serbia (Belgrade, Novi Sad) - a market with more than 5 million inhabitants. Bijeljina thus represents one of the most favourable and approachable business locations in BiH. Bijeljina is 12 km away from the border of BiH and Serbia, 45 km away from the border with Croatia (EU) and main motorway A3 Zagreb - Belgrade. The closest airport Tuzla is only 70 km away from Bijeljina, whereas the international airport in Belgrade is only 122 km away. The City of Bijeljina is connected with the railway node in Šid, Serbia (60 km) via railway.
13.4. Education level

According to the qualification structure, the register is dominated by qualified and non-qualified workers, followed by secondary education, semi-qualified elementary education, college degree, university degree, highly qualified workers and MS/MA.

13.5. Agricultural and land resources

The area of the City of Bijeljina is suitable for the cultivation of all agricultural crops, because sowing of early crops and vegetation starts in mid-March. A total heat quantity in the period from March to October exceeds 3400°C, which is sufficient for the growing of all major crops as well as the production of tobacco, which is otherwise a very delicate plant by heat quantities.

In addition to favourable climate, a most important resource for successful agricultural production is quality land. An overview of the land areas by category and ownership in the City of Bijeljina is shown in the following table:

<table>
<thead>
<tr>
<th>Table 7, Land areas by category and property in sq m</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.</td>
</tr>
<tr>
<td>-----</td>
</tr>
<tr>
<td>1.</td>
</tr>
<tr>
<td>2.</td>
</tr>
<tr>
<td>3.</td>
</tr>
<tr>
<td>4.</td>
</tr>
<tr>
<td>5.</td>
</tr>
<tr>
<td>6.</td>
</tr>
<tr>
<td>7.</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

Source: Development Strategy of the City of Bijeljina 2014-2023

Based on cadastral data, the following crops were identified in the project coverage, which are registered as agricultural land in public registers:

<table>
<thead>
<tr>
<th>NO.</th>
<th>CULTURE</th>
<th>SURFACE (sq m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ORCHARD 2</td>
<td>1,272.00</td>
</tr>
<tr>
<td>2</td>
<td>ORCHARD 3</td>
<td>3,463.00</td>
</tr>
<tr>
<td>3</td>
<td>ORCHARD 4</td>
<td>259</td>
</tr>
<tr>
<td>4</td>
<td>FIELD 1</td>
<td>75</td>
</tr>
<tr>
<td>5</td>
<td>FIELD 2</td>
<td>6,102.00</td>
</tr>
<tr>
<td>6</td>
<td>FIELD 3</td>
<td>718</td>
</tr>
<tr>
<td>7</td>
<td>FIELD 4</td>
<td>9,262.00</td>
</tr>
<tr>
<td>8</td>
<td>FIELD 5</td>
<td>1</td>
</tr>
<tr>
<td>9</td>
<td>GRASSLAND CLASS 1</td>
<td>99</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>21,251.00</td>
</tr>
</tbody>
</table>
13.6. Land ownership

According to the available data, all agricultural land (21,251.00 sq m) is privately owned. When it comes to forest land, the total area of 578.00 sq m is in private ownership. State ownership of the total area is 3,020.00 sq m (10.94% of the total area in the coverage) of which:

<table>
<thead>
<tr>
<th>NO.</th>
<th>CULTURE</th>
<th>SURFACE (sq m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>UNCATEGORIZED ROAD</td>
<td>566.00</td>
</tr>
<tr>
<td>2</td>
<td>ROAD WITHOUT MARKINGS</td>
<td>754.00</td>
</tr>
<tr>
<td>3</td>
<td>STREET</td>
<td>1,553.00</td>
</tr>
<tr>
<td>4</td>
<td>LAND FREE FROM</td>
<td>19.00</td>
</tr>
<tr>
<td>5</td>
<td>YARD</td>
<td>128.00</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td><strong>3,020.00</strong></td>
</tr>
</tbody>
</table>

13.7. Main corps

In the plant production, most dominant are cereals, vegetables, followed by forage plants and industrial plants. Of cereals, corn and wheat are most sown.

When it comes to shares of individual species of forage plants, lucerne, clover, a grass-clover mixture and corn had the largest shares in the structure of forage plant sowing.

13.8. Economics of households and main economic activities

A total number of commercial entities in the territory of the City of in the year 2012 was 2583, of which 6 commercial entities are public companies, 253 joint stock companies, 1673 limited liability companies, 11 partnerships, 1 enterprise for the employment of disabled persons, 4 business associations, 21 general cooperatives, 16 specialized cooperatives, 2 cooperative associations, 4 funds, 4 other financial organizations, 99 institutions, 2 legislative and executive bodies, 5 judicial and judicial bodies, 436 associations, 3 foundations, 37 religious organizations / communities, 1 foreign non-governmental organization, 3 representative offices of foreign enterprises and 2 are other forms of organization.

One of the key problems of the economy in this region is the huge unemployment of the population. The consequences of a macroeconomic and transitional crisis, and a drastic reduction in production have resulted in high unemployment rates. Crisis-caused consequences are primarily economic in nature, but the adverse social and political consequences of this problem cannot be ignored.

The number of employees according to the ownership structure in the City of Bijeljina leads to a conclusion that the private sector employs the largest number of employees - 61%, the state sector employs 25% of employees, and mixed 14%.

In 2011, the trade sector (28%) and the processing industry (15%) had the largest number of employees in the City of Bijeljina, despite a decrease in the number of employees in both sectors compared to the previous year. These are followed by the employees of the state administration (8%), education (7.6%), transport and communications (7.2%), construction (6.6%), health protection (6.5%) and other activities with a lower number of employees. A comparison of the number of employees to the previous year shows an increase in the number of employees in the following
sectors: health protection, education, electricity and water supply, while all other sectors have reduced the number of employees. The number of employees in the state administration remained at almost the same level.

Activity classification shows that the highest number of employees are hired in the trade sector (28.5%), in the processing industry (15%), followed by the public administration and defence (8.1%), education (7.8%), transport, storing and communications (7.1%), construction (6.8%), health protection (6.3%), other social and personal service activities (5.1%), real estates and renting (4.0%) and other activities (11.3%).

In comparison to the employment structure per activities in 2005, the year 2011 saw a larger share of the trade sector by 2.5%, construction by 2.8%, other social and personal service activities by 2.7%, education by 1.3%, health protection by 1%, transport, storing and communications by 1%. At the same time, the share of the processing industry decreased by 9.5%, followed by the agricultural sector by 1.2%, catering by 0.8%, electricity production and supply by 0.5% and real estates and renting by 0.4%. At the same or approximately the same level, the number of employees is as follows: mining and quarrying, financial intermediation, public administration and defence. In general, the structure of the economy is still changing through the growth of service activities and the reduction of the primary sector.

The largest share of employees - 45.4% is in the group of medium-sized enterprises (from 50 to 250 employees), of which 42.4% are female workforce. In the group of small enterprises (from 10 to 49 employees), 26.3% of employees are engaged, of which 40.2% are women. Micro enterprises (up to 9 employees) employ 15.8% of workers, of which 44.9% are women. Large enterprises (over 250 employees) employ 12.5% of the workforce, of which 52.5% are women.

In comparison to the employment structure per size of enterprises in 2005, in 2011, the share of employees in the group of medium-sized enterprises was higher by 5.8% and in the group of micro-enterprises by 2%. In the group of small enterprises, employment declined by 3.2%, and the group of large enterprises saw a decline of 4.6%.

According to the data from APIF (Agency for Intermediary, IT and financial services), the number of registered farms in the area of Bijeljina is 8,373 (data dated 17 April 2013). Farms are registered based on the Law on Agriculture and the Decree on registration in the Register of farms (registration is voluntary). It is necessary to note that a part of the agricultural producers is not registered for various reasons (the size of the property, the obligation to pay contributions for health and pension insurance).

Classification by activity illustrates that the greatest number of employees engaged in the trade sector (28.5%), in manufacturing (15%), followed by public administration and defense (8.1%), education (7.8%), transport, storage and communication (7.1%), construction (6.8%), health (6.3%), other community, social and personal service activities (5.1%), real estate and leasing (4.0%) and other (11.3%).

In comparison to the employment structure per sector in 2005, in 2011 the share of trade increased by 2.5%, construction 2.8%, other community, social and personal service activities by 2.7%, education 1.3%, health by 1%, transport, storage and communications 1%. At the same time share the processing industry decreased by 9.5%, followed by the agricultural sector by 1.2%, tourism 0.8%, production and supply of electricity by 0.5%, and real estate and renting 0.4%. At the same or nearly the same level by Employees industries: mining and quarrying, financial intermediation, public administration and defense. In general, the structure of the economy is still changing the growth of services and reduction in the primary sector.

The largest share of employees - 45.4% in the group of medium-sized companies (50 to 250 employees), of which 42.4% female workforce. In the group of small enterprises (10 to 49 employees) are engaged 26.3% of workers, of which 40.2% were women. Micro enterprises (up to 9 employees) employ 15.8% of workers, of which women make up 44.9%. Large companies (over 250 employees) employ 12.5% of the workforce, of which 52.5% were women.

In comparison with the structure of employees by size of enterprise in 2005, in 2011, the participation of employees in medium-sized enterprises increased by 5.8% and in the group of micro-enterprises increased by 2%. In the group of small enterprises recorded a decline in employment by 3.2% and in the group of large enterprises recorded a decline of 4.6%.

According to data from APIF and the number of registered farms in the area of Bijeljina is 8,373 (as of 17.04.2013. Year). Farms are registered under the Agriculture Act and the Regulation on registration of farms (registration is voluntary). It must be noted that a portion of farmers is not registered for various reasons (the size of the estate, liability of contributions for health and pension insurance).
13.9. Poverty level

According to the applied methodology in the survey, the poverty level is represented as a percentage of a household whose monthly income is below 60% of average monthly income per household in BiH, or below 570 KM. Survey results show that 29.2% of the households in Bijeljina are such households. Citizens residing in the area of Bijeljina exercise their rights in the field of social protection through the public institution Bijeljina Social Work Centre. In recent years, the number of socially vulnerable people has increased. In 2012, some 300 poor people received social assistance in an amount of 60 KM. 4

13.10. Working status

Based on the preliminary results of the 2013 census published by the Statistical Office of Republika Srpska, the total number of employees in the territory of the City of Bijeljina in 2013 was 36 051, of which 14 020 women and 22 031 men, while the total number of the unemployed was 10 393, of which women make 4934, and men 5459.

<table>
<thead>
<tr>
<th>Sex</th>
<th>Working age population</th>
<th>Total</th>
<th>Employed</th>
<th>Unemployed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ukupno</td>
<td>91.821</td>
<td>46.444</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>36.051</td>
<td>10.393</td>
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<td></td>
<td>5.888</td>
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<td></td>
<td>4.505</td>
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<td></td>
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<td></td>
<td>45.377</td>
<td>7.267</td>
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<td></td>
<td>14.919</td>
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<td></td>
<td>13.186</td>
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<td>2.890</td>
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<tr>
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<td></td>
<td></td>
<td>7.115</td>
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<tr>
<td>M</td>
<td></td>
<td>44.655</td>
<td>27.490</td>
<td>22.031</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>5.459</td>
<td>3.195</td>
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<td></td>
<td></td>
<td>2.264</td>
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<tr>
<td></td>
<td></td>
<td>17.166</td>
<td>3.417</td>
<td>7.362</td>
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<td></td>
<td>427</td>
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<td>1.264</td>
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<td>4.695</td>
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<td></td>
<td>47.166</td>
<td>18.954</td>
<td>14.020</td>
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<td></td>
<td></td>
<td></td>
<td>4.934</td>
<td>2.693</td>
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<td></td>
<td></td>
<td></td>
<td>2.241</td>
</tr>
<tr>
<td></td>
<td></td>
<td>28.212</td>
<td>3.850</td>
<td>7.557</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>12.759</td>
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<td></td>
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<td></td>
<td>1.626</td>
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<td></td>
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<td></td>
<td>2.420</td>
</tr>
</tbody>
</table>

13.11. Household income

According to the 2016 Statistical Yearbook of the Republika Srpska (Statistical Office of the Republika Srpska), the average net and gross salary in the territory of the City of Bijeljina in a period 2008-2012 was as follows:

Tabela 8 The average net and gross wages in KM in the City of Bijeljina for the period 2011-2015

<table>
<thead>
<tr>
<th>YEAR</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>KM</td>
<td>KM</td>
<td>KM</td>
<td>KM</td>
<td>KM</td>
</tr>
<tr>
<td>Average net salary in KM</td>
<td>776</td>
<td>796</td>
<td>789</td>
<td>816</td>
<td>808</td>
</tr>
<tr>
<td>Average gross salary in KM</td>
<td>1 277</td>
<td>1 318</td>
<td>1 307</td>
<td>1 319</td>
<td>1 303</td>
</tr>
</tbody>
</table>

13.12. Potable water sources

Bijeljina City area is supplied with drinking water from the Grmić spring located in the south-eastern part of the city of Bijeljina. The following settlements are connected to the Bijeljina water supply system: town of Bijeljina, Janja, Novo naselje Janja, Glogovac, Kočinovac, Gornji Kočinovac, Ljekovac, Patkovača, Pučile, Golo Brdo, Amajlije, Popovi, Dijelovi, Dvorovi, Triješnica, Dazdarevo, Gojsovac, part of the settlement of Hase, Obrijež, Batković, G. and D. Crnjelovo, G. and D. Brodaci, Ostojićevo, Velino Selu, Velika Obarska and Brjesnica; during 2013, a transport pipeline from Dvorovi to Balatun was built as well as a distribution network for major part of the settlements: Trnjaci, Medaši and Balatun. Therefore, until August 2013 inclusive, about 60-70% of the total population of the City of Bijeljina, 24,466 households, 2,718 apartments in buildings, 653 business entities, 1,893 craft shops and privately owned shops and other entities of small economy were connected to the Bijeljina water supply system. According to the most recent data, a total length of the transport and distribution pipelines of the Bijeljina water supply system is about 583 km.

The population in other settlements in the area of the City of Bijeljina are currently supplied with water from their own sources, mostly shallow individual dug wells or drilled wells, and local water supply networks in the settlements of Gornji Dragaljevac and Gornja Čađavica. In some villages closer to the Sava river, deeper wells are drilled through which the artesian water is acquired, which is mostly used as potable water by the population. Slobomir on Drina near Popovo has a separate water supply system.

According to the most recent data, a total length of the transport and distribution pipelines of the Bijeljina water supply system is about 583 km. During 2012 and 2013, about 97 km of the transport and distribution water supply network were constructed (partly funded from donor funds, partly from the funds of the City of Bijeljina and a in a smaller part from the citizens’ funds).

13.13. Fecal sewage

In the previous period, the city of Bijeljina was one of the few towns in the Republika Srpska that did not have a central sewage system for collecting and treatment of waste (used waters) of settlements and industry. Even today, in towns and villages that have no sewage system built, faecal waste water is mainly collected in septic tanks, from which the effluent is discharged into the rainwater collectors (relatively few facilities near the rainwater collectors) or in the underground through drainage wells. There is no accurate record of the number and location of septic tanks, so the number of septic tanks in the city and suburban areas is estimated at around 20,000. The construction of sewerage and sewerage connections by the end of 2012, put 4,741 septic tanks out of function (of which 97 were larger septic tanks - residential buildings, hospital, department store).


The beginning of the rainwater drainage construction is connected with the beginning of the development of a water supply system in the City of Bijeljina. The first phase of rainwater drainage was designed in main roads and relied on the mm existing $\odot 1200/800$ collector built in a section starting from the hospital and ending at the Dašnica canal. In the first phase, a rainwater sewerage system was also constructed in other sections in a length of about 5,000 metres with a diameter $\odot 500$, 400 and 300 mm. Due to the topographic conditions in the field, the spatial development of the city was not adequately followed by the development of a rainwater drainage system, so that a rainwater drainage system was built only in the roads on the right side of the Dašnica canal, where the conditions for gravity drainage of the collected precipitation to the canal existed. In some parts of the rainwater drainage network where the collected water from roads could not be conveyed to the canal, drainage wells were constructed to discharge the collected water into the ground.

13.15. The availability of energy and civic facilities

- Electricity facilities

The City of Bijeljina (which implies the entire area of the former Bijeljina Municipality) is supplied with electricity through three 110 kV transformer stations owned by Elektroprenos BiH. A total number of 10/0.4 kV transformer stations in the City of Bijeljina is 665, of which 448 stations are owned by ZEDP Elektro-Bijeljina Bijeljina and 217 are privately owned. The 35 kV network is 40 km long, of which 32 km lie above ground and 8 km underground. The length of the 10kV network is 473 km, of which 353 km lie above ground and 120 km underground. The total length of the low voltage network is about 1,050 km

- Electricity consumption

In the territory of the City of Bijeljina, ZEDP Elektro-Bijeljina Bijeljina has registered 45,630 measuring points, of which 41,535 registered for households, 121 measuring points were used for medium voltage, 3,538 measuring
points for other consumption and 436 measuring points for public lighting. (data as at 31 December 2012). The average monthly consumption per household measuring point is 364 kWh, MV consumption is 39,561 kWh/mm, other consumption is 1,009 kWh/mm and public lighting is 1,156 kWh/mm. The maximum simultaneous power of all electricity customers in the city area is about 60,000 kW, and the average annual simultaneous power about 33,000 kW.

- Telecommunications

Telekomunikacije RS followed the development of settlements in the city by building new networks for landline telephones, as well as by building mobile telephony stations. The number of landline connections has been decreasing since 2008. Regarding the number of PostPAID users of mobile telephony in the City of Bijeljina, the trend of an increase in these users was noticeable in 2012, and the number of these users in 2012 was 16,117, which is 11,000 more than in the year 2006. The number of PrePAID users of mobile telephony in the territory of the City of Bijeljina has significantly increased since 2009, and the number of users in 2012 was 68,667. The number of Internet users in the City of Bijeljina increases every year; and in 2012 it was 13,168.

- Culture

The City of Bijeljina has four cultural institutions: Filip Višnjić National library, Semberija Museum, SKUD Semberija (Serbian Cultural and Art Society), Semberija Cultural centre comprising: Milenko Atanacković Gallery and the Cinema. The mentioned cultural institutions employ a total of 55 people (Library - 19, Museum - 8, SKUD (Serbian Cultural and Art Society) - 3, Filip Višnjić National library -, Cultural centre - Employees’ qualification structure mainly corresponds to the needs of these institutions. All cultural institutions have a place / building in which they perform their activities.

13.16. Health centers and institutions

In the continuation are given data on the number of health care institutions in the territory of the City of Bijeljina in the period 2007-2011, as well as spatial capacities of health protection institutions, according to the data from the Development Strategy of the City of Bijeljina 2014-2023.

<table>
<thead>
<tr>
<th>Table 8 Number of health centers and Institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOUNDATION</td>
</tr>
<tr>
<td>2007</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Private Practice</td>
</tr>
<tr>
<td>Community Health Centre</td>
</tr>
<tr>
<td>Ambulance delivery. medicine</td>
</tr>
<tr>
<td>Family medicine teams</td>
</tr>
<tr>
<td>Ambulance service</td>
</tr>
<tr>
<td>public pharmacies</td>
</tr>
<tr>
<td>Private pharmacies</td>
</tr>
<tr>
<td>Counselling working to improve health care through prevention and education</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table 9, Spatial capacities of health institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>INSTITUTION</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Community Health Centre</td>
</tr>
<tr>
<td>branch facilities</td>
</tr>
<tr>
<td>Ambulance</td>
</tr>
<tr>
<td>Counselling working to improve health care through prevention and education</td>
</tr>
</tbody>
</table>
13.17. Schools and universities

In the school year 2011/2012, 49 elementary schools were identified in the territory of the City of Bijeljina. The network of secondary schools in the City of Bijeljina consists of six schools, five of which are secondary vocational schools and one general education type. Five schools are located in the city, and one in the village of Janja. The following high education institutions are registered in the territory of the City of Bijeljina:

1. Faculty of Pedagogy  
2. Faculty of Law - Department in Bijeljina  
3. Faculty of Economy - Department in Bijeljina  
4. Faculty of business economy  
5. Sinergija University  
6. Slobomir P University  
7. Apeiron University Business Faculty  
8. University of business studies  
9. High school - College for health care

13.18. Roads

Public company Republika Srpska Roads has not issued data per municipalities since 2005, thus the following data are given for the year 2005:

<table>
<thead>
<tr>
<th>Total</th>
<th>Contemporary roads</th>
<th>Main roads</th>
<th>Regional</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Contemporary roads</td>
<td>Total</td>
<td>Contemporary roads</td>
<td>Total</td>
</tr>
<tr>
<td>402</td>
<td>265</td>
<td>85</td>
<td>85</td>
<td>59</td>
</tr>
</tbody>
</table>
XIV. LEGAL AND POLITICAL CONTEXT

14.1. General

Legal and political framework of the project is based on the national legislation of Bosnia and Herzegovina and the Republika Srpska relating to land acquisition/occupation and resettlement and World Bank's operational policies OP 4.12 related to involuntary/forced resettlement. Land Acquisition and Resettlement-LAR principles have been adopted based on the analysis of the applicable national legislation and the requirements of the World Bank listed in Operational Policy OP 4.12 that refers to involuntary (forced) resettlement.

14.2. Legal framework

14.2.1. Laws and rulebooks in BiH and RS relating to land acquisition and resettlement

In the continuation are given laws of the Republika Srpska and BiH, which are relevant to subject project:

19. Expropriation Act (Republika Srpska Official Gazette, Nos. 112/06, 37/07, 110/08 and 79/15)
20. RS Law on Proprietary rights (Republika Srpska Official Gazette, Nos. 124/08 and 58/09, 95/11).
21. RS Law on Waters (Republika Srpska Official Gazette, Nos.: 50/06, 92/09,121/12)
22. RS Law on Extra-Judicial Proceedings (RS Official Gazette, No.: 74/05 and 36/09);
23. Law on Spatial Planning and Construction (Republika Srpska Official Gazette, No. 40/13)
24. Law on Construction Land (Republika Srpska Official Gazette, No. 112/06) – Article 44
25. RS Law on Agricultural Land (RS Official Gazette, Nos.: 93/06, 86/07, 14/10 and 5/12)
26. RS Law on Forests (RS Official Gazette, Nos.: 75/08, 60/13)
27. RS General Administrative Procedure Act (RS Official Gazette, Nos.: 13/02, 87/07, 50/10);
28. RS Law on Administrative Litigation (RS Official Gazette, Nos.: 109/05, 63/11);
29. Law on Establishment and Transfer of Rights to Dispose of Property to Local Government Bodies (Republika Srpska Official Gazette, No. 70/06)
30. Law on Agricultural Land (Republika Srpska Official Gazette, Nos. 93/06, 86/07, 14/10 and 5/12)
31. RS Law on Survey and Cadastre (Republika Srpska Official Gazette, No. 6/12).
32. RS Law on Land Books (Republika Srpska Official Gazette, Nos.: 67/03, 46/04, 109/05 and 119/08).
33. Law on Concessions (Republika Srpska Official Gazette, No. 59/13)
34. RS Law on Notaries Public (RS Official Gazette, Nos.: 86/04, 2/05, 74/05, 76/05, 91/06, 37/07 and 50/10, 78/11)
35. Rulebook of Calculation of Compensation for Costs of the Development of Urban Construction Land (Republika Srpska Official Gazette, No. 95/13)
36. Decree on conditions, calculation method and payment of a fee for legalization of facilities (Republika Srpska Official Gazette, No. 97/13).

Expropriation of real estate is mainly carried out in the expropriation procedure, in accordance with the Expropriation Act. In the procedure of incomplete expropriation, easement can also be established, and in addition, easements may be established by mutual consent or by a court decision, in accordance with the provisions of the Law on Proprietary rights of Republika Srpska.

The valid Expropriation Act of the Republika Srpska prescribes that expropriation represents dispossession or restriction of the right of ownership over real estates with compensation (Article 1). This defines the expropriation as complete (dispossession of real estates) and incomplete (restriction of the right to ownership - for example, by way of establishing the easement). In line with the mentioned Law, expropriation compensation is defined as a fair remuneration, which cannot be lower than the market value.

With regard to compensation for the expropriated real estates, the following items are prescribed to be taken into consideration when determining compensation for agricultural and construction land: the benefit that the land can give by regular exploitation, the benefit that the former owner had from the land, in particular taking the market value into consideration; the issues relating to compensation for the expropriated land under orchards, compensation for fruit trees and vine, land under forest, wood pulp, young seedlings, older trunks, barren land and rocky land, as well
as buildings were also defined. Personal and family circumstances of the earlier owner are taken into consideration as a correction factor of an increase in the amount of compensation, if they are significant for his existence. Laws also prescribe the right to compensation when it comes to the expropriation of a residential building or an apartment as a separate part of a building. The amount of compensation is determined in the procedure before an administrative body according to the circumstances at the time of entering into a compensation agreement, and in the court procedure at the time of entering into a settlement agreement, it is to say at the time of the issuance of a first instance decision on compensation. As a rule, the compensation is provided by giving other substitute adequate real estate, in whole or in part; if this cannot be achieved, then the compensation is given in cash, whereas the parties have an opportunity to reach an agreement about compensation in some other form.

14.2.1. World Bank’s requirements - Operational policy OP 4.12

Specific requirements of the World Bank with regard to resettlement are given in the Operational Policy OP 4.12 relating to involuntary (forced) resettlement.

For the essence of the migration policy, the most important issues are those relating to insurance and settlement of compensation for expropriated property, as well as assistance to persons whose property is expropriated and who resettle, through measures during the expropriation procedure during and after their resettlement. With regard to this, a special place and attention are given to vulnerable population groups.

World Bank’s protection policy relating to social aspects - OP 4.12 involuntary resettlement is based on the following principles:

i. Involuntary resettlement should be avoided where feasible, or minimized;

ii. Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.

iii. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

iv. Displaced persons should be assisted in their efforts 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.

v. It is the obligation to support the displaced persons and provide them with appropriate protection, regardless of the way of property and land acquisition, or their legality (thus also in the case when they do not have a legal basis but are considered illegal users)

vi. Displaced persons shall be provided with resettlement costs in full amount, as well as the compensation for the expropriated property in the amount allowing compensation or replacement of the expropriated property with a new property.

Assistance in the compensation and resettlement process includes:

- Assistance during the census (inventory),
- Organisation of meetings to explain compensation entitlements and other rights,
- Assistance in the compensation payment process (ensuring that the compensation documents are well understood, as well as that vulnerable individuals will be able to cash in cheques, and similar), and
- Insurance of money after the payment (e.g. bank account deposit) to prevent robbery or misuse of money.

Assistance in resettlement includes:

- Assistance in moving personal belongings,
- Salvaging, transport and/or sale of materials from the old dwelling,
- Transport of household members with medical assistance, if required, and
- Aid with entering into possession of new real estates.
Mandatory assistance in resettlement caused by real estate expropriation is particularly emphasised by the above listed World Bank's Operational Policies. Within these, a special attention was paid to vulnerable (affected) population groups. In terms of these rules, affected persons (AP) represent groups of people affected by the project, who due to gender, ethnicity, physical or mental disability, economic or social status can be jeopardised during the Project-caused resettlement more than other groups of population, or their access to and possibility of acquiring resettlement aid can be limited.

Vulnerable population groups, among others, comprise:

- Socially vulnerable persons, persons who do not own any land, the elder, women and children, native population, ethnic minorities, disabled persons, refugees and displaced persons, and other displaced persons, whose right to compensation has not been anticipated, or protected by the national legislation.

Assistance to vulnerable population groups, depending on a case-by-case base, with the support of authorities and institutions includes adequate compensation, (in the form of other real estate or money), provision of opportunities for employment or self-employment, and settlement at a new location with approximately similar standards with regard to infrastructure, educational opportunities, health care, social protection and cultural events.

14.2.1. Comparison between the domestic legislation and the World Bank's that will be applied to the project

The World Bank's Operational Policy OP 4.12, as well as internationally accepted standards, at the same time contain certain elements that follow proprietary rights (for example ownership rights - protection, compensation, etc.), as well as some other, it is to say additional economic and social rights of vulnerable population categories. Accordingly, by their scope, World Bank's Operational Policies, with regard to elements of social and cultural character, considerably exceed what is the content of the protection of proprietary rights in case of the expropriation of immovable property.

With regard to this, it is necessary to bear in mind that the issues of ownership, establishment, protection and transfer of this right are regulated by the Constitution, as well as a set of a number of property and legal regulations in Bosnia and Herzegovina and the Republika Srpska. The issue of the special status of certain (vulnerable) population categories, and assistance for this category is regulated by a second set of regulations of status and social character.

In order to facilitate protection and exercising of rights in certain cases, it would be necessary previously to conduct procedures in order to resolve the issue of ownership and the establishment of this right, it is to say the domestic legislation sets a requirement that the right of ownership of a person that relocates is established in order to address the above listed issues. The aforesaid implies that this person has proven their right either through a land registry certificate, a court decision or a decision of the competent administrative body in the procedure of legalisation, the procedure for resolving the ownership right etc. The mentioned procedures for legalisation and resolution of ownership rights are regulated by valid regulations; they can result in the determination of the ownership right of the owner (user) when the prescribed requirements are met. Hence, without the above mentioned procedures, the very possession of a real estate does not facilitate the required protection of the rights. In addition to the above mentioned procedures, the possibility of resolving the issue of expropriation in a friendly manner would allow the protection of rights in the manner required by the previously quoted World Bank's Operational Policy.

A concrete case of resolving the issue of compensation, relocation and assistance within the Construction of a protection dyke in the City of Bijeljina project under the Drina flood protection project in BiH, a section of the river Janja regulation in a length of 1.8 km, in the expropriation procedures, in accordance with the aforementioned regulations, rules and standards, would require the provision and consolidation of the components of property-legal, status and social character. The implementation of these activities would require the involvement of several bodies in charge of status issues, social aid and protection (Ministry of Health and Social Protection of the Republika Srpska and Bijeljina Social Work Centre), as well as the transfer of certain obligations and responsibilities to these bodies.
Given the above-mentioned circumstances, it is necessary to bear in mind a fact that in addition to the regulations that generally regulate property and legal issues as well as the procedures in relation thereto, there is a possibility of reaching an amicable solution to the issue of expropriation and the related compensation, as well as issuing special decisions to regulate certain issues, that is to provide an additional right. The obligation to resolve important issues in the mentioned way can be determined by a special Protocol and Agreement with the Government of the Republika Srpska; the aforementioned issues should be envisaged and comprised by the Resettlement Action Plan, but specific decisions and institutions/bodies that would be responsible for their adoption (governments, relevant ministries and similar) must be listed.

It can be concluded that the BiH and RS legislation adequately reflects the main provisions of WB OP 4.12, and the policy adopted for this project ensures the reconciliation of possible differences between the Republika Srpska regulations and laws and the World Bank policy; as such it ensures remuneration for all cases, assistance in resettlement and provision of support or compensation to households that are endangered or will be relocated, or will suffer business losses or will in any other way be seriously jeopardized by the implementation of the Project.

14.2.2. Assumed obligations towards the resettlement policy

This Resettlement Action Plan shall be implemented by the Ministry of Agriculture, Forestry and Water Management of the Republika Srpska, i.e. the Agriculture Project Coordination Unit within the Ministry. It is necessary to consider the possibility of appointing a full-time officer who will be responsible for the implementation of the entire Project. If that is not possible, one of the already employed officers should dedicate a certain portion of their working time to the Project implementation. Among other things, the Ministry shall oversee the overall implementation of the Project, cooperate with the Republic Administration for Geodetic and Property Affairs, the City of Bijeljina, as well as with the contractor selected for construction works and all Project-affected persons.

14.2.3. Land acquisition/occupation procedure

<table>
<thead>
<tr>
<th>PHASE OF THE PROCEDURE</th>
<th>LEGAL FRAMEWORK</th>
<th>ACTIVITIES</th>
<th>REMARK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior to instigating the expropriation procedure</td>
<td>Expropriation Act</td>
<td>Public interest declaration</td>
<td>A requirement to conduct the expropriation procedure</td>
</tr>
<tr>
<td>Prior to instigating the expropriation procedure</td>
<td></td>
<td>Information and public debates</td>
<td>A requirement in terms of the World Bank’s Operational Policy 4.12</td>
</tr>
<tr>
<td>Prior to instigating the official expropriation procedure</td>
<td>Expropriation Act</td>
<td>Agreeable resolution of the ownership right transfer</td>
<td>A method also suitable for the resolution of some disputable or problematic cases (for example, a case of building an facility without obtaining consents and permits)</td>
</tr>
<tr>
<td>Instigation of the expropriation procedure</td>
<td>Expropriation Act</td>
<td>A proposal submission</td>
<td>The proposal must specify: the user, the real estate and its owner. With the proposal must be enclosed: a decision on the construction of an investment facility, proof that the expropriation beneficiary has provided and deposited in a special bank account funds for payment of compensation, proof of declared public interest, and proof that the applicant previously tried to resolve the issue of acquiring the ownership of the real estate in question with the owner of the property</td>
</tr>
<tr>
<td>Instigated expropriation procedure</td>
<td>Expropriation Act General Administrative Procedure Act</td>
<td>Establishing the ownership right</td>
<td>If there is a discrepancy between the land registry and the actual situation on the real estate, the municipal property and legal affairs department will discuss the ownership right as a preliminary issue in accordance with the provisions of Article 27, paragraph 3 of the law. This prescribed option is extremely important since it gives the power to the aforementioned department to discuss, or determine, the right of ownership, which is a far more efficient way than the special procedures conducted before other bodies.</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-----------------------------------------------------</td>
<td>---------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Procedure of issuing a decision on expropriation</td>
<td>Expropriation Act</td>
<td>Expropriation of the remaining part of a real estate</td>
<td>Upon an owner's request, the remaining part of the real estate can be expropriated when established that the owner has no economic interest in using that part, it is to say if the so-far existence in that part has been disabled or substantially aggravated, or if a normal usage of the remaining real estate was rendered impossible.</td>
</tr>
<tr>
<td>Procedure of issuing a decision on expropriation</td>
<td>Expropriation Act</td>
<td>Entering into possession of an expropriated real estate</td>
<td>Rule: it is possible to enter into possession of a real estate after the expropriation decision was rendered irrevocable. Exceptionally: upon a request of the expropriation beneficiary, the Government may issue a decision to transfer the real estate prior to the irrevocability of the expropriation decision; it is to say finality of the decision when necessary for urgency or in order to eliminate significant damage. This option is excluded when it comes to a residential or commercial building, for which the expropriation beneficiary has not secured other suitable real estate.</td>
</tr>
<tr>
<td>Procedure of issuing a decision on expropriation</td>
<td>Expropriation Act General Administrative Procedure Act</td>
<td>Withdrawal of the expropriation proposal</td>
<td>Dismissal of the procedure</td>
</tr>
<tr>
<td>Second-instance administrative appellate procedure</td>
<td>Expropriation Act General Administrative Procedure Act</td>
<td>Issuing a decision on the appeal to an expropriation decision</td>
<td>Issued by the Administration for Geodetic and Property and Legal Affairs</td>
</tr>
<tr>
<td>Administrative litigation</td>
<td>Expropriation Act General Administrative Procedure Act Law on Administrative Litigation</td>
<td>Issuing a decision on the lawsuit against an expropriation decision</td>
<td>A decision issued by the District Court in Bijeljina</td>
</tr>
</tbody>
</table>
The expropriation procedure ended with an irrevocable decision. The expropriation procedure ended with an irrevocable decision. The expropriation procedure ended with an irrevocable decision.

Expropriation Act Law on Land Registers Registration of the ownership and other proprietary rights Registration of ownership and other proprietary rights over an expropriated real estate, as well as over a real estate given to the previous owner as compensation is done based on an irrevocable decision on expropriation and proof of paid compensation; it is to say the proof that the owner acquired the ownership right over other suitable real estate.

Expropriation Act General Administrative Procedure Act Determination of the amount of compensation in the administrative procedure Agreeably before the municipal office for property and legal affairs

Expropriation Act Law on Extra-Judicial Proceedings Determination of the amount of compensation in the court proceedings Decision of a municipal court on the amount of compensation

Expropriation Act General Administrative Procedure Act Request for the deexpropriation of real estates Annulment of an irrevocable decision on expropriation for a reason that the expropriated real estate is not intended or used for the purposes for which it was expropriated

14.3. The rights and requirements for obtaining compensation

In line with the Republika Srpska Law on Expropriation, the owner of an expropriated property is entitled to compensation in other real estate; if the expropriation beneficiary cannot provide such real estate fair cash compensation is determined, which cannot be lower than the market value of the expropriated property. Compensation for the expropriated property is paid by the expropriation beneficiary.

Specific requirements of the World Bank with regard to resettlement are set out in the Operational Policy OP 4.12 that refers to involuntary (forced) resettlement (requirements are given in detail in point 4.2.2 World Bank's requirements - Operational Policy OP 4.12).

14.3.1. Right to compensation

According to the consolidated requirements of the legislation in the Republika Srpska and the World Bank's Operational Policy OP 4.12, the right to compensation can be exercised in the following cases:

a) Compensation if a registered plot with a registered residential facility is expropriated
b) Compensation if a registered non-residential facility is expropriated, on registered land
c) Compensation if a registered agricultural plot is expropriated
d) Compensation for the lost yield of annual agricultural crops to the owner of the crops if the owner has proof of lease relationship with the land owner and cash compensation to the land owner at market price (Cash compensation for the crops shall be available only if the crops cannot be harvested within the given time period)
e) Compensation for the lost yield of perennial agricultural crops to the owner of the crops if the owner has proof of lease relationship with the land owner and cash compensation to the land owner at market price
f) Compensation if business premises in which activities are performed are expropriated; in this case, the expropriation beneficiary is obliged to provide other suitable premises in ownership prior to the demolition of business premises.
g) Compensation if privately owned forest land is expropriated.

In addition to the above listed, specific cases may occur, for which compensation is not defined by the law or is questionable for any reason; this plan anticipates compensation therefor, notably:

h) Compensation for an agricultural plot registered in the name of other person (not in the name of the owner)
i) Compensation for a registered plot with a residential unit without the building permit, built by the plot owner
j) Compensation for a residential unit illegally built on a plot owned by some other person
k) Compensation for a residential unit illegally built on a state-owned plot
l) Compensation for illegally built non-residential facilities on registered land
m) Compensation for an illegally built non-residential facility on a plot owned by some other person
n) Compensation for illegally built non-residential facilities on a state-owned plot.

The right to compensation shall be limited by a cut-off date that shall be defined for all sections based on the contract implementation commencement date, i.e. the date when census within a defined coverage for each section starts. Any person who subsequently settles on land after the defined cut-off date shall not be entitled to compensation; the same applies to growing new crops or seedlings.
### 14.3.2. Compensation matrix

*Table 11. Compensation matrix in accordance with domestic legislation and OP 4.12*

<table>
<thead>
<tr>
<th>TYPE OF PROJECT AFFECTED RIGHT OR PROPERTY</th>
<th>LEGAL FRAMEWORK</th>
<th>COMPENSATION ENTITLEMENTS</th>
<th>PROCESS AND SPECIFIC REQUIREMENTS</th>
</tr>
</thead>
</table>
| Registered plot of land                   | Law on Expropriation  
|                                           | Law on Construction Land | Cash compensation  
|                                           |                       | - Novčana naknada za parcelu prema tržišnoj, odnosno punoj vrijednosti | Prenos vlasništva putem sporazumnog dogovora ili u postupku eksproprijacije  
|                                           |                       |                           | Uslovi iz Operativnih pravila Svjetske banke 4.12 |
| Registered plot of land with registered residential structure | Law on Expropriation  
|                                                               | Law on Construction Land | OPTION 1: RESETTLEMENT WITH A SUBSTITUTE PROPERTY  
|                                                               |                       | A substitute property including residential plot of similar size and characteristics, and residential structure of similar size and characteristics,  
|                                                               |                       | OR  
|                                                               |                       | OPTION 2: CASH COMPENSATION  
|                                                               |                       | - Cash compensation for plot and structure at market, or full value, and  
|                                                               |                       | - Moving allowance  |
| Registered non-residential structure, on registered plot of land | Law on Expropriation  
|                                                               | Law on Construction Land | Cash compensation to the structure owner at market, or full values, and Cash compensation for the plot at market value  |
| Registered agricultural land plot         | Law on Expropriation  |
|                                           |                       | Provision of a replacement agricultural plot of similar size and characteristics, or Cash compensation at replacement value  |
|                                           |                       | Transfer of property right through amicable agreement or expropriation  
<p>|                                           |                       | Requirements from the World Bank Operational Policies 4.12 |</p>
<table>
<thead>
<tr>
<th>Compensation &amp; Entitlements</th>
<th>Law/Applicable Law</th>
<th>Details</th>
<th>Requirements from the World Bank Operational Policies 4.12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual crops (yield)</td>
<td>Law on Expropriation, Law on Agricultural Land</td>
<td>Cash compensation at market value to the owner of the crop if he has evidence of lease of land plot from the landowner. Cash compensation to the landowner at market value.</td>
<td>Cash compensation for the crop will be available only if the annual yield cannot be harvested within the period of notice. Requirements from the World Bank Operational Policies 4.12</td>
</tr>
<tr>
<td>Perennial crops</td>
<td>Law on Expropriation, Law on Agricultural Land</td>
<td>Cash compensation at market value to the owner of the crop if he has evidence of lease of land plot from the landowner. Cash compensation to the landowner at market value.</td>
<td>Requirements from the World Bank Operational Policies 4.12</td>
</tr>
<tr>
<td>Business</td>
<td>Law on Expropriation</td>
<td>Replacement property will be given as compensation to the previous owner of the expropriated premises used for business purposes by the expropriation beneficiary before demolition of the business premises.</td>
<td>Requirements from the World Bank Operational Policies 4.12</td>
</tr>
<tr>
<td>Privately owned forest land</td>
<td>Law on Expropriation, Law on Forests</td>
<td>Cash compensation at market value of the plot to the landowner and Cash compensation at market value of the lost timber to the timber owner.</td>
<td>Transfer of property right through amicable agreement or full expropriation. Requirements from the World Bank Operational Policies 4.12</td>
</tr>
</tbody>
</table>

**Compensation Entitlements Not Covered by Legislation or Doubtful**

<table>
<thead>
<tr>
<th>Compensation &amp; Entitlements</th>
<th>Law/Applicable Law</th>
<th>Details</th>
<th>Requirements from the World Bank Operational Policies 4.12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural land plot registered in the name of the individual distinct from the user</td>
<td>Law on Expropriation, Law on Property Rights of the Republic of Srpska, Law on Agricultural Land, Law on Land Registries</td>
<td>Cash compensation at replacement value of the plot to land owner or his/her successors and Cash compensation for any developments (development activities) to the owner of these developments (applicable to irrigation or drainage structures, perennial plantations, structures, etc.)</td>
<td>Determination of the ownership right for the beneficiary, (for example in usurpation settlement process, and transfer of property right through amicable agreement or full expropriation. Requirements from the World Bank Operational Policies 4.12</td>
</tr>
</tbody>
</table>
| Registered plot of land with residential structure without construction permit, built by the owner of the plot | Expropriation Law Legalization Regulations | Only if subject to successful legalization:  
OPTIION 1: RESETTLEMENT WITH REPLACEMENT PROPERTY  
- Replacement property including the plot and residential structure of similar size and characteristics (replacement property) and plot attached to the property, and  
- Moving allowance,  
OR  
OPTIION 2: CASH COMPENSATION  
- Cash compensation both for the plot and the residential structure at market, or full value, and  
- Moving allowance  
Expropriation and corresponding compensation can be implemented when the legalization was completed successfully before the expropriation decision was brought.
Requirements from the World Bank Operational Policies 4.12 |
| Residential structure illegally built on the plot owned by another individual | Law on Expropriation Legalisation Regulations  
Law on Property Rights | Only if subject to successful legalization:  
- Cash compensation at market value to the structure owner, and  
- Moving allowance to the structure owner, and  
- Cash compensation at market value of the plot to the plot owner and/or his successors  
Expropriation can be implemented when the legalization was completed successfully before the expropriation decision was brought.  
Requirements from the World Bank Operational Policies 4.12 |
| Residential structure illegally built on the plot under public ownership | Law on Expropriation Legalisation Regulations  
Law on Construction land | Only if subject to successful legalization:  
- Cash compensation at market value of the structure to the structure owner, and  
- Moving allowance to the structure owner  
Expropriation can be implemented when the determination of the ownership right for construction on someone else's land and the legalization were completed successfully before the expropriation decision was brought.  
Requirements from the World Bank Operational Policies 4.12 |
| Illegally built nonresidential structures on the registered land | Law on Expropriation | Only if subject to successful legalization:  
- Cash compensation at market value of the structure - to the structure owner, and  
- Cash compensation at market value of the plot to the plot owner and/or his successors | Operational Policies 4.12  
Expropriation can be implemented when the legalization was completed successfully before the expropriation decision was brought  
Requirements from the World Bank Operational Policies 4.12 |
|-------------------------------|-------------------|-------------------------------------------------|-------------------------------------------------|
| Illegally built non-residential structure on the plot owned by another individual | Law on Expropriation | Only if subject to successful legalisation:  
- Cash compensation at market value of the structure to the structure owner, and  
- Cash compensation at market value of the plot to the plot owner and/or his successors | Operational Policies 4.12  
Expropriation can be implemented when the determination of the ownership right for construction on someone else's land and the legalization were completed successfully before the expropriation decision was brought  
Requirements from the World Bank Operational Policies 4.12 |
| Illegally built non-residential structures on the plot under public ownership | Law on Expropriation | Only if subject to successful legalisation:  
- Cash compensation at market value of the structure and pertaining land to the owner  
And  
- Cash compensation at market value for the land plot | Operational Policies 4.12  
Expropriation can be implemented when the legalization was completed successfully before the expropriation decision was brought  
Requirements from the World Bank Operational Policies 4.12 |
14.3.3. Assistance to highly affected and vulnerable households

Vulnerable households must be consulted about the type of assistance they need for resettlement (e.g. special measures of transport for persons with physical disabilities, assistance in identification and purchase of a new apartment, assistance in access to self-employment programs etc. This type of assistance must be provided by the Republika Srpska Ministry of Agriculture, Forestry and Water Management by hiring social workers/lawyers who will best represent the interests of vulnerable population.

The Ministry must appoint an expert to act on behalf of the Ministry in the implementation of the programme of notifying the identified vulnerable population; this person should conduct an individual meeting with each vulnerable person and establish their needs with regard to resettlement, as well as a method to resolve the identified needs.

Vulnerable households must be provided with specific assistance in resettlement, in cooperation with the municipal department for social issues. Assistance to vulnerable groups must include assistance during the process of resettlement and compensations, assistance in moving, and assistance during the post resettlement period.

The categories of vulnerable groups, frequency for each category and type of assistance/services that must be provided are given in the table below.

<table>
<thead>
<tr>
<th>TYPE OF VULNERABILITY</th>
<th>FREQUENCY</th>
<th>TYPE OF ASSISTANCE THAT WILL BE AVAILABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chronic illness that requires regular medical care</td>
<td>4</td>
<td>• Individual meetings for the purpose of notifying of the criteria for rights to compensation and compensations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Assistance in moving (special transport measures; packing personal belongings; salvaging, transport and/or sale of materials from the old dwelling; transport of household members with medical assistance, if required)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Assistance during the period after resettlement (counselling on family, health, money management and re-establishment of support sources; checking whether there are networks of solidarity and support on which the vulnerable persons have counted and whether they have been re-established; if they have not been re-established, measures must be applied to establish them for the provision of aid in the form of food, medical examinations etc.; if necessary, health and medical care in critical periods or inclusion of vulnerable persons into the medical insurance scheme; priority in courses of trainings for improvement of employment opportunities, and priority in employment where possible)</td>
</tr>
<tr>
<td>All household members unemployed or without regular income</td>
<td>3</td>
<td>• Individual meetings for the purpose of notifying of the criteria for rights to compensation and compensations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Assistance in finding and purchasing new apartments</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Assistance during the period after resettlement (priority in courses of trainings for improvement of employment opportunities, and priority in employment where possible)</td>
</tr>
<tr>
<td>Elderly and frail persons and/or persons living alone</td>
<td>3</td>
<td>• Individual meetings for the purpose of notifying of the criteria for rights to compensation and compensations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Assistance in finding and purchasing new apartments</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Assistance in the process of compensation payment (i.e. see that the vulnerable categories understand the compensation documents and payment process)</td>
</tr>
</tbody>
</table>
14.3.4. Compensation valuation and amount

14.3.4.1. Principles and methodology

The principle of the valuation of acquired land and property is implemented in line with the World Bank's requirements - OP 4.12 forcible resettlement, and relevant domestic legislation. World Bank's requirements order that vulnerable persons must be compensated for all losses in full value at the moment of dispossession of their property for the project needs.

Compensation cost calculation is based on the following:

(i) fair market value at the moment of property dispossession,
(ii) transitional costs / legalisation costs,
(iii) transitional costs and restauration costs (land preparation and reconstruction), and
(iv) other applicable compensations.

The unit value is calculated in line with the present market rate in order to assure the compensation of costs for land substitution, lost property etc.

A person of adequate occupation (depending on the type of property in question), who is a holder of the authorisation to conduct court expertise for relevant field, conducts an assessment of the property. Experts are primarily determined from the group of appointed court experts for a particular type of expertise.

14.3.4.2. Compensation amount determination

In line with the World Bank's Operational Policy, OP 4.12, Annex A – Involuntary resettlement instruments (point 10 Valuation and compensation for losses) and in line with the relevant domestic legislation, a basis for compensation determination is:

The amount of compensation for land and buildings is determined according to the valid market price, with transitional costs being added. Market price is defined by taking into account the type of land, its purpose and location.
The amount of compensation for agricultural land is determined according to the value of land prior to the project implementation commencement or prior to resettlement, whichever is higher; this value must correspond to the market value of land with the same production capacities located in the direct vicinity, plus costs of land preparation to the level of the affected land, plus all incurred costs of registration and transfer.

The amount of compensation for land in urban areas is determined according to the value of land prior to resettlement, which corresponds to the market price of land with the same size, with the same use values, with similar or improved conditions of public infrastructure and services located in the direct vicinity of subject land, plus all incurred costs of registration and transfer.

For houses and other facilities, the amount of compensation corresponds to the market price of material necessary for the construction of a substitute facility, whose area and quality correspond to or is better than the affected facility; of to the costs necessary for the reconstruction of partially damaged facilities, plus costs of construction material transport to the construction site, plus costs of remunerations to personnel and contractors, plus all incurred costs of registration and transfer.

In determining the amount of compensation, the depreciation of the property and the preserved value of materials are not taken into consideration nor is the value of the benefits received from the project deducted from the valuation of the affected property. Where domestic legislation does not meet the standard of compensation at a full replacement price, the compensation under domestic law is supplemented by additional measures in order to meet the standard of compensation at a full replacement price.

The market value of annual crops is determined on the basis of the net market value of crops for the first year of crop. In the case of crop reimbursement for more than one year, the valid gross market value of crops applies to other years.

The amount of compensation for trees is determined differently for trees and fruit trees. Trees are valued on the basis of a growth category and value of the trunk part at the time of felling. Fruit trees are valued differently depending on whether they have entered their productive age or not. For fruit trees that entered their productive age, the amount of compensation will be determined on the basis of future lost profit for the period of time required for a particular species to reach the productivity of the felled fruit tree, or to reach a maturity stage of the fruit tree at the moment of felling. For fruit trees that have not entered their productive age, the compensation is determined in an amount that corresponds to the previous fruit planting investments and reaching the then level of growth.

14.4. Conformity of the conducted expropriation procedure in three unresolved plots to OP 4.12

The owners of three plots in which the property and legal relations have not been resolved yet were invited to individual and group consultative meetings in line with the relevant policies and provisions of the legislation. Terms of invitations for meetings, period of a public insight into the Expropriation report, as well as the time of the public debate after the public insight are given in chapter Consultations and public participation.

During the public insight in a period of 15 days, from 20.11.2015 to 10.12.2015, in the premises of the Janja Local Community in whose territory the expropriation was conducted, the owners of subject plots were notified by expert technical persons of plots, i.e. parts of plots and facilities that are being expropriated.

The owners of the subject plots attended the Public debate on 30.11.2015, when a meeting was held. The meeting was also attended by the representatives of the Investor, Designer, Assessor and representatives of the City Administration together with the Mayor.

In the said public debate, the owners of subject plots requested the designer to issue a declaration of a possibility of moving the expropriation line toward the other bank. After the conducted public debate, the City of Bijeljina officially requested the Designer, i.e. Zavod za vodoprivredu d.o.o. (Water Management Institute LLC) Bijeljina to issue an Opinion of a possibility of local deviation - detour of the alignment toward the opposite (right) bank in the zone of subject plots. The Designer has abided by the request of the
owners of subject plots as much as possible in line with good engineering practice relating to respect for minimum curve radiuses which amount to minimum 3xB (B - a width of the water mirror of a regulated bed for a one-hundred-year flood), hence the expropriation area of land and parts of facilities was reduced compared to the original design solution, it is to say the expropriation line was partially corrected.

An Expropriation Report was developed in line with professionally accepted remarks from the public debate; this Report served as a basis for the issuance of a Decision on Public interest declaration in the Official Gazette, No. 111/15 on 16.12.2015. After the submission of an expropriation proposal, the Republic Administration for Geodetic and Property and Legal Affairs Bijeljina notified ex officio the owners of subject plots that an expropriation proposal was submitted in April 2016. Attorney General's Office submitted a proposal for complete expropriation of real estates in the subject plots on 17.05.2016.

However, in line with the expert opinion of a well-established designing company Zavod za vodoprivredu d.o.o. (Water Management Institute LLC) Bijeljina, it was not possible to implement a full correction of the expropriation line, it is to say offer an alternative variant of the Janja river regulation alignment in the part of subject plots in a way that they are completely avoided. Just the contrary, if the request of owners of subject plots for local deviation, i.e. detouring the alignment toward the opposite bank were abided by, only in the zone of subject plots significant corrections of project upstream and downstream from the observed plots would be required, which would cause the expropriation of a much larger number of facilities in the littoral zone.

Since the owners of subject plots have residence in other country, the authorised representatives acted on their behalf, and individual consultative meetings with the owners were arranged in line with their possibilities and obligations, i.e. upon every arrival to the City of Bijeljina, in whose territory the subject plots are located, their owners were notified of the project status in the Janja Local Community and City Administration of the City of Bijeljina - Department for property and legal affairs of the City of Bijeljina.

Plot 2392
On 12.04.2017, a public hearing was conducted in the subject of complete expropriation of real estates on the plot 2392; this debate was attended by: Deputy Attorney General of the Republika Srpska - Seat of the deputy in Bijeljina, authorised representative of the expropriation beneficiary, real estate's owner, representative of the JP "Direkcija za razvoj i izgradnju grada" d.o.o. (PC Directorate for City Development and Construction LLC) Bijeljina (a real estate value assessor), representatives of the Designer (Zavod za vodoprivredu d.o.o. Bijeljina), after the final amendments to the Expropriation report and maximum possible acceptance of the Request of plot's owner for dislocation of the expropriation line without jeopardising other facilities in the littoral zone. During the oral debate, the owner declared that he did not oppose the procedure of expropriation, but asks again, if possible, the expropriation line be moved more, and issued his opinion that the subject expropriation jeopardises the functioning of the remaining part of the plot, and re-requested amendments to the project. In the mentioned oral public debate the Designer, on behalf of Zavod za vodoprivredu d.o.o. Bijeljina, declared that the expropriation line was maximally moved in favour of the owner, and that there is no possibility of further dislocation of the expropriation line towards the right Janja river bank from the professional aspect.

With regard to the aforementioned remark of the Owner, the Commission for expert assessment of real estates appointed by the Directorate for City Development and Construction LLC Bijeljina on 13.04.2017 visited the location, and after an insight in the facts in the field stated in its Expert findings that the subject expropriation did not jeopardise the functioning of the remaining part of the plot since he has been provided with access, and can use the remaining part of the plot for the needs of the yard that is subject to expropriation. Also, it was stated that there are no grounds for the application of Article 11 of the Expropriation Act, which prescribes that the remaining part of the real estate can be expropriated upon the owner's request if established that the owner has no economic interest in using the remaining part of the plot when a part of the real estate is expropriated, it is to say, if the expropriation disabled or significantly aggravated his former existence in the remaining part, or he cannot put the remaining part of the real estate into normal exploitation.

In line with the aforementioned, on 24.04.2017, the Republic Administration for Geodetic and Property and Legal Affairs Bijeljina issued a Decision on adoption of the proposal submitted by the Republika Srpska General Attorney's Office on the complete expropriation of real estates u for the purpose of developing the lower Janja
water course from the confluence with the Drina river in accordance with the Decision on public interest declaration (RS Official Gazette, No. 111/15) in the plot number 2392.

The owner of the plot was provided with a possibility to appeal the Decision issued by the RAGPLA RO Bijeljina within 15 days as of the receipt thereof.

On 10 May 2017, the owner of plot 2392 appealed the Decision of the first instance body RAGPLA RO Bijeljina through the attorney's office Muhić i dr. in Tuzla; this appeal cited amendments to the design solution and dislocation of the expropriation line to the other right Janja river bank as the essential request.

On 24 May 2017, the Designer, i.e. Zavod za vodoprivredu d.o.o. Bijeljina, issued an Opinion of the mentioned Appeal to the City Administration of the City of Bijeljina; this opinion stated that after a new analysis of project documentation and the insight in the facts in the field, by abiding by good engineering practices, it was established that there is no possibility of further movement of the expropriation line towards the right Janja river bank.

Based on the delivered Opinion and Expert findings, the City of - Republika Srpska Attorney General's Office, Seat of the deputy in Bijeljina delivered a Response to the appeal; this response stated that the request of the Owner had no expert basis and the dismissal of subject appeal as ill-founded was proposed.

On 21 June 2017, the second-instance body of RAGPLA RO Banja Luka issued a decision to dismiss the appeal as ill-founded. The mentioned Decision stated that the real estate's owner is entitled to fair compensation that shall be determined in a special procedure after this Decision is rendered irrevocable. It also states that the expropriation beneficiary (Republika Srpska) acquires the right to possession of expropriated real estates as of the day this Decision is rendered irrevocable.

PLOTS 2388 and 2389 (the procedure was joined because the owners of both plots are the same, in the plot number 2388 only 3.00 sq m of land is expropriated)

On 17.03.2017, an Oral public debate was conducted in the subject of complete expropriation of real estates in plots 2388 and 2389, which was attended by: Deputy Attorney General of the Republika Srpska - Seat of the deputy in Bijeljina, authorised representative of the expropriation beneficiary, real estate's owner together with the authorised person (attorney), representative of the JP "Direkcija za razvoj i izgradnju grada" d.o.o. (PC Directorate for City Development and Construction LLC) Bijeljina (a real estate value assessor), representatives of the Designer (Zavod za vodoprivredu d.o.o. Bijeljina), after the final amendments to the Expropriation report and maximum possible acceptance of the Request of plot's owner for dislocation of the expropriation line without jeopardising other facilities in the littoral zone. In the oral debate, the owner declared that he is opposed to the procedure of expropriation because the expropriation violates the wholeness of the facility and reduces his livelihood quality at the subject location. Since the owner said he is opposed to the expropriation procedure, he issued no declaration relating to the application of Article 11 of the Expropriation Act, i.e. he did not request the expropriation of the entire plot.

In the mentioned oral public debate the Designer, on behalf of Zavod za vodoprivredu d.o.o. Bijeljina, declared that the expropriation line was maximally moved in favour of the owner, and that there is no possibility of further dislocation of the expropriation line towards the right Janja river bank from the professional aspect, since the technical standards applicable in the designing must be abided by, and because of the already constructed facilities in that part of the settlement of Janja.

In line with the aforementioned, on 20.03.2017, the Republic Administration for Geodetic and Property and Legal Affairs Bijeljina issued a Decision on adoption of the proposal submitted by the Republika Srpska General Attorney's Office on the complete expropriation of real estates u for the purpose of developing the lower Janja water course from the confluence with the Drina river in accordance with the Decision on public interest declaration (RS Official Gazette, No. 111/15) in plots 2388 and 2389.

The owner of the plot was provided with a possibility to appeal the Decision issued by the RAGPLA RO Bijeljina within 15 days as of the receipt thereof.

On 7 April 2017, the owner of the subject plots appealed the Decision of the first instance body RAGPLA RO Bijeljina through the attorney's office Muhić i dr. in Tuzla; this appeal cited amendments to the design solution and dislocation of the expropriation line to the other right Janja river bank as the essential request. On 23.05.2017, the RAGPLA received additional annexes to the already submitted appeal; this is the Findings and opinion of a court expert Mirsad Izić with photographs of the location.

On 24 May 2017, the Designer, i.e. Zavod za vodoprivredu d.o.o. Bijeljina, issued an Opinion to the City Administration of the City of Bijeljina; this opinion stated that after a new analysis of project documentation and the
insight in the facts in the field, by abiding by good engineering practices, it was established that there is no possibility of further movement of the expropriation line towards the right Janja river bank.

Based on the delivered Opinion, the City of Bijeljina - Republika Srpska Attorney General's Office, Seat of the deputy in Bijeljina delivered a Response to the appeal; this response stated that the requests of the Owner had no expert basis and the dismissal of subject appeal as ill-founded was proposed.

On 21 June 2017, the second-instance body of RAGPLA RO Banja Luka issued a decision to dismiss the appeal as ill-founded. It was particularly pointed out that the part of the plot that is partially expropriated lies within the borders of water resources, i.e. in the ownership of the expropriation beneficiary (Republika Srpska), which was illegally entered by the plaintiff. The mentioned Decision stated that the real estate's owner is entitled to fair compensation that shall be determined in a special procedure after this Decision is rendered irrevocable. It also states that the expropriation beneficiary (Republika Srpska) acquires the right to possession of expropriated real estates as of the day this Decision is rendered irrevocable.

In line with the Dispute resolution mechanism, the owners of subject plots can instigate an administrative litigation by submitting a lawsuit with a relevant District court with territorial jurisdiction within 30 days as of the receipt of the above-mentioned Decisions.

The following table provides a tabular overview of the data relating to the three plots located in the coverage of this RAP, for which property and legal issues have not been resolved yet, with an overview of the right to compensation and implemented activities.
<table>
<thead>
<tr>
<th>CRP. CLASS</th>
<th>Area before division</th>
<th>Area left to the owner</th>
<th>AREA THAT IS EXPROPRIATED</th>
<th>% OF THE AREA THAT IS EXPROPRIATED FROM THE TOTAL AREA</th>
<th>VALUE ASSESSMENT (KBO)</th>
<th>IS THE OWNER ENTITLED TO COMPENSATION?</th>
<th>RIGHT TO COMPENSATIONS</th>
<th>COMMENT</th>
<th>OWNER’S REQUEST</th>
<th>ESTABLISHED FACTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plough land</td>
<td>2004</td>
<td>859</td>
<td>1145</td>
<td>57.14%</td>
<td>BAM 30,013.00</td>
<td>Compensation for a registered agricultural plot or Cash compensation according to the market value for the agricultural plot</td>
<td>1. The owner does not want a substitute agricultural plot, hence he has been offered cash compensation according to the market value for the agricultural plot</td>
<td>Submitted complain</td>
<td>1. Complainant's request is dismissed due to the delivered Expert opinion of the Designer, which points out that the project solution defined by the Main design is the only acceptable solution given the specific qualities of the Janja river bed and that there is no possibility of local deviation - dislocation of the alignment towards opposite (right) bank only in the zone of the mentioned plot, because that dislocation would have to start and end significantly upstream and downstream from the mentioned deviation on both banks, which would cause a collision with a significantly higher number of facilities in the littoral zone.</td>
<td></td>
</tr>
<tr>
<td>Outbuilding summer house</td>
<td>16</td>
<td>0</td>
<td>16</td>
<td>100.00%</td>
<td>BAM 5,600.00</td>
<td>Compensation for illegally constructed non-residential facilities on the registered land or Cash compensation at a market value for a facility to the facility’s owner</td>
<td>2. The owner has been offered adequate cash compensation for the facilities according to the market value</td>
<td>Submitted complain</td>
<td>2. Being unable to change the project solution, the complainant seeks the application of Article 11 of the Expropriation Act, this Article prescribes that upon an owner’s request, the remaining part of the real estate can be expropriated, if it is to say that the expropriation has significantly64 aggregated his former existence or disables the owner to put the remaining part of the real estate to normal exploitation</td>
<td></td>
</tr>
<tr>
<td>Outbuilding masting facility</td>
<td>6.12</td>
<td>0</td>
<td>6.12</td>
<td>100.00%</td>
<td>BAM 3,240.00</td>
<td>Compensation for illegally constructed non-residential facilities on the registered land or Cash compensation at a market value for a facility to the facility’s owner</td>
<td>2. The owner has been offered adequate cash compensation for the facilities according to the market value</td>
<td>Submitted complain</td>
<td>1. Complainant's request is dismissed due to the delivered Expert opinion of the Designer, which points out that the project solution defined by the Main design is the only acceptable solution given the specific qualities of the Janja river bed and that there is no possibility of local deviation - dislocation of the alignment towards opposite (right) bank only in the zone of the mentioned plot, because that dislocation would have to start and end significantly upstream and downstream from the mentioned deviation on both banks, which would cause a collision with a significantly higher number of facilities in the littoral zone.</td>
<td></td>
</tr>
<tr>
<td>yard</td>
<td>282</td>
<td>279</td>
<td>3</td>
<td>1.06%</td>
<td>BAM 54.00</td>
<td>Compensation for registered land or Cash compensation according to the market value, i.e. full value for the plot</td>
<td>1. The owner has been offered cash compensation according to the market value for the subject plot</td>
<td>Submitted complain</td>
<td>1. The complainant seeks the amendments to the project solution and designing the alignment towards the other bank</td>
<td></td>
</tr>
<tr>
<td>Wrought fence 17 m</td>
<td>17</td>
<td>0</td>
<td>17 metres</td>
<td>100.00%</td>
<td>BAM 2,550.00</td>
<td>Registered non-residential facility or Cash compensation to the owner of a facility for buildings on the registered land</td>
<td>3. The owner of a structure (wrought fence) has been offered adequate cash compensation according to the market value</td>
<td>Submitted complain</td>
<td>1. Complainant's request is dismissed due to the delivered Expert opinion of the Designer, which points out that the project solution defined by the Main design is the only acceptable solution given the specific qualities of the Janja river bed and that there is no possibility of local deviation - dislocation of the alignment towards opposite (right) bank only in the zone of the mentioned plot, because that dislocation would have to start and end significantly upstream and downstream from the mentioned deviation on both banks, which would cause a collision with a significantly higher number of facilities in the littoral zone.</td>
<td></td>
</tr>
</tbody>
</table>

2. It was established that subject to expropriation is land in an area of 1,145 sq.m, of which about 560 sq.m is used as yard, where 2 illegally constructed outbuildings with a total area of 22.12 sq.m are located; these outbuildings consist of an outbuilding - a summer house with an area of 16 sq.m and an outbuilding - a roasting facility with an area of 6.12 sq.m, whereas the remaining part of land is used as orchard. According to the assessment of PC Directorate for City Development and Construction LLC Bijeljina, opinion was issued that the subject expropriation does not jeopardize the functioning of the illegally constructed facility since it has been provided with access and the neighbouring plots can be used as yard, hence there is no ground for the application of Article 11 of the Expropriation Act.

3. It was established that subject to expropriation is 2nd class plough land with an area of 53 sq.m and land with an area of 3 sq.m owned by one natural person with 1/1 ownership. Total area of the plot 560 sq.m in the form of yard is 282 sq m, of which 3 sq.m (1.06 %) are expropriated.
A review of the procedure conducted so far, insight into the existing documentation, Decisions, expert findings, Designer's Opinions, submitted complaints and responses and Decisions issued at the end, established that the procedure conducted for three plots with unresolved property and legal issues was conducted in line with OP 4.12, as shown in the following table.

<table>
<thead>
<tr>
<th>Plot number</th>
<th>OP 4.12 requirement</th>
<th>Was the request abided by</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>2388</td>
<td>Provision of information and documents to all project-affected persons, communities, and organisation of public meetings</td>
<td>✓ YES</td>
<td>City Administration of the City of Bijeljina-Department for property and legal affairs of the City of Bijeljina-Republika Srpska General Attorney's Office-seat of the deputy in Bijeljina, Republic Administration for Geodetic and Property and Legal Affairs, RO Bijeljina, Republic Administration for Geodetic and Property and Legal Affairs, RO Banja Luka.</td>
</tr>
<tr>
<td>2389</td>
<td>Provision of legal assistance with an overview of possibilities of lodging a complaint</td>
<td>✓ YES</td>
<td>City Administration of the City of Bijeljina-Department for property and legal affairs of the City of Bijeljina-Republika Srpska General Attorney's Office-seat of the deputy in Bijeljina.</td>
</tr>
<tr>
<td>2392</td>
<td>Conducting individual and group consultative activities</td>
<td>✓ YES</td>
<td>City Administration of the City of Bijeljina-Department for property and legal affairs of the City of Bijeljina, Office for coordination of local communities in the city administration, Janja local community.</td>
</tr>
<tr>
<td></td>
<td>Direct communication with owners and users; paying them visits</td>
<td>✓ YES</td>
<td>City Administration of the City of Bijeljina-Department for property and legal affairs of the City of Bijeljina, Office for coordination of local communities in the city administration, Janja local community.</td>
</tr>
<tr>
<td></td>
<td>Assessment of property for purchase</td>
<td>✓ YES</td>
<td>Directorate for City Development and Construction LLC Bijeljina, Independent court experts for property assessment.</td>
</tr>
<tr>
<td></td>
<td>Property expropriation in case no agreements were entered into in the preliminary procedure</td>
<td>✓ YES</td>
<td>Republic Administration for Geodetic and Property and Legal Affairs, RO Bijeljina.</td>
</tr>
<tr>
<td></td>
<td>Complaint/appeal management</td>
<td>✓ YES</td>
<td>City Administration of the City of Bijeljina-Department for property and legal affairs of the City of Bijeljina-Republika Srpska General Attorney's Office-seat of the deputy in Bijeljina, Republic Administration for Geodetic and Property and Legal Affairs, RO Bijeljina, Republic Administration for Geodetic and Property and Legal Affairs, RO Banja Luka.</td>
</tr>
<tr>
<td></td>
<td>Payment of / securing the compensation (compensation secured by a payable bank guarantee with Pavlović bank)</td>
<td>✓ YES</td>
<td>City Administration of the City of Bijeljina-Department for residential and communal affairs and environmental protection.</td>
</tr>
<tr>
<td></td>
<td>Providing assistance in resettlement (no resettlement shall occur, plots' owners are not beneficiaries of social welfare, they do not belong to existentially vulnerable categories nor are they persons with disabilities etc.)</td>
<td>✓ YES</td>
<td>City Administration of the City of Bijeljina-Department for veterans' and disabled persons' and civil protection, PI Social Work Centre in the City of Bijeljina.</td>
</tr>
<tr>
<td></td>
<td>Monitoring the land purchase procedure</td>
<td>✓ YES</td>
<td>City Administration of the City of Bijeljina-Department for property and legal affairs of the City of Bijeljina-Republika Srpska General Attorney's Office-seat of the deputy in Bijeljina, Republic Administration for Geodetic and Property and Legal Affairs, RO Bijeljina, Directorate for City Development and Construction LLC Bijeljina.</td>
</tr>
<tr>
<td></td>
<td>Registration of land/facilities in favour of the expropriation</td>
<td>✓ YES</td>
<td>City Administration of the City of Bijeljina-Department for property and legal affairs of the City of Bijeljina-Republika Srpska General Attorney's Office-seat of the deputy in Bijeljina.</td>
</tr>
<tr>
<td>beneficiary (Republika Srpska) registered in favour of the RS)</td>
<td>Republic Administration for Geodetic and Property and Legal Affairs, RO Bijeljina</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Closing the case and verification of status (the procedure has not ended yet, the property has not been registered in favour of the RS)</td>
<td>City Administration of the City of Bijeljina-Department for property and legal affairs of the City of Bijeljina-Republika Srpska General Attorney's Office-seat of the deputy in Bijeljina</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
XV. INSTITUTIONAL ARRANGEMENT

15.1. Introduction

Institutional framework is a system of state institutions, bodies and organizations that, in accordance with the law and other regulations, have certain competencies, i.e. obligations and authorizations to take appropriate measures, and conduct the activities and concrete procedures for making a decision on issues that are relevant to the construction of protection dyke in the city of Bijeljina project within the Drina river flood protection project in BiH, a Janja river regulation section in a length of 1.8 km.

15.1.1. The Government of the Republika Srpska

In line with the valid legislation in the Republika Srpska and BiH, the Government of the Republika Srpska plays a crucial role in the implementation of the construction of a protection dyke in the City of Bijeljina project under the Drina river flood protection project in BiH, a Janja river regulation section in a length of 1.8 km.

Namely, the Land Expropriation Act prescribes the criteria, methods and procedure of real estate expropriation for the construction of facilities and structures of public interest, it is to say the execution of works of public interest; and the emphasis is put on abiding by the principle of fair compensation that cannot be lower than the market value in case of expropriation, it is to say if the ownership over real estates is dispossessed or restricted.

A decision to declare public interest for the construction of a facility or execution of works based on a submitted proposal of the expropriation beneficiary is issued by the Government of the Republika Srpska after a previously obtained opinion of the assembly of local government in whose territory the construction or works execution is planned in line with the appropriate planning document.

The Assembly of a local self-management unit is obliged to issue an opinion within 30 days as of the request submission date.

The Decision on declaring public interest is published in the Republika Srpska Official Gazette.

15.1.2. Republic Administration for Geodetic and Property Legal Affairs

The Republic Administration for Geodetic and Property-Legal Affairs is an independent republic administration whose seat and role are prescribed by the Law on Law on Republic Administration (Republika Srpska Official Gazette, Nos. 118/08 and 74/10), which also performs other expert activities relating to:

- survey and establishment of the cadastre of immovables,
- restoration of the survey and the cadastre of immovables,
- maintenance of the cadastre of the survey and immovables, cadastre of communal devices except for the activities that were transferred to the jurisdiction of local self-management units ex lege,
- cadastral classification and land capability evaluation of land,
- mapping of the Republic’s territory,
- keeping the technical archives of original plans and maps, basic geodetic papers,
- expert supervision over the affairs of survey and cadastre of immovables, cadastre of land, cadastre of communal devices,
- land consolidation and land survey for special needs,
- property-legal and other proprietary relations relating to state-owned real estates,
- property-legal relations relating to land and buildings, expropiation, usurpation, agrarian relations, termination of state ownership,
- establishment of earlier property and legal relations on the state-owned land -denationalisation,
- registers of real estates and rights to real estates,
- property and legal affairs relating to real estates that are at disposal of the Republic,
Activities in accordance with the Law in the territory of the City of Bijeljina are performed by the Regional office of the Republic Administration for Geodetic and Property Legal Affairs in Bijeljina.

15.1.3. Bijeljina city

According to the Law on the City of Bijeljina (Republika Srpska Official Gazette, No. 70/12), which regulates the area, competences, bodies and funds of the City, the area of the City of Bijeljina consists of inhabited areas that made the area of the City of Bijeljina.

The City of Bijeljina is a territorial unit of local government in which citizens participate in achieving their common interests, directly and through their freely and democratically elected representatives (Statute of the City of Bijeljina).

Project funding structure is defined within the Feasibility study developed under this project, in a way that the national contribution, at the local level, i.e. the share of the City of Bijeljina, is related to land acquisition investments (expropriation costs) along the dyke alignment, which is privately owned. All other activities, construction works in the project implementation and the costs of studies, investigations, designs, supervision and project management would be funded from the World Bank's (IDA) loan.

15.1.4. Other bodies, organizations and agencies

The Republic Administration for Geodetic and Property Affairs of the Republika Srpska - Bijeljina Regional Office holds the jurisdiction to conduct the expropriation procedure and the settlement of compensation for expropriated property.

A decision of the Bijeljina Regional Office of may be appealed to the Republic Administration for Geodetic and Property Affairs of the Republika Srpska.

The legality of a decision issued by this body can be assessed in an administrative litigation, after a lawsuit has been filed; the District Court in Bijeljina has jurisdiction over this case.

The issue of compensation for expropriated property may be settled by the parties before the Republic Administration for Geodetic and Property Affairs of the Republika Srpska - Bijeljina Regional Office; if an agreement on the amount of compensation is not reached, the Basic Court in Bijeljina will make a decision. Appeals to a decision of this court can be submitted to the District Court in Bijeljina.

Second-instance court decisions can be examined in the procedure conducted based on a review request; in this case, the Supreme Court of the Republika Srpska has jurisdiction.

In addition to the above listed institutions and bodies, given the specific requirements contained in the World Bank's Operational Policy OP 4.12, the Ministry of Health and Social Welfare of the Republika Srpska and the municipal service and social work centre also appear as competent to resolve these issues.

The municipal spatial planning department is competent to resolve the procedures for legalisation of illegally built facilities, as well as the Ministry of Spatial Planning, Civil Engineering and Ecology of the Republika Srpska.

Public Institution Vode Srpske Bijeljina has significant competence. Namely, the segment of water protection and water protection system maintenance is under the jurisdiction of the Public Institution Vode Srpske Bijeljina, which has the status of a legal person in the water sector, and is under the supervision of the Ministry of Agriculture, Forestry and Water Management of the Republika Srpska.
With regard to forests, in addition to the Ministry of Agriculture, Forestry and Water Management of the Republika Srpska, significant authorizations in terms of management and exploitation were granted by law to the Public Forestry Company Šume Republike Srpske Forests JSC Sokolac.

In accordance with the World Bank's Operational Policy OP 4.12, special attention should be given to women and respect for gender equality. In this regard, during the period of consultation and the elaboration of a detailed Resettlement Action Plan, significant attention will be dedicated to women's associations registered and operating in the territory of the City of Bijeljina.

Therefore, the institutional framework related to and important for the Construction of a protection dyke on the left Drina bank Project, from Balatun upstream to Glavičice, together with the aforementioned institutions, agencies and bodies, and their competencies prescribed by the law provides a possibility of conducting procedures, taking appropriate measures, thus solving problems and tasks, and realization of the goals set by this Project.
XVI. CONSULTATION AND PARTICIPATION

16.1. Introduction

Consultation and participation is a process through which the public and stakeholders have an opportunity to influence the flow of a project in a way that they express their opinions and suggestions that can be adopted, which relate to them personally; that is, in this case, first of all compensation for land and resettlement. The World Bank's policy and requirements of the Operational Policy OP 4.12 pay great attention to public participation with the aim of involving the community in the design and implementation of environmentally and socially most acceptable solutions.

The aim of these consultations is to ensure the participation, consultation and information of vulnerable persons and other stakeholders, in the process of preparing a resettlement plan, as well as reducing the public's resistance to changes, and mitigating and reducing the potential negative impacts of the project on people. It can be concluded that the preparation of a resettlement plan and land acquisition requires consultation of the public, especially the vulnerable population and communities, in order to respect their views, interests and aspirations for the realization of the construction of a protection dyke in the City of Bijeljina project.

16.2. Public debate and consultations

- Elaboration of the Expropriation report and Public insight

All possessors of plots that are within the expropriation line were notified of the planned project by the Office for coordination of local communities in the city administration of the City of Bijeljina in the field for the needs of elaboration of an expropriation report 10 days after the initiation of the expropriation report elaboration.

After an Expropriation report was elaborated, it was delivered to the City Administration of the City of Bijeljina, and plot owners were notified through an advertisement published in daily newspapers of subjecting the Expropriation report to public insight, notably 8 days before the commencement of public insight. The Report incorporated framework assessments.

The Expropriation report was subject to Public insight in duration of 15 days in a period from 20.11.2015 to 10.12.2015 at the premises of the Janja local community, in whose territory expropriation was conducted.

Representatives of the City Administration in the City of Bijeljina - Office for coordination of local communities in charge of the Janja Local Community called personally and by phone the owners of real estates to visit the premises of the Local Community in order to have an insight into the Report.

If the owners of plots could not get necessary information at the Local Community they visited the City Administration - Department for property and legal affairs, where a surveyor, as a technical person, showed the coverage of expropriation (area, width and length) in more detail in graphic annexes to the Expropriation report, it is to say provided them with detailed information on plots or parts of plots and facilities that are subject to expropriation.

The authorised representative in the City Administration of the City of Bijeljina - Department for property and legal affairs of the City of Bijeljina personally provided all owners of plots with detailed information on the expropriation procedure that will be conducted by the Republic Administration for Geodetic and Property and Legal Affairs, Regional Office in Bijeljina; the owners were also notified in detail of their rights to which they are entitled in lien with the valid laws and policies, as well as of the established Dispute resolution mechanism, i.e. legal possibilities that they have with regard to land, property and facilities within the expropriation line.
All owners of plots were instructed to address the designer and investor with their questions relating to the dyke construction, which simultaneously provided the respect for the engineering practice, but also respect for the affected persons and their dilemmas relating to the very project and defined alignment, i.e. expropriation line.

- Public debate and consultative meeting relating to the Expropriation report

On 30.11.2015, a meeting was conducted in Local Community Janja and all owners of plots located in the expropriation strip for the Janja river bed development were invited. The meeting was also attended by representatives of the investor, of the designer, of the assessor and representatives of the City Administration together with Mayor.

In the meeting were stated general remarks in terms that the project should be located more toward the other Janja river bank (depending on which side are located the real estates of the interested possessor), and that the bed should have deepened more, and that the expropriation strip should widen to a lesser extent. Responses to the remarks of the present possessors were issued immediately. A response to this remark was issued by the designer from the expert aspect.

There were no written remarks.

After the public insight and remarks issued in the Public debate, the investor and designer were requested to issue opinion whether the expropriation strip can change at locations where the affected facilities are located. In cases where a positive opinion was issued, the expropriation strip was changed (mostly corners of residential facilities, transformer stations) and the Expropriation report as well.

- Elaboration of a final Expropriation report and issuance of a Decision on public interest declaration

Based on the developed Expropriation report the Expropriation beneficiary (Republika Srpska) submitted a proposal for declaration of Public interest, and a Decision on determination of public interest in plots that are comprised by the expropriation line for the Janja river regulation in a length of 1.8 km was issued on 16.12.2015 and published in the Republika Srpska Official Gazette, No. 111/15.

- Submission of the expropriation proposal and official notification of plot owners of the expropriation procedure

After the determined Public interest, a proposal for expropriation was submitted to the Republic Administration for Geodetic and Property and Legal Affairs, RO Bijeljina along with evidence that required funds were secured and deposited at a bank in an amount approximately necessary for payment of compensations for real estates that were proposed for expropriation, and expropriation procedure costs.

After the receipt of the expropriation proposal, the Republic Administration for Geodetic and Property and Legal Affairs in the City of Bijeljina, ex officio without delay, notified the plot owners that a proposal for the expropriation of their real estates was submitted in early April 2016.

- Entering into agreements in the preliminary procedure

Of the total number of 112 privately owned plots, in a period form 25 April to the end of June 2016, an agreement was entered into for a total of 100 plots in the preliminary procedure, i.e. an Agreement for compensation for real estates (land and/or facilities) before the Republic Administration for Geodetic and Property and Legal Affairs, Regional Office Bijeljina according to the Expropriation Act of the Republika Srpska. After entering into an agreement, the RAGPLA RO Bijeljina issued Decisions on real estate
expropriation (land and/or facilities) which were rendered irrevocable, meaning no appeals were submitted. The payment of funds was done within 15 days as of the day of entering into agreement.

- Entering into possession as of the day of compensation payment

For 9 privately owned plots in the coverage of the Janja river regulation project in a length of 1.8 km the procedure for entering into possession was instigated since the their owners reside at unknown addresses, i.e. a temporary proxy (attorney) in 9 plots was appointed in line with Article 33 of the Expropriation Act of the Republika Srpska. Article 33 of the Expropriation Act prescribes that the Expropriation beneficiary acquires the right to possession over expropriated real states as of the day a decision on expropriation is rendered irrevocable, provided that the Expropriation beneficiary paid the previous owner the compensation for expropriated real estates by that day, i.e. transferred into possession other adequate real estate; otherwise on the day of compensation payment, i.e. transfer of other adequate real estate into possession, unless the previous owner and the Expropriation beneficiary reach a different agreement. Exceptionally, when it comes to the construction of infrastructure structures, the Government can, upon a request of the Expropriation beneficiary, decide to transfer the real estate to the Expropriation beneficiary after the irrevocability of the expropriation decision provided that the Expropriation beneficiary submitted valid reasons to urgently enter into possession of real estates. This can be done if established the Expropriation beneficiary needs this due to a case of urgency or to prevent significant damages.

Invoking the aforesaid, on 13.02.2017, the Municipality of Bijeljina requested PC Directorate for City Development and Construction LLC Bijeljina to present the Minutes of the inspection at the location relating to the value of real estates that are subject to expropriation - early entrance into possession in the coverage of the Janja river regulation in a length of 1.8 km, so that in line with Article 33 of the Expropriation Act the Municipality could request the Government of the RS to grant entrance into possession of the expropriated real estates before the decision is rendered irrevocable, i.e. on the day of compensation payment.

In line with the Expropriation Act, the funds were previously secured as per payable guarantee number: 0011-431/16 dated 25.02.2016, issued by Pavlović International bank A.D. Slobomir Bijeljina in an amount of 500,000.00 KM.

Also, before the issuance of a Decision, evidence of the state and value of the expropriated real estates (findings and opinion of experts as well as other relevant evidence relating to the assessment of the value of expropriated real estates) were provided.

After the irrevocability of the decision on expropriation, entrance into possession was requested from the Government of the RS through the Attorney General's Office.

The Government of the RS was requested to issue a decision on entering into possession for all possessors who were appointed temporary proxy because their residence was unknown; the Government issued this decision on 15.06.2017. There were no appeals for the mentioned 9 plots.

- Plots with unresolved property and legal issues

Cases of owners of 3 plots where no agreement was reached after the previously conducted procedure of consultations, notification and attempt to enter into agreements in the preliminary procedure were submitted by the RAGPLA RO Bijeljina to the Court to determine compensation.

In three plots that are located in the coverage of this RAP, decisions of the Republic Administration for Geodetic and Property and Legal Affairs Regional Office Bijeljina were appealed. For three contested plots were issued expropriation decisions. Republic Administration for Geodetic and Property and Legal Affairs Banja Luka, as a second-instance body dismissed both appeals of owners by decisions issued on
21.06.2017. Republic Administration for Geodetic and Property and Legal Affairs Regional Office Bijeljina has still not notified the City of Bijeljina where the owners have instigated an administrative litigation.

After this RAP was approved by the representatives of the World Bank, the document was subjected to public insight that lasted from 13.09.2017 to 3.10.2017. Public presentation and public debate in which all project-affected persons were able to state their opinion and viewpoints was held on 27.09.2017 at 11:00 hours. The minutes and list of attendees of the conducted public debate are enclosed with this document (Annex 5).

16.3. Future consultation and public participation

The Municipality of Bijeljina is proposed to appoint an official to liaise with the community, who will be in charge of consultation with vulnerable persons, as well as for communication with the representatives of local communities. Prior to the project implementation commencement, all affected groups shall be notified of the Project coverage and contact information based on which the mentioned groups can get additional information.

Authorised representatives of the City of Bijeljina and of the Agriculture Project Coordination Unit APCU shall conduct consultations prior to the commencement of works as well as during the execution of works in the regulation of a 1.8 km long Janja river section; they will also be available for the resolution of possible existing or newly generated issues with the project-affected persons.

Meetings in local communities will be held as needed from the commencement to the completion of the Project implementation. With regard to resettlement and expropriation, all affected families will be invited to individual meetings for the purpose of direct consultations when the process of resettlement and expropriation officially begins.

Before the process start, a plan of meetings / consultations with directly affected persons will be prepared; this plan will include contact information and schedule of meetings so that vulnerable persons can be informed in advance about the schedule of meetings. Special attention will be paid to ensuring the participation of women in consultations, especially in those households where women are the head of the family.

All interested parties will be informed of the exact date, time and place of the public consultation meeting at least 7 days in advance.
XVII. COMPLAINT MECHANISM

17.1. Objectives

The complaint mechanism will be established to allow vulnerable persons to file an appeal to any decision regarding the temporary or permanent loss of land, property or source of income and the definition of remuneration for the same, in accordance with the World Bank's Operational Policy OP 4.12. Involuntary resettlement, as well as in line with relevant domestic legislation. This primarily refers to the Expropriation Act, which defines all steps in the expropriation procedure, and in relation to the Expropriation Act, the appellate procedure is conducted according to the General Administrative Procedure Act.

In line with the legislation, the first step is to acquire an opinion of the assembly of a local self-management unit, in whose territory the construction or works execution are planned in line with an adequate planning document (the Assembly of a local self-management unit is obliged to issue an opinion within 30 days as of the request submission date). After the opinion is acquired, the beneficiary of expropriation, in this case the Republika Srpska, is obliged to develop an expropriation plan in line with the spatial plan based on and in line with the spatial development requirements. After this requirement has been met the Government of the Republika Srpska issues a Decision on declaring public interest for the construction of a structure or execution of works based on a submitted proposal of the expropriation beneficiary.

A proposal for the declaration of public interest for expropriation is submitted by a person who can be an expropriation beneficiary in line with the provisions of the Expropriation Act, via a body of the Republic Administration for Property-Legal Affairs, RO Bijeljina; the expropriation report is enclosed therewith. After the declaration of public interest for the construction of a structure or execution of works, a proposal for expropriation is submitted by the Republika Srpska Attorney General's Office to a body for property and legal affairs, RO Bijeljina.

Phase 1 - Agreement in the preliminary proceeding
After establishing the general interest with the client, a compensation agreement can be reached, whereby the record of the agreement is formed as evidence that the beneficiary of the expropriation previously settled the issue of acquiring the ownership right on a particular real estate with the owner of the real estate (written offer, public advertisement, sale, etc.). If Phase 1 does not come to an agreement with the party in the preliminary proceeding, reasons are given for not agreeing, and the person affected by the project will have the opportunity to formally file a complaint and use their rights in the Phase 2.

Phase 2: - Appellate mechanism
A proposal for expropriation is submitted by the Republika Srpska Attorney General's Office to a body of the Republic Administration for Property-Legal Affairs, RO Bijeljina after public interest was established for the construction of structures or execution of works, the following documents must be submitted the expropriation proposal:

a) evidence of the established public interest for the construction of structures or execution of works (a document of public interest establishment, extract from the regulation plan or town planning project);
b) extracts from land registers and other public registers where the ownership over real estates is registered; it also contains data on a real estate proposed for expropriation, i.e. cadastral and other data if such registers do not exist;
v) evidence (report of the agreement) that the expropriation beneficiary and the real estate owner have tried to agreeably solve the issue of acquiring ownership over certain real estate in some other way (a written offer, public notice, purchase, waiver with compensation etc.);
g) evidence that necessary funds were provided and deposited at a bank in an amount that is approximately sufficient for compensations for real estates proposed for expropriation and the expropriation procedure costs, i.e. evidence that other adequate real estate was provided.
After the reception of an expropriation proposal, the relevant body of administration, ex officio, notifies without delay the owner that an expropriation proposal was submitted with regard to their real estates, including a warning referred to in Article 56 of the Expropriation Act, which runs “Earlier owner is entitled to no compensation of costs for investment in land and buildings effected after he was informed in writing by a body of administration about the submitted expropriation proposal, except for the costs that were necessary for regular usage of the real estate”. Expropriation shall ex officio be registered in land and other public registers in which are registered data on real estates, which has no legal effect in relation to the expropriation beneficiary.

Expropriation beneficiary and real estate owner can reach an agreement before the body of administration until a Decision on the expropriation proposal is issued; this agreement shall have power of an enforceable document.
A Decision on the expropriation proposal is issued by the body of administration in whose territory the real estate proposed for expropriation is located; it is to say in this case the Republic Administration for Geodetic and Property-Legal Affairs, RO Bijeljina. Expropriation beneficiary acquires the right to expropriated real estate possession as of a date when the expropriation decision is rendered irrevocable if the earlier owner was paid compensation for the expropriated real estate, meaning transferred other adequate real estate into possession; or as of the compensation payment date, meaning transfer of other adequate real estate into possession unless the earlier owner and expropriation beneficiary reach other agreement.

An appeal to a decision on the expropriation proposal is permissible; the Republic Administration for Geodetic and Property-Legal Affairs issues a decision thereof. The appeal is submitted to the first-instance body that issued a decision on expropriation; a deadline to submit the appeal is 15 days. All appeals shall be addressed and resolved within a legal deadline of 30 days.

An administrative litigation can be instigated against a decision of second-instance body before the relevant court within 30 days as of the day this decision was received. An integral part of each decision is a legal remedy. If no agreement on compensation is reached within 2 months as of the date the expropriation decision was rendered irrevocable administration for geodetic and property-legal affairs shall deliver, without delay, an irrevocable expropriation decision with all documents to a competent court under whose jurisdiction the expropriated real estate is located.

If the Republic Administration for Geodetic and Property-Legal Affairs fails to act in line with aforesaid within a given deadline the earlier owner and expropriation beneficiary can directly address the relevant court in order to determine compensation.

With regard to the Expropriation Act, the appellate procedure is conducted in line with the General Administrative Procedure Act.

The relevant court conducts ex officio a non-contentious proceeding in order to issue a decision on the amount of compensation for the expropriated real estate; the procedure for determination of compensation for the expropriated real estate is urgent. The procedure must end as soon as possible, but at the latest within 30 days as of instigating the proceedings before the court.

A special appeal to a decision of the court relating to the compensation is permitted.

Procedures for the resolution of expropriation issues in phase 1 are a less formal tool for dispute resolution, which facilitates an AP and the project implementation team to resolve disputes without too many formal procedures, delays and obstacles. If the AP is not satisfied, the appellate mechanism should help them submit an appeal in line with procedures listed in Phase 2 (project-affected persons should be notified of their rights and obligations, rules and procedures in the appellate procedure, form of complaints, complaint submission conditions etc.) which shall be under the jurisdiction of the Consultant for monitoring of the RAP implementation in the consultations and close cooperation with the Department for property-legal affairs of the City of Bijeljina.

The dispute resolution mechanism resolves land and other issues relating to property acquisition (e.g. compensation amount, convenience of the remaining plots or part / parts of plots, loss of access roads etc.), as well as losses and damages inflicted by building works, e.g. temporary or permanent land occupation by the contractor. Thus, the dispute resolution mechanism shall be established as of the moment when the project implementation commences, where the Consultant for monitoring and follow-up of the RAP implementation will cooperate closely with the representative in the expropriation procedure on behalf of the expropriation beneficiary, meaning the Republika Srpska; the Republika Srpska Attorney General's Office shall issue a power of attorney to official representatives, i.e. legal experts employed with the Department of property-legal affairs in the City of Bijeljina for representation on behalf of the expropriation beneficiary.

Department of property-legal affairs in the City of Bijeljina, i.e. authorised representatives shall be available for negotiations and consultations with the APs from the project implementation commencement and they shall function until this project implementation ends.
Consultant for monitoring and follow-up of the RAP implementation shall introduce to and inform the APs in detail about the appellate mechanism, its functions, procedures, contact persons and rules for submission of appeals, both oral and written ones. As aspiration is to solve as many appeals in Phase 1 as possible in order to prevent appeals in Phase 2, which could be accomplished through active participation of project-affected persons, efficient consultations, adequate communication and coordination between the local community and local offices.

17.2. Appeal resolution jurisdiction

<table>
<thead>
<tr>
<th>PHASE</th>
<th>TYPE</th>
<th>JURISDICTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHASE 1</td>
<td>Agreement</td>
<td>Expropriation beneficiary (RS) and a real estate owner can reach an agreement before the administrative body until an expropriation decision is issued; this agreement has a power of an enforceable document.</td>
</tr>
<tr>
<td>PHASE 2</td>
<td>FIRST-INSTANCE APPEAL</td>
<td>An appeal to a decision of expropriation is permitted, the Republic Administration for Geodetic and Property-Legal Affairs issues a decision on this appeal;</td>
</tr>
<tr>
<td></td>
<td>SECOND-INSTANCE APPEAL</td>
<td>An administrative litigation can be instigated against a second-instance decision by submitting a lawsuit before a competent court within 30 days as of the receipt of this decision;</td>
</tr>
</tbody>
</table>

17.3. Complaint process

The person in charge of the RAP implementation, in accordance with the relevant legislation, regulations and appeal procedure, Official representatives authorised by the Republika Srpska Attorney General's Office to represent on behalf of the Republika Srpska as an expropriation beneficiary or employees of the legal profession employed in the Department of Property and Legal Affairs of the City of Bijeljina as well as the competent person(s) of the Republic Administration for Geodetic and Property Affairs will be in charge of resolving the complaints of the AP. Project-affected persons shall be notified in detail of the method of sending and addressing, it is to say submission of a complaint.

In other words, protection of owners’ rights, i.e. rights of users of real estates that are expropriated is provided in a two-instance administrative and court procedure, with a guaranteed right to appeal.

- An appeal to a decision on expropriation is permitted; it is resolved by the Republic Administration for Geodetic and Property-Legal Affairs;
- The appeal is submitted with the first-instance body that issued the decision on expropriation; a deadline to submit an appeal is 15 days;
- All appeals shall be responded to and processed within a law-prescribed deadline of 30 days;
- An administrative litigation may be instigated against a decision of a second instance body by a lawsuit before a relevant court within 30 days as of the date of receipt of the decision;
- The legal remedy is an integral part of any decision;
- If no compensation agreement is reached within two months as of the date of validity of a decision on expropriation, the Administration for Geodetic and Property-Legal Affairs will deliver, without delay, the irrevocable decision on expropriation with all the files to the competent court in whose territory the expropriated real estate is located;
- If the Republic Administration for Geodetic and Property-Legal Affairs fails to act within the given deadline, the previous owner and the expropriation beneficiary can directly contact the competent court for determining a compensation amount;
- In relation to the Expropriation Act, the appellate procedure is conducted according to the General Administrative Procedure Act;
- The competent court decides ex officio, in an extra-judicial procedure, on the amount of compensation for an expropriated real estate;
- The procedure for determining compensation for an expropriated property is urgent. The procedure must be completed as soon as possible, but no later than 30 days from the date of the initiation of the proceedings before the court,
- A special appeal to a court decision on determining compensation is allowed.

Appellate mechanism deals with issues of acquisition / occupation of land and other property. In line with the valid legislation and procedures of the World Bank, the appellate mechanism shall also function during the construction if damages were inflicted on property or land during construction.
XVIII. IMPLEMENTATION DYNAMICS

18.1. General

In large flood protection projects, especially those involving longer river sections, selecting phase dynamics of implementation is extremely important. This is especially important in the case of this project, which protects the areas of Semberija and Janja from the Drina river flood waters. The aim is to protect the most vulnerable areas, those that suffer the most extensive damage, in the first phase of protection realization. Unlike investments for other purposes, investment in flood protection is in full function immediately after completion. Flood protection structures foreseen by this project are also in full function immediately after the completion of each of the phases, so it is very important to choose the order of the phases, according to the criterion of maximum removed damage.

Since the protection dyke for the protection of Semberija and Janja from high waters is very long - 34.78 km, its construction is divided into three phases.

The first phase comprises a 9.97 km long section of the dyke from the junction with the right dyke of the main peripheral channel Seliste to the main road "Bijeljina - Badovinci". The second phase includes a 16.12 km long section from the main road "Bijeljina - Badovinci", upstream to the confluence with the Janja River, including the Janja River, in a length of 1.8 km that is the subject of this APP. The third phase includes a section of 8,668 km long from the confluence with the Janja River, upstream to Glavičice settlement.

It has been estimated that the works on the construction of the protective dyke in a Janja River regulation section will start at the confluence of the rivers Janja and Drina upstream to the bridge 1 and further upstream to the main road Bijeljina-Zvornik with a total length of 1.8 km in a period 2017-2018.

18.2. The dynamics of the implementation of the embankment construction project

According to the economic logic, the area protection measures should be directed to those dyke sections in which the investments will be the lowest and protection effects the largest. If this principle were applied in the construction of the left Drina dyke by stages, then the First phase should be done first, then the Second and the last Third phase.

However, a detailed analysis of the flood event in December 2010 in the area of Bijeljina, the following conclusions can be drawn:

- Floodwaters of the Drina river first flooded the Second and Third protection zones, it is to say areas from the main road Bijeljina – Badovinci (chainage 9+450.00), upstream to water intake structures of the Drina – Dašnica canal (chainage 25+500.00) and areas from the water intake structure of the Drina – Dašnica canal (chainage 25+500.00), upstream to the settlement of Glavičice (chainage 33+360.00), which belong to the settlement of Janja.
- Flood areas of the Second and Third protection zone were separated by the Drina-Dašnica canal (by the dyke along the canal on the left canal bank). Flood waters in the Third protection zone (the area of Janja) did not have impact on the flood water in the Second protection zone.
- Overflow of the flood wave on the left Drina bank to the area of the Second protection zone transformed the flood wave. The flood wave propagated northwards (along the main road Bijeljina – Badovinci) and westwards (along the main road Bijeljina – Sremska Rača).
- In the First protection zone, from the Seliste canal (chainage 0+000.00) upstream to the main road Bijeljina – Badovinci (chainage 9+450.00), in a length of 9.45 km, no direct overflow of the Drina river flood wave occurred. However, the First zone was flooded by overflow of the flood water from the Second protection zone by the penetration through the embankment of the main road Bijeljina – Badovinci. It can be considered that the overflow of flood waters from the Drina river bed into the First protection zone did not occur for a reason that the Drina River flood wave was transformed in the area of the Second and Third protection zones (flooded in December 2010), in the area from the main road Bijeljina – Badovinci upstream to the settlement of Glavičice.
The floods that occurred in 2010 and May 2014 are very instructive events and represent a sort of a physical model of flooding in that terrain in a scale 1:1. These events were immediately cartographically documented and studied from the aspect of genesis and direction of propagation of the flood wave. Bearing in mind this important fact - that the genesis and dynamism of the propagation of a flood wave in Semberija and Janja were already observed during floods in 2010 - the dynamics of the phase realization of the planned system should be based on an analysis of these phenomena. This analysis shows that, in the construction of the dyke by stages, the priority should be given to the construction of the Second stage, which includes a section of the main road Bijeljina – Badovinci (chainage 9+626.49), upstream to the Janja confluence (chainage 24+808.00), in a length of 15.182 km. Then, the construction of the First stage would follow, and ultimately the whole entire protection system would be completed by the construction of the Third stage.

All activities related to land acquisition and resettlement should be planned in such a way as to ensure the payment of compensation before resettlement and the commencement of the construction works on the dyke construction.

18.3. Approval of RAP and preparatory activities

After the preparation of a draft Resettlement action plan, it is sent to the World Bank for their approval; upon the approval by the WB, the document is presented to the public. After the public insight, a public debate is conducted, where all attendees can make their comments; these comments are then incorporated into the final version of the Resettlement Action Plan.

Thus, the activities of land acquisition and resettlement involve the following phases:
- Defining an institution that will be responsible for land acquisition and resettlement activities
- Elaboration of a draft RAP
- Public insight into the RAP
- Public debate on the RAP
- Elaboration of the final RAP in line with comments made in the public debate
- Entering into and signing contracts with the affected persons (for the remaining plots)
- Updating and amending the matrix of compensation and resettlement
- Approval of the RAP by the World Bank and the Ministry of Agriculture, Forestry and Water Management of the Republika Srpska/ Agriculture Project Coordination Unit

18.4. Implementation of RAP

The payment of compensations defined by the resettlement action plan shall start after all preparatory activities have been completed, notably:

i. Signing contracts with the affected persons (for the remaining plots and APs)
ii. Public debates and consultations
iii. Capacity building and training of the responsible for land acquisition and resettlement, vulnerable persons, AP and nongovernmental organisations
iv. Resolving all submitted complaints
v. Submission of compensation payment requests
vi. Transfer of compensations to a special account for vulnerable persons and registration of land in the land cadastre
vii. Moving the affected property
viii. Review of compliance and reporting
ix. Notification of the continuation of construction works on the dyke construction
x. Monitoring

18.5. RAP implementation timetable

The timetable for the implementation of the Resettlement Action Plan is directly related to the timetable, i.e. the dynamics of the implementation of the project for the construction of a defensive embankment in the City of Bijeljina
under the Drina flood protection project in BiH. According to the feasibility study for protection from the flood waters of the Drina River, the areas of Semberija and Janje, the City of Bijeljina, the phase dynamics of the realization of the mentioned project is foreseen. The objective of the phase realization is to protect the most vulnerable areas that suffer the most extensive damages as early as the first phase of protection realization.

Since the protection dyke for the protection of Semberija and Janja is very long - 34.78 km, its construction is divided into three phases. The first phase encompasses section 2 of the left Drina dyke, to which the section of the Janja River regulation, in a length of 1.8 km that is the subject of this RAP is connected.

Pursuant to the Expropriation Law, financial assets under the pay guarantee are provided: 0011-431 / 16 dated 25.02.2016, issued by Pavlović International bank A.D. Slobomir Bijeljina to an amount of 500,000.00 KM.
### Table 13, RAP implementation timetable

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<th>No.</th>
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<td>I II III IV V VI VII VIII IX X XI XII I II III IV V VI VII VIII IX</td>
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<tr>
<td>1</td>
<td>End of RAP survey/evaluation</td>
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<tr>
<td>2</td>
<td>Defining the institution responsible for land acquisition and resettlement activities</td>
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<tr>
<td>3</td>
<td>AP Consultation</td>
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<td>4</td>
<td>Draft RAP Finalized</td>
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<td>5</td>
<td>WB and APOC final review and approval</td>
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<td>6</td>
<td>RAP public review</td>
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<td>7</td>
<td>RAP public discussion</td>
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<tr>
<td>8</td>
<td>Preparation of final RAP in accordance with the comments from the public discussion</td>
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<tr>
<td>9</td>
<td>Approval of lands by Solidarity Fund for payment of fees</td>
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<tr>
<td>10</td>
<td>Contract awards signing with AP</td>
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<td>11</td>
<td>Transfer of budget to AP bank account</td>
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<td>Securing the bank guarantee for unresolved cases</td>
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<td>Grievance resolution</td>
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<td>14</td>
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</tr>
<tr>
<td>15</td>
<td>Note from WB to start civil works</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Start of physical construction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Internal monitoring</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>External monitoring</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
XIX. COSTS AND FINANCE

19.1. General

The estimated costs of land acquisition and resettlement under the resettlement plan include a fair remuneration for immovable property, resettlement compensation and support costs for land acquisition and resettlement (administrative costs). In addition, unforeseen costs may arise in a maximum amount of 10% of the total costs; the expropriation beneficiary is obliged to pay these costs as well.

The following costs were taken into consideration:
(i) Fair compensation for agricultural land (annual and perennial crops)
(ii) Fair compensation for business activity
(iii) Fair compensation for forest land
(iv) Fair compensation for buildings (residential and non-residential)
(v) Aid to the affected households
(vi) Aid to the affected persons
(vii) Resettlement Action Plan implementation costs.

According to the data from the existing Expropriation Study for the Janja River regulation section in a length of 1.8 km, which is the subject of this RAP made by Geomatic Bijeljina, the City of Bijeljina, then according to the data on the spent financial resources for the purchase of land (refers to all parcels that are purchased except for three parcels for which property-legal relations have not yet been resolved) and according to the findings on the determined market value of real estate-cadastral parcels for the remaining three parcels for which property legal relations have not yet been resolved, which was prepared by the Public Enterprise "Directorate for Construction and Development of the City" doo Bijeljina, spent funds for the purchase of land amount to KM 259 391.80, for the purchase of facilities amount to 184 406,00 KM, for loss of profits on agricultural parcels, 72 148.00 KM, which in the sum gives the amount of 515 946.00 KM.

This value shows the amount that, according to the estimation, should be allocated for the remaining three parcels for which property-legal relations have not yet been resolved and it amounts to 50 357.00 KM.

19.2. Detailed budget

The following chapters provide an overview of diverse types of compensations in terms of law-defined rights and the World Bank's Operational Policy OP 4.12, which are abided by when compensations are defined.

19.2.1. Land compensation

This implies the compensation for agricultural land (annual and perennial crops) located in the coverage of this project.

When it comes to a registered agricultural plot, the compensation can be provided through a substitute agricultural plot with a similar size and properties, or through cash compensation at market value. If the Project-affected part of subject plot is 10% or less of the total area of the agricultural plot, the option of a substitute plot will not be available. Only the option of cash compensation shall be available. If the remaining part of the plot is unusable after the expropriation of a part thereof, the owner is entitled to complete expropriation of the (entire) plot and compensation accordingly.

Cash compensation at market value for annual agricultural crops shall be available if the crops cannot be harvested within the given time period. In this case, cash compensation is given to the owner of crops if the owner has proof of lease relationship with the land owner, it is to say cash compensation is given to the land owner at market price.
When it comes to perennial agricultural crops, cash compensation at market value is given to the owner of agricultural crops if the owner has proof of lease relationship with the land owner, it is to say cash compensation is given to the land owner at market price.

If it comes to an agricultural plot registered in the name of other person (not in the name of the user), then the compensation can be provided: a) Cash compensation at market value for land to the land owner or their inheritors and b) Cash compensation for any improvements (development activities) to the owner of these improvements (applicable to irrigation or drainage structures, perennial plantations, facilities etc.).

Estimated fee for private land amounts 259 391,80 KM.

19.2.2. Facilities compensation

Facilities imply residential and non-residential facilities located in the project coverage. Compensation for facilities can be provided in two ways:

1. Resettlement with substitute real estates
   Substitute real estates, including residential plot with the similar size and properties, and a residential facility with the similar size and properties
2. Cash compensation
   Cash compensation for the plot and the facility according to the market, i.e. full value and compensation for moving costs.

In line with the World Bank's Operational Policy OP 4.12 compensation is provided even if it comes to an illegally built residential or non-residential facility on a registered plot or a plot that is state-owned or a plot owned by some other person, but provided that the procedure of legalisation is successfully conducted.

In the coverage of the project there is one residential building-house on the building land belonging to the fifth residential-business zone where the price of land is defined according to the Decision on the amount of value of real estate by zones in the territory of the City of Bijeljina on 31.12.2015. (Decision of the Assembly of the City of Bijeljina on the number 01-022-104 / 15 from 17.12.2015) to: 18.00 KM/sq m, and the market value of the construction object-house at 585.00 KM/sq m. Based on the opinion of the assessor and in consultation with the owner, the following price has been achieved:

- price of land 18.00 KM/sq m,
- The price of a building facility is estimated at 642.02 KM/sq m.

In the achieved value, according to the personal wishes of the owner / affected person, a substitute real estate was purchased, which was immediately registered in the name of owner / affected person.

There are also 13 auxiliary facilities in an area of 263.62 sq m.

19.2.3. Compensation for business

Since there are no identified business entities in the coverage, no funds were planned for this category.

19.2.4. Compensation for forest land

Compensation for forest land implies cash compensation to the land owner at market value or cash compensation to the wood owner at market value of the lost wood.

The total area of forest land in the scope of the Janja river regulation section is 578.00 sq m and 100% is private property. The compensation for the forest land was paid according to the Decision on the amount of value of real estate per zone in the territory of the City of Bijeljina on 31.12.2015. (Decision of the Assembly of the City of Bijeljina on the number 01-022-104 / 15 of 17.12.2015) for forest land in the fifth housing-business zone in the amount of 2.222.00 KM, which means that the purchase price of 3.84 KM/sq m which is higher compared to the market value.
for this zone of 2.55 KM/sq m. The price correction was made in accordance with the opinion of the forestry experts and in consultations with the landowners.

Of the individual trees within the scope of this RAP, 292 trees were recorded, of which the highest number of poplar 123, walnut 95, plum 28, cherry 22 and apricot 16. The estimated value of individual trees was made in accordance with the methodology contained in the Annex RAP.

19.2.5. Resettlements compensations

Compensation for resettlement implies the provision of compensation to vulnerable groups in the form of specific aid for resettlement (assistance during the process of resettlement, assistance in moving and assistance after resettlement) in cooperation with a relevant municipal office for social issues.

Within the coverage of the Janja River regulation section, in a length of 1.8 km, a dwelling object for which the replacement real estate was bought by the personal choice of the owner of the previous facility has been identified. Also, all assistance in terms of transfer of ownership and records in public registers has been provided and the building is immediately registered after the purchase in the name of the owner of the previous facility.

19.3. Summary of the cost of acquisition / land acquisition and relocation and the inflow of funds

Total cost of acquisition / takeover of land and resettlement for a 1.8 km long Janja river regulation section is shown in the following table:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost (BAM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total price for land</td>
<td>259,391.80</td>
</tr>
<tr>
<td>Total for lost profits on agricultural crops</td>
<td>72,148.00</td>
</tr>
<tr>
<td>Total for objects</td>
<td>184,406.00</td>
</tr>
<tr>
<td>In total</td>
<td>515,946.00</td>
</tr>
</tbody>
</table>

19.4. Financial resources

As earlier defined in the Feasibility Study for the Drina river flood protection in the area of Semberija and Janja in the City of Bijeljina, the flood protection project in Bosnia and Herzegovina (BAFPP), City of Bijeljina has covered the expenses relating to land (expropriation costs) along the dyke alignment, which is privately owned. All other works, construction works in the project implementation as well as costs of studies, investigations, design, supervision and project management shall be funded by the World Bank (IDA) loan. Pursuant to the Expropriation Law, funds were previously provided under the pay guarantee number: 0011-431/16 dated February 25, 2016, issued by Pavlović International bank A.D. Slobomir Bijeljina to an amount of 500,000.00 KM.

XX. MONITORING AND REPORTING

The primary goal of the implementation of a resettlement action plan is to improve or at least restore living conditions of vulnerable persons to the level they had prior to the project implementation commencement. The implementation process should ensure that this goal is achieved within a reasonable time with the envisaged compensation funds. Therefore, the monitoring of APP updates, its implementation, and the timeliness of providing institutional and financial assistance to vulnerable people is conceived as an integral part of overall project functioning and management.

Monitoring and evaluation are aimed at providing all stakeholders with feedback information on progress and timeliness of the implementation, as well as timely identifying possible problems, i.e. their resolution.
In line with the World Bank's Operational Policy that relates to involuntary (forced resettlement) OP 4.12, the goals of monitoring are as follow:

v. ensuring that there has been an improvement in the living conditions and living standards of vulnerable persons, or at least to restore the quality of life that preceded the relocation or the conditions in which they lived before the beginning of the project,

vi. conformity assessment of mineralization dynamic relocation plan with the foreseen dynamics,

vii. assessment of whether the funds for compensation and rehabilitation of sufficient and

viii. defining a method to quickly solve or alleviate the problems identified.

Activities relating to land acquisition and resettlement under the construction of a protection dyke in the City of Bijeljina under the Drina river flood protection project in BiH, a 1.8 km long Janja river regulation section, shall be subject of monitoring by the Agriculture Project Coordination Unit within the Ministry of Agriculture, Forestry and Water Management of the Republika Srpska; indirectly, the Republic Administration for Geodetic and Property-Legal Affairs and its regional office in Bijeljina will also be involved, as well as the City of Bijeljina - Department for property and legal affairs.

Monitoring by the Agriculture Project Coordination Unit shall be done routinely or directly by providing the services of consultants. Monitoring results shall be delivered to the World Bank on a quarterly basis.

Republic Administration for Geodetic and Property-Legal Affairs, in line with the Law on Republic Administration (Republika Srpska Official Gazette, Nos. 118/08 and 74/10), performs administrative and other expert activities relating to:

- survey and establishment of the cadastre of immovables,
- restoration of the survey and the cadastre of immovables,
- maintenance of the cadastre of the survey and immovables, cadastre of communal devices except for the activities that were transferred to the jurisdiction of local self-management units ex lege,
- cadastral classification and land capability evaluation of land,
- mapping of the Republic's territory,
- keeping the technical archives of original plans and maps,
- basic geodetic papers,
- expert supervision over the affairs of survey and cadastre of immovables, cadastre of land, cadastre of communal devices,
- land consolidation and land survey for special needs,
- property-legal and other proprietary relations relating to state-owned real estates,
- property-legal relations relating to land and buildings, expropriation, usurpation, agrarian relations, termination of state ownership,
- establishment of earlier property and legal relations on the state-owned land – denationalisation,
- registers of real estates and rights to real estates,
- property and legal affairs relating to real estates that are at disposal of the Republic,
- supervision, standard and legal, and analytical activities and other activities in accordance with the law.

City of Bijeljina - Department of Property and Legal Affairs

The following activities are performed by the Department for property and legal affairs:

- collection of documentation, instigation of procedures and participation in the procedure of establishing and transferring ownership for city-owned property
- elaboration of draft contracts in the procedure of implementing investments that are partially or fully funded from the City's budget
- elaboration of necessary documents for instigation of procedures for public interest declaration, for the construction of a facility/structure that is significant to the City; for the initiation and implementation of the
procedure of expropriation or administrative transfer, the procedure of land usurpation to the ownership of
the City,
- processing request for completing a construction plot and proposing the Assembly of the City to issue
decisions
- updating the register of all court, administrative and other procedures in which the City appears as a party
- elaboration of reports and information under the scope of activities for the needs of the Assembly of the
City and Mayor's Office
- processing of request for apartment purchase - implementation of the administrative procedure and
elaboration of a first-instance decision in the housing field in line with the Law on Housing Relations
- proposing a decision on the amount of rent for using apartments under the City's management and
apartments that were not purchased
- appointment of a temporary representative and keeping the prescribed auxiliary registers
- maintaining contact with other organisational units, relevant bodies and organisations and institutions
within powers
- the Department also performs other activities by the order of the Mayor and Head of the Department

20.1. Monitoring and evaluation indicators

Monitoring and evaluation of the RAP implementation will be performed in line with the principles and indicators given
in the Resettlement framework policy.

Specific monitoring indicators will be:

- Report on all consultations conducted with the project-affected persons;
- Status of land purchase and payment of land compensation;
- Compensation for comprised facilities and other property;
- Payment of compensation for lost profit (if the profit could be made).

The mentioned data shall be collected through the following instruments:

- Overview of information relating to the census of affected persons;
- Consultations and informal interviews with affected persons;
- Surveying affected persons
- Key interviews and
- Public meetings in communities.

The following table contains a list of indicators that shall be used for the purpose of monitoring during the project
implementation period:

<table>
<thead>
<tr>
<th>INDICATOR</th>
<th>INFORMATION SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total expenditure on expropriation and compensations</td>
<td>Financial records</td>
</tr>
<tr>
<td>Number of APs by categories</td>
<td>Census and management</td>
</tr>
<tr>
<td>Number of APs who moved in new accommodation in a given period</td>
<td>Resettlement-related activities monitoring reports</td>
</tr>
<tr>
<td>Number of APs who moved out of the previous accommodation in a given period</td>
<td>Resettlement-related activities monitoring reports</td>
</tr>
<tr>
<td>Number of vulnerable households/persons who resettled, type of vulnerability and type of provided aid</td>
<td>Resettlement-related activities monitoring reports</td>
</tr>
<tr>
<td>Number of people who received cash compensation in a given period with a distribution per types of compensation and classes of amounts</td>
<td>Resettlement-related activities monitoring reports</td>
</tr>
<tr>
<td>Number of individual agreements on compensation entered into in a given period</td>
<td>Resettlement-related activities monitoring reports</td>
</tr>
<tr>
<td>Number of business activities that were re-established in a given period and re-establishment of their income</td>
<td>Resettlement-related activities monitoring reports</td>
</tr>
<tr>
<td>Number and type of complaints with regard to resettlement (submitted and resolved; how long has their resolution taken)</td>
<td>Resettlement-related activities monitoring reports</td>
</tr>
</tbody>
</table>
ANNEXES
ANNEX 1

VALUATION METHOD, VALUATION OF LOSSES AND COMPENSATIONS
DETERMINATION OF THE AMOUNT OF COMPENSATION FOR BUILDINGS AND FACILITIES

Agricultural land value assessment methodology

A basis for the cost value assessment for land purchase is the Expropriation Act (Republika Srpska Official Gazette, nos. 112/06, 37/07, 110/08 and 79/15), which clearly defines that fair compensation is established for the expropriated land, which cannot be lower than the market value of that land. Fair compensation can be in the form of other adequate immovable property or cash compensation.

For the purpose of making an assessment of land value, it is necessary to analyse and take into consideration all factors that could have any influence on land value assessment. Significant factors that influence the value of the expropriated agricultural land are as follow:

- cadastral culture,
- land class
- cadastral yield
- position and distance of plots from larger consumer centres
- position and distance of plots from roads
- convenience of the land for subdivision and development of construction plots
- price at which trade was done in the direct vicinity
- supply/demand ratio
- infrastructure accessibility
- terrain configuration (forms of relief)
- altitude and exposition
- climate
- type and state of vegetation on plots
- properties and quality of land
- possibility of exploiting modern mechanisation

In addition to the listed factors, it is necessary to perform a detailed analysis of the documentation of the Republic Administration for Geodetic and Property and Legal Affairs.

Also, the provisions of the Expropriation Act must be completely abided by; in particular, if the livelihood of an agricultural land owner whose land is expropriated is substantially aggravated, land value must be increased.

There are several methods for the assessment of agricultural land value:

1. **The cost approach** is based on a principle of replacement, where it is based on an assumption that it is not justified to value immovable property more that the purchase or construction of a similar facility, real estate at a similar location would cost. It is used when there are no certain data in the market.

2. **Sales comparison approach** is based on an idea that the value is best established in the market and that a base for valuation is the price of properties with similar features. This technique implies acquiring data from the market about the trade of property with similar features in relation to the property that is being assessed.

3. **The income approach** is based on an assessment of present value of future income if the property were leased under market conditions.
Compensation for expropriated property

In the coverage of the stage 4 of section 2, in the length of 2.8 km, starting from the constitutional building on the Drina-Dašnica canal, to the mouth of the Janje River in the Drina river, there are no identified facilities.

In accordance with the applicable rules of the profession and legal regulations, the amount of compensation for expropriated real estate is determined by the rule by giving another appropriate real estate corresponding to the value of the real estate that is expropriated in the same municipality or city, by which the owner of the immovable property that is expropriated is granted approximately the same conditions of use as he had using this real estate.

For illegally constructed buildings, the constructor is entitled to compensation in the amount of his investments, if he fulfilled the conditions for legalization at the time of construction.

For illegally constructed buildings after submitting the proposal for expropriation, the owner is not entitled to compensation, but he may demolish objects and take away the material within a deadline determined by the administrative body, otherwise the removal of the facility will be carried out at his expense.

The removal of illegally constructed buildings will be carried out by a local self-government unit responsible for urban planning affairs, in accordance with the provisions of the Law on Spatial Planning.

If the owner of the immovable property that is expropriated does not accept the other appropriate immovable property in the name of compensation, or if the expropriation beneficiary cannot secure such a real estate, a fair remuneration in the amount of money will be established, which cannot be lower than the market value of the real estate that was expropriated at the time of the adoption of the first instance decision on expropriation, or at the time of conclusion of the agreement.

Market value is expressed in a price that can be achieved on market for certain real estate and which depends on supply and demand at the time of its determination.

The personal and family circumstances of the former owner of an expropriated real estate shall be taken into account as a correction of the increase in the amount of the compensation determined if these circumstances are essential for the material existence of the former owner, and especially in the event of the expropriation of a larger part and the whole land or business premises. The former owner performed the allowed business activity, his material existence was endangered, as well as in cases when, due to expropriation, members of the agricultural household must move from the area where they resided or stayed.

As a rule, agricultural value of a land plot consists of two parts:

- **value of the land**
- **value of the plantation on the land**

For the purpose of making as quality and realistic assessments as possible assessments, we propose the application of two criteria for agricultural land value assessment, notably:

a) Land value assessment based on yield (yield that land gives by regular exploitation)

In order to obtain a real value of agricultural land, it is important to calculate the net profit from its production for each crop, three most often grown crops: corn, wheat, and fodder crops, it is to say potential income minus the variable costs (production costs).

The acquired certain average value represents a capitalised annual rent, i.e. cash, which would yield the appropriate amount if deposited at a market interest rate.

The potential real value of the subject land was estimated according to the formula:

\[
\text{real value of the land} = \frac{100 \times P}{K}
\]

\[P = \text{amount of the acquired achieved income from the land}\]

\[K = \text{usual interest rate on time deposits}\]

The price of the land is influenced by the supply and demand for the land. Interest and annuity determine the natural price of land, and the competition determines the factual one, which oscillates around the natural price.
Evaluation of the value of the land based on the market or traffic value of the land

It is assumed that the market value of the land is a most realistic estimate of fair compensation because this allows the acquisition of other immovable property with such characteristics. The market price would be determined as an average price of agricultural land achieved in the free trade in a certain area for a certain period of time. The market price is not an appropriate reflection of the real value of the land, even if freely formed. For that reason, it is not always fair for both the former owner and the expropriation beneficiary. We recommend that in the subject area all credible indicators for the trade of agricultural land be taken into account, either according to the data of the tax administration or the real estate market by a system of comparative prices. The market value of agricultural land may sometimes happen to be unfair because it involves various factors, which are often not economic in character.

Corrective factors affecting the market price of the land

Using the above methods, the baseline values of the land are determined. The estimated baseline values of the land are influenced by the factors identified and determined by the expert in the field; they can increase or decrease the estimated baseline value by a specific percentage in the following way:

- if the land is degraded, the estimated baseline value is decreased by 50 %,
- if the deployment of modern mechanisation on the plot is aggravated, the estimated baseline value is decreased by 10 %,
- if the land has been neglected, the estimated baseline value is decreased by 7 %,
- if the plot cannot be accessed directly from the road, the estimated baseline value is decreased by 5 %,
- if the plot is located by a macadam road, the estimated baseline value is increased by 5 %,
- if the land is regularly maintained, the estimated baseline value is increased by 7 %,
- if the plot is located by an asphalt road, the estimated baseline value is increased by 10 %,
- if the land can be observed as potential construction land, the estimated baseline value is increased by 100 %.

The corrected baseline value of the land represents an estimated market value of the land taking into account all significant factors that affect the agricultural land price.

The only way to make quality, uniform or impartial assessments in the subject expropriation area is to make a methodology for assessing the value of the expropriated agricultural land. Criteria for assessing the market value of agricultural land are clear, precise and uniform so that they provide significant support to expert's findings and assessments.

Methodology of estimation of value of agricultural crops

An estimate of the value of agricultural crops is done for those crops that were sown and are on the plot at the moment of assessment and which the owner will not be able to use due to land expropriation. In that case, an assessment of income and lost profit is made. The total lost profit is assessed based on the expected profit of this production. With regard to this, the average values for the Republika Srpska are taken.

Estimates of lost profit in one-year crop cultivation

An estimate of the total lost profits for annual agricultural crops is based on the lost profit from that production for one year; the basic calculation for estimation is given in the following table:

<table>
<thead>
<tr>
<th>Culture</th>
<th>Income t/ha</th>
<th>Price KM/t</th>
<th>Total income KM/ha</th>
<th>Variable costs KM/ha</th>
<th>Total income KM/ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corn</td>
<td>5</td>
<td>300,00</td>
<td>1.500,00</td>
<td>565,00</td>
<td>935,00</td>
</tr>
<tr>
<td>Grain</td>
<td>4</td>
<td>270,00</td>
<td>1.080,00</td>
<td>545,00</td>
<td>535,00</td>
</tr>
<tr>
<td>Wheat</td>
<td>4</td>
<td>280,00</td>
<td>1.120,00</td>
<td>595,00</td>
<td>525,00</td>
</tr>
<tr>
<td>Grain</td>
<td>3</td>
<td>290,00</td>
<td>870,00</td>
<td>495,00</td>
<td>375,00</td>
</tr>
</tbody>
</table>
Estimates of lost profit on perennial fodder plants

An estimate of the total lost profit for perennial fodder plants is based on the lost profit from that production for a number of years for which exploitation is assessed. Intensive exploitation primarily depends on the type of fodder plants and cultivation method. An expert in the field assesses the remaining period of exploitation; this period is multiplied by the expected annual profit for that crop. The expected annual profit is given in the following table:

<table>
<thead>
<tr>
<th>Culture</th>
<th>Yield t/ha</th>
<th>Price KM/t</th>
<th>Total income KM/ha</th>
<th>Variable costs KM/ha</th>
<th>Total income KM/ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grass-clover mixture</td>
<td>8</td>
<td>300.00</td>
<td>2,400.00</td>
<td>400.00</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Natural meadow</td>
<td>4</td>
<td>200.00</td>
<td>800.00</td>
<td>200.00</td>
<td>600.00</td>
</tr>
</tbody>
</table>

Estimates of lost profits on vegetable crops

An estimate of the total lost profit for vegetables is based on the lost profit from that production for a number of years for which exploitation is assessed. Intensive exploitation primarily depends on the type of vegetables and cultivation method. The potato is the most frequent vegetable grown in the subject area. The expected annual profit is given in the following table:

<table>
<thead>
<tr>
<th>Culture</th>
<th>Yield t/ha</th>
<th>Price KM/t</th>
<th>Total income KM/ha</th>
<th>Variable costs KM/ha</th>
<th>Total income KM/ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potato</td>
<td>25</td>
<td>300.00</td>
<td>7,500.00</td>
<td>4,800.00</td>
<td>2,700.00</td>
</tr>
</tbody>
</table>

Methodology for the assessment of fruit species value

Agricultural experts base their assessment for fruit species (trees) and vine on Article 57 of the Expropriation Act (RS Official Gazette, Nos. 112/06, 37/07, 110/08 and 79/15), which among other things prescribes that the compensation for fruit trees and vine is determined as follows:

- for fruit trees and vine that are in the fruiting stage
  - in an amount of the entire income from that tree, i.e. vine, for a number of years that are necessary to grow that species of the fruit tree, i.e. vine and their development to the fruiting stage;
- for fruit trees and vine, which have not begun to yield fruits – in an amount of costs that are necessary to procurement, plantation and growing of such seedlings;
- in addition to the compensation referred to in previous paragraph, the compensation for technical wood is also determined in line with the criteria for granting compensation for forest trees, unless the former owner retains the trunks.

In the case of perennial fruit trees, pursuant to Article 57 of the Expropriation Act, the so-called turn-over coefficient is taken into account, i.e. a number of years from the planting to reaching the full yield of that fruit species. Each fruit species has a specific coefficient with which the assessed yield is multiplied. When making an assessment, climatic and soil conditions in the subject area, as well as the variety, market prices, average yield and turnover coefficient– a corrective factor are taken into account. For fruit trees with a diameter at breast height larger than 10 cm, the wood pulp of these trees is also included in the assessment.

Assessment of wood pulp of fruit trees

For trees with a diameter at breast height ranging from 10 to 25 cm, the total wood pulp is only firewood, whereas for trees with a diameter at breast height ranging from 30 to 60 cm, the total wood pulp is divided into:

- wood waste 15% (which is deducted from the total wood pulp)
- technical wood - logs 32%
- firewood 53%
The average price of technical wood (conifers and deciduous trees) is taken from the price list of PC "Srpske šume" and it amounts to 122.00 KM/m³, whereas the price of firewood is 33.00 KM/m³ for standing hard deciduous trees.

**Estimation of forest land value**

Article 58 of the Expropriation Act (RS Official Gazette, No. 112/06) defines that the compensation for expropriated forest land is determined in an amount of compensation that would be determined for the closest pasture with the identical position.

Compensation for wood pulp (mature or nearly mature forest) is determined based on the value of the wood on stump, established in line with baseline prices and documents issued based on that system for production assortments (after the deduction of production costs).

Compensations for forest plants that have not reached technical maturity are determined:

- for young seedlings for which exploitation costs would be higher than the value of average wood pulp - compensation for real costs of procurement of seedlings, planting and growing;
- for other older trees - compensation for wood pulp in line with the criteria referred to in the previous paragraph increased by the value of growth lost due to early felling.

Costs of growing young forest, man-made forest, are established in an amount of forestation costs; the costs of growing young natural forest - in an amount of artificial forestation with seeds.

The estimated baseline values of forest land are influenced by the factors identified and determined by the expert in the field; they can increase or decrease the estimated baseline value by a specific percentage in the following way:

- if the land is degraded, the estimated baseline value is decreased by 50 %,
- if the plot is located by a macadam road, the estimated baseline value is increased by 5 %,
- if the plot is located by an asphalt road, the estimated baseline value is increased by 10 %,

**ASSESSMENT OF THE VALUE OF LAND AND FACILITIES**

Land value assessment

An assessment based on the trade or market of real estates in this case is completely acceptable since the subject areas are located in the territory of the City of Bijeljina. Generally, a conclusion can be drawn that there has been a recent trend of a decrease in the land trade. Such data in the market are available, as well as the data from the Republika Srpska Tax Administration (An overview of market values of real estates by zones for cities and municipalities in the Republika Srpska). Price values for the majority of land categories, as well as other types of immovable estates are available for the subject cadastral boroughs in the territory of the City of Bijeljina (http://www.poreskaupravars.org/SiteCir/TrzisneVrijednostiNepokretnosti.aspx).

In the elaboration of this assessment was also used the Rulebook of real estate value assessment RS OG no. 37, which can also partly serve as a basis for the creation of the market, i.e. fair compensation for agricultural land.

Out of the total number of parcels (124) identified in the coverage of the Janjia River regulation section in a length of 1.8 km, 112 parcels are privately owned in an area of 24.590,00 sq m, while 12 parcels are in state ownership in an area of 3,020.00 sq m, which means that the ratio of private to state ownership is 10.94%: 89.06% in favor of private ownership.

<table>
<thead>
<tr>
<th>Land type</th>
<th>Total area /m²</th>
<th>Market value BAM</th>
<th>Paid allowance BAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field</td>
<td>10,061.00</td>
<td>1.6</td>
<td>BAM 14,352.60</td>
</tr>
</tbody>
</table>
### Orchard

<table>
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<tr>
<th>Total area</th>
<th>Market value</th>
<th>Paid allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,359.00</td>
<td>1.6</td>
<td>BAM 8,939.20</td>
</tr>
</tbody>
</table>

**TOTAL AGRICULTURAL LAND**

<table>
<thead>
<tr>
<th>Total area</th>
<th>Market value</th>
<th>Paid allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>13,420.00</td>
<td></td>
<td>BAM 23,291.80</td>
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### Land type

<table>
<thead>
<tr>
<th>Land type</th>
<th>Total area</th>
<th>Market value</th>
<th>Paid allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forest</td>
<td>578</td>
<td>2.55</td>
<td>BAM 2,222.00</td>
</tr>
</tbody>
</table>

**FOREST LAND**

<table>
<thead>
<tr>
<th>Total area</th>
<th>Market value</th>
<th>Paid allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>578</td>
<td></td>
<td>BAM 2,222.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land type</th>
<th>Total area</th>
<th>Market value</th>
<th>Paid allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building land in the fifth residential business zone</td>
<td>8871</td>
<td>18</td>
<td>BAM 213,677.00</td>
</tr>
<tr>
<td>Building land in the six residential business zone</td>
<td>1721</td>
<td>9</td>
<td>BAM 20,201.00</td>
</tr>
</tbody>
</table>

**TOTAL CONSTRUCTION LAND**

<table>
<thead>
<tr>
<th>Total area</th>
<th>Market value</th>
<th>Paid allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>10592</td>
<td></td>
<td>BAM 233,878.00</td>
</tr>
</tbody>
</table>

Total cost for land is **259 391,80 BAM**.

### Estimation of objects value

The present market value of the real estate is determined by valuing the basic and corrective elements of the facility. The basic elements are:
- useful surface of the object,
- the average market price per square meter of the facility,
- age of the facility.

Corrective elements are:
- facility quality,
- facility location,
- damage degree.

The elements for determining the quality are: construction of the facility, staircase, doors, windows, blinds, floors, sanitary equipment, plumbing, sewerage, electrical installations, telephone installations, heating, building value elements and elements that increase the value of the building on the basis of quality.

Depreciation coefficient $K_a = 1.000$

House quality coefficient $K_k = 1.000$

Location coefficient $K_p = 1.097$

The determined value of the residential building - house is:

$$68.30 \text{ sq m} \times 585.00 \text{ BAM / sq m} \times 1.097 \times 1.00 \times 1.00 = 43850.00 \text{ BAM}$$

Of the auxiliary facilities, a total of 13 auxiliary facilities were registered, of which 3 sheds, 3 pantries, 4 canopies, 1 workshop with a garage, 1 mansion house, 1 bakeries with a total area of 263.62 sq m for which fair compensation was determined based on the assessment of the building by the building Experts on the field in the field and in consultation with the owners.

The determined value of the auxiliary objects is:

Depreciation coefficient $K_a = 1.000$

Facility quality coefficient $K_k = 1.000$

Location coefficient $K_p = 1.000$

$$263.62 \text{ sq m} \times 533.18 \text{ BAM / sq m} \times 1.00 \times 1.00 \times 1.00 = 140556.00 \text{ BAM}$$

Fees for auxiliary objects 533.18 BAM / sq m
ASSESSMENT OF THE LOST PROFIT

Estimated lost profits for works carried out on plots intended for crops

An estimate of the value of agricultural crops is done for those crops that were sown and are on the plot at the moment of expropriation and which the owner will not be able to use due to land expropriation. In that case, an assessment of the caused lost profit (damage) to the owner is made. Considering that at the time of expropriation only preparatory works (ploughing) were carried out, the value of the completed works were estimated at 0.40 BAM / sq m.

According to the findings on the estimated loss, the profit was estimated as follows:

1. Ploughed areas planned for maize cultivation
   8579.90 sq m x 0.40 KM/sq m = 1,372.78 BAM

2. Ploughed areas planned for wheat cultivation
   5962.30 sq m x 0.40 KM/sq m = 953.97 BAM

The total estimated value for performed works amount 2,326.75 BAM.

Estimation of the fruit trees value

Individual fruit trees and trees in orchards were assessed according to the same methodology in line with a corrective factor and price for the adequate species.

Among the fruit trees in the scope of expropriation there are walnut (95), plum (28), cherry (22) and apricot (16).

Lost profit is estimated as follows:

1. Walnut
   20 kg x 95 x 4.50 BAM x 3.89 (correction factor) = 33,250.00 BAM

2. Plum
   40 kg x 28 x 0.50 KM x 7.5 (correction factor) = 4,200.00 BAM

3. Cherry
   20 kg x 22 x 1.00 KM x 7.5 (correction factor) = 3,300.00 BAM

4. Apricot
   25 kg x 16 x 1.00 KM x 7.5 (correction factor) = 2,400.00 BAM

The total assessed value of the lost profit from individual fruit trees in plots, which the owner will not be able to use due to expropriation is 43,150.00 BAM.

Within expropriated agricultural land the least area is under orchards 0.3359 ha. At the area of 0.3359 hectares there are predominantly pear, apple and plum, i.e. at the area of 0.3359 ha there are 40 pear trees, 12 apple trees and 14 plum trees.

Lost profit is estimated as follows:

1. Pear
   40 kg x 40 x 0.90 KM x 7 (correction factor) = 10,157.62 KM

2. Plum
   40 kg x 14 x 0.90 KM x 7 (correction factor) = 2,100.00 KM

3. Apple
   40 kg x 12 x 0.90 KM x 7 (correction factor) = 1,800.00 KM
The total estimated value of lost profits for fruit trees in orchards that the owner will not be able to use due to the expropriation, i.e. estimated lost profit on fruit trees for expropriated land is 14,057.62 BAM.

**Assessment of tree wooden pulp value**

For identified individual trees on plots, the wood pulp compensation costs are determined based on the value of the tree on the stump in accordance with the price base and the documents adopted on the basis of that system for the produced assortments (after deducting the cost of production).

For trees with diameter-at-breast height (DBH) from 10 to 25 cm, the total wood volume is only firewood, while for trees with diameter-at-breast height (DBH) from 30 to 60 cm, the total wood volume is divided into:

- wood waste 15% (which comes from the total wood pulp)
- technical wood-logs 32%
- firewood 53%

The average price of technical wood (softwoods and hardwoods) is taken from the price list of PE “Srpske šume” and amounts 122.00 BAM/m³, while the price of fuel wood is 33.00 BAM/m³ in the state for hardwoods.

1. The compensation costs for wood volume are calculated based on the average price of 78.09 BAM/m³

   - 127 x 0.8 x 122,00 = 12,395.20 BAM

The compensation for wood volume is: 12,613.64 BAM.

**Other regulations**

The compensation for expropriated agricultural, construction and urban construction land is determined in cash so that it is fair and not lower than the market value of such land.

The amount of compensation for expropriated immovable property in court proceedings is determined according to the circumstances present at the moment of the issuance of a first-instance decision on compensation.

If the expropriation beneficiary was transferred the immovable property into possession prior to a decision on expropriation, the owner can choose for the compensation to be determined either according to the circumstances present at the moment of transfer of the immovable property or at the moment of the issuance of a first-instance decision.

The former owner is also entitled to the compensation for lost profit that he would have achieved by the previous method of exploitation of the expropriated immovable property from the date of transfer of that immovable property into possession of the expropriation beneficiary to the moment of his entering into possession of the replacement immovable property or to the expiry of deadlines given for payment, i.e. deposit of the cash compensation.

The former owner of the expropriated land is entitled to harvest crops and gather fruits that have matured at the moment when the beneficiary of the expropriated land enters into possession.

If the former owner was unable to harvest crops and gather fruits prior to the entry into possession by the expropriation beneficiary, the former owner is entitled to the compensation for crops after the deduction of necessary costs that he would have incurred until harvest or gathering.

In case of establishing easement, the compensation is determined in an amount by which, due to established easement, the market value of the immovable property was reduced, as well as the resulting damage.
In case of establishing lease, the compensation is determined in the amount of rent that is achieved at the market.

The compensation can be determined in the form of a one-time amount for the entire lease or in occasional instalments that are paid in equal time intervals.

The compensation is calculated from the day when the expropriation beneficiary entered into possession of the land.

For the possible damages incurred due to lease, the lessee is liable to the land owner in accordance with general regulations relating to damage liability.

The compensation for temporary land occupation is determined in an amount and in a way as defined by this law for the compensation in case of establishing lease.

If it comes to expropriation of such extent that a significant number of residents will have to move from the area where the expropriated immovable properties are located, a special law can prescribe forms and conditions for compensations.

The former owner can demand the compensation be determined in accordance with the provisions of this law if more suitable for him.

The expropriated property cannot be transferred into the possession of the expropriation beneficiary until the expropriation beneficiary has fulfilled obligations to former owners relating to compensation determined based on a special law.

Procedure for determining compensation

After a decision on expropriation was rendered irrevocable, the administrative body is obliged to schedule and hold an oral public debate, without delay, on agreeable determination of compensation for the expropriated immovable property.

The administrative body shall endeavour for the parties to reach an agreement on compensation, warning them of their rights and obligations in line with the provisions of this law.

In order to prepare a debate, the parties may submit their proposals, and the body of administration shall acquire written notifications from other bodies relating to the facts that can be significant to the compensation amount determination.

An agreement on compensation for expropriated properties must comprise the form and amount of compensation, as well as the deadline in which the expropriation beneficiary is obliged to fulfil obligations relating to compensation.

A compensation agreement is registered in the minutes, which must contain all details necessary for the fulfilment of the expropriation beneficiary's obligations.

An agreement on compensation or part of the compensation is considered entered into when both parties sign the minutes in which the agreement is registered.

The minutes in which a compensation agreement is registered has the force of an enforceable document.

If no agreement on compensation is reached within two months as of the date the expropriation decision was rendered irrevocable, administration body shall deliver, without delay, an irrevocable expropriation decision with all documents to a competent court under whose jurisdiction the expropriated real estate is located in order to determine compensation in an extra-judicial procedure.

The body referred to in the previous paragraph can, deliver a decision on expropriation with the files to a relevant court even before the expiry of two months, if depositions and behaviour of parties lead to a conclusion that no compensation agreement can be reached.

If the body of administration fails to act in a time period referred to in paragraph 1 of this Article, the former owner of an expropriated property and the expropriation beneficiary can directly address the court relevant to determine the compensation.

The procedure of determination of compensation for expropriated immovables is urgent.

As of the day of irrevocability of a decision of complete expropriation, all mortgage, personal easement and other proprietary rights on the expropriated property cease.
If an expropriated property was mortgaged, or usufruct or some other proprietary right existed, the expropriation beneficiary is obliged to deposit an appropriate amount with the bank in a separate account, except in cases when the owner of a mortgaged expropriated property was given some other immovable property as compensation; in this case the mortgage is transferred to this immovable property.

Proprietary rights referred to in this paragraph are deleted from land registers upon a proposal of the expropriation beneficiary if the expropriation beneficiary has previously deposited an appropriate amount for compensation with a bank.

In case that mortgage existed, the bank shall pay the compensation to the owner of the expropriated immovable property, i.e. the compensation to the holder of a proprietary right only based on their written agreement certified by a relevant court of law or based on a court decision.

Registration of the ownership right and other proprietary rights on an expropriated immovable property that is given as compensation to the former owner shall be effected based on an irrevocable decision on expropriation and proof of paid compensation, if this decision determined cash compensation, i.e. proof of acquiring the ownership right on other appropriate immovable property by the former owner; this is effected upon a request of the expropriation beneficiary or the former owner of an immovable property.

CONCLUSION

Assessments of the value of agricultural and forest land, fruit trees, loss of profit from agricultural crops, forest stands and individual trees, as well as uncategorised land in the subject expropriated area were conducted in line with good practice and the methodology previously explained in detail. The assessed value is given in the following table:

<table>
<thead>
<tr>
<th>TYPE OF IMMOVABLE PROPERTY</th>
<th>VALUE ASSESSED IN KM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural, forest, construction land</td>
<td>BAM 259,391.80</td>
</tr>
<tr>
<td>Estimated lost profits for works carried out on plots</td>
<td>BAM 2,326.75</td>
</tr>
<tr>
<td>intended for agricultural crops</td>
<td></td>
</tr>
<tr>
<td>Fruit trees and wood pulp</td>
<td>BAM 69,821.25</td>
</tr>
<tr>
<td>Objects</td>
<td>BAM 184,406.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>BAM 515,946.00</strong></td>
</tr>
</tbody>
</table>

Total amount of funds necessary for the expropriation of agricultural and forest land, fruit trees, lost profits in agricultural crops, forest stands and individual trees, buildings and structures as well as construction land amounts to **515,946.00 BAM** (five hundred and fifteen thousand, nine hundred and forty-six 00/100 convertible marks).
ANNEX 2

PRIVATE PROPERTY LEGALISATION

1. Law on Spatial Planning and Construction („Republika Srpska Official Gazette, No. 40/13)"

Private property legalization method is primarily defined by the Law on Spatial Planning and Construction; this especially refers to chapter V Legalisation (Articles 151 to 169).

V LEGALISATION

4. Legalisation procedure

4.1. Concept of legalisation and legalisation request submission

Article 151

(1) In sense of this law, legalisation represents the subsequent issuance of location requirements, building permit and use permit for facilities, i.e. parts of a facility, which were constructed, begun or reconstructed without a building permit. This also refers to the facilities constructed based on a building permit, on which a departure from the building permit and the main design was committed during construction, but which were constructed or whose construction started by the day of entering of this law into force.

(2) A constructed, started or reconstructed facility referred to in paragraph 1 of this Article is considered a facility for which a legalisation request was submitted in line with regulations which were earlier valid or if a facility was registered (a request submitted, aerial photogrammetry image, a spatial planning document, an image of the existing condition etc.) with a body in charge to issue the building permit or with a town planning and construction inspectorate prior to entrance of this law into force.

(3) As an exception to paragraph 1 of this Article, in line with the provisions of this law, a procedure for the legalisation of completed structures is conducted without subsequent issuance of location requirements except if necessary for the legalisation of a facility on the state-owned land.

(4) Facilities built prior to the first aerial photogrammetric imaging performed for the area of a local government by the end of 1980 are considered lawfully constructed.

(5) The owners of plots bordering on a plot on which a facility that is subject to legalisation is located, who did not demand that inspection supervision take measures during illegal construction in order to prevent illegal construction or did not state an objection to such construction to a body in charge to issue the construction permit, do not hold a capacity of a party in the procedure of legalisation of such facility.

Article 152

By way of derogation from Article 151 of this Law, for individual residential and individual residential and commercial buildings with a gross building area of less than 400 sq m, except for complex facilities within the meaning of this Law, when the building permit authority determines that a facility that is the subject to legalization has been completed and meets the prescribed requirements for construction and use, the subsequent construction and use permits are issued by the same decision.

Article 153

(1) The procedure for legalisation of the facility referred to in Article 151 paragraph 1 of this Law is initiated upon a request of the investor or owner of the illegally constructed facility, i.e. illegally constructed part of the facility.
(2) A local government body in charge of legalisation affairs performs an insight on the spot within 30 days as of the request submission date, and notifies the applicant of to which extent legalisation is possible and which evidence is to be submitted subsequently as supplement to the request.

(3) A planning basis for legalisation of the facility referred to in paragraph 1 of this Article is the enforceable spatial planning document. In the absence of such a document for the land on which the facility was constructed, the procedure for establishment of a planning basis for legalisation is implemented in line with the provisions of this Law.

(4) A request for legalisation is submitted within 2 years from the day of entrance of this Law into force.

(5) The owners of illegally constructed facilities, meaning parts of facilities, who submitted legalisation requests within deadlines prescribed by the previously valid Law on Spatial Planning and Construction, are not obliged to submit a new request in sense of paragraph 1 of this Law. A request submitted earlier is considered a request in sense of this Law, and it will be resolved according to the provisions of the regulation that is more favourable for the applicant.

(6) A legalisation request cannot be submitted after the expiry of the deadline referred to in paragraph 4 of this Article.

(7) The request referred to in paragraph 1 of this Article is a basis for temporary maintenance of the facility and connection to the facilities of communal and other infrastructure until the legalisation procedure is irrevocably terminated according to the provisions of this Law.

4.2. Facilities for which an additional construction permit cannot be issued

Article 154

(1) A subsequent construction permit cannot be issued for the facilities constructed, i.e. reconstructed or annexed without a construction permit if:
   a) the facility was constructed on the land inconvenient for construction, such as: landslide, swamp, land exposed to floods and other elementary disasters and similar
   b) the facility was constructed with materials that do not provide for durability and safety of the facility,
   v) the facility was constructed on public land, i.e. on land planned for restructuring or construction of public facilities or on public land for which public interest was declared in line with the provisions of a special law, and
   g) the facility was constructed in the zone I of natural goods protection, meaning in the zone of protection of cultural goods of exceptional significance and the zone of protection of cultural goods registered in the list of world’s cultural heritage.

(2) As an exception to the provisions of paragraph 1 item v) of this Article, the relevant body shall issue a decision on temporary retention for a facility that was built on green areas (except for the facilities built on the existing or planned park areas) or if a facility was built in a protective strip of a public infrastructure good, with a previous consent from the body managing that good.

(3) Facilities built without a construction permit in the II and III degree of natural goods protection can be subject to legalisation if they had been constructed before a document placing that good under protection was issued.

(4) Facilities built without a construction permit in the III degree of natural goods protection, after the issuance of a document placing that good under protection, can be subject of legalisation if they were constructed in accordance with the values, potential and capacities of the protected area, in line with sustainable development principles. This is established based on consents of the body in charge of affairs relating to protection of natural and cultural-historic heritage.

4.3. Documentation necessary for the legalisation of a finished facility

Article 155

(1) Exceptionally, legalisation for finished facilities referred to in Article 151 paragraph 1 of this law, which do not conform to the spatial planning document, can be performed without previous amendments to the spatial planning document. This is applicable only if the deviance from the planned number of floors of the facility is 2 floors at most, out of which the last is attic or if the variation is up to 10% of the planned horizontal dimensions; however these deviations must not violate the regulation and construction line.

(2) In case referred to in paragraph 1 of this Article, the investor, i.e. the owner of a facility built for commercial purposes, is obliged to pay the local government also the amount of costs of changes and amendments
to the spatial planning document, which would be demanded for the legalisation of such facility according to the expert opinion of the consultant in the spatial planning document elaboration in whose coverage the facility is located, in addition to the compensations for legalisation prescribed by the provisions of this law, except for legalisation fees prescribed by the provisions of this law.

(3) The amount referred to in paragraph 2 of this Article which the investor, i.e. owner of a facility pays for amendments to the spatial planning document is established by the relevant local government body in a decision establishing the costs of rent and construction land development. This is based on average costs of the spatial planning documents elaboration in its area in the previous year. These funds are used for the spatial planning documents elaboration.

(4) The legalisation of the facility referred to in paragraph 1 of this Article can be done after the relevant body of administration has established that all requirements relating to stability and safety of the facility prescribed in this law are met, and that such legalisation has no negative impacts on neighbouring facilities and rights of other persons, based on the expert opinion of the consultant in the spatial planning document elaboration in whose coverage the facility is located.

Article 156

(1) A decision on subsequent issuance of the construction and usage permits for a finished facility referred to in Article 152 of this Law is issued based on:
   a) evidence of ownership,
   b) the construction permit if such permit was issued,
   c) a geodetic survey of the as-built state of an illegally built facility, made by a person authorised for surveying and cadastre of immovable and a copy of a cadastral plan,
   d) two copies of an as-built design for legalisation – architectural phase,
   e) minutes of performed expertise of technical worthiness, mechanical resistance, stability and quality of construction and conformity with conditions for usage of a facility, issued by a legal entity that has a licence to elaborate or review technical documentation or construct facilities,
   f) an opinion of a body dealing with the affairs relating to protection of natural and cultural-historic heritage if the facility is located in the zone of protection of natural or cultural heritage,
   g) consent of the relevant public company if the facility was built within the borders of water resources in a protective strip,
   h) evidence of paid legalisation compensation of a facility, calculated according to this law for issuance of a subsequent construction and usage permit for illegally built facilities, and
   i) evidence of paid compensations prescribed by other laws.

(2) A finished facility referred to in paragraph 1 of this Article is considered a facility or a part of facility that represents a functional unit on which all construction, craftsman and other works were done; these works affect stability, horizontal and vertical dimensions and appearance of the facility.

(3) The as-built design referred to in paragraph 1 item g) of this Article consists of:
   a) general data of the facility's owner: name, family name, i.e. name and seat of the investor,
   b) data of the authorised person that developed the as-built recording,
   c) data of the facility's location: place, street and number, number of cadastral lot, name of cadastral borough and name of the local government,
   d) data on the purpose of a facility,
   e) data of the size of the building, gross and usable area of the building, number of floors and total height of the building, value of the facility,
   f) drawings of floors layouts, cross-sections and façade in a 1 : 100 ratio, exceptionally in other appropriate ratio,
   g) description of the state of the facility as to completion, i.e. condition of finished works, and
   h) photo documentation that consists of at least four photographs of all facades of the facility.

4.4. Decision of subsequent issuance of a construction permit for unfinished facilities

Article 157

(1) A decision on subsequent issuance of the construction permit for individual residential and individual business and residential facilities whose gross construction area is less than 400 sq m, is issued under the conditions prescribed by Article 156 of this Law except for complex facilities in sense of this Law, which were not completely
finished, but on which the structure of the facility, roof and façade walls are finished. However, it is not necessary to submit evidence referred to in paragraph 1 item d) of the mentioned Article.

(2) A decision on subsequent issuance of the construction permit for unfinished facilities on which the works referred to in paragraph 1 of this Article are not finished is issued based on evidence referred to in Article 128 of this Law.

(3) The usage permit for facilities referred to in paragraphs 1 and 2 of this Article is issued according to the provisions of this Law.

Article 158

When minutes of a performed expertise of technical worthiness, mechanical resistance, stability and quality of construction and conformity with conditions for usage of the facility or a design of a built facility that does not contain all necessary phases or parts of the design are enclosed as evidence in a procedure of legalisation, a body in charge of issuing construction and usage permits for a facility states in the preamble of its decision that it does not guarantee the safety and stability of the facility, given the minimal technical documentation enclosed with the request.

1.5. Subsequent issuance of the construction permit for public infrastructure structures

Article 159

As an exception to Article 151 of this Law, for public infrastructure structures that are used without adequate documentation, construction and usage permits can be issued in one decision based on:

a) evidence of ownership and a proprietary certificate,

b) a copy of a cadastral plan with a charted facility that is subject to procedure and neighbouring facilities,

c) a technical description of as-built state of the facility,

d) report of control testing of bearing capacity of the structure in trial loading, when such testing was envisaged in a procedure of issuance of a usage permit.

5. Compensations in the procedure of legalisation

Article 160

(1) The investor, i.e. owner of a facility for which the issuance of a decision of construction and usage permit subsequent issuance is requested is obliged to pay the facility legalisation fee, i.e. a fee for construction land development and rent prescribed by Article 73 of this Law, calculated in the procedure of the issuance of a decision on subsequent issuance of construction and usage permit for illegally constructed facilities (hereinafter: a legalisation fee).

(2) The investor, i.e. owner of a facility pays a legalisation fee calculated for the total usable area of the facility.

(3) The fee referred to in paragraph 2 of this Article is paid to the account of public income of the local government body.

(4) A legalisation fee is established in a decision issued ex officio by a local government body in charge of communal affairs after the local government body in charge of affairs relating to the issuance of the subsequent construction and usage permit has established that all other requirements are met and delivered necessary data for the calculation of this compensation.

2.1. Legalisation fee decrease

Article 161

(1) A legalisation fee referred to in Article 160 paragraph 1 of this Law is reduced for the investor, i.e. owner of an individual residential and individual residential and business facility with a gross construction area of up to 400 m2, who permanently solved his residential issue and residential issue of members of family household by the construction of the facility whose legalisation is requested if he or members of his family household do not own other immovable property in the area of the local government in whose area the facility that is subject of legalisation is
located. This does not apply to facilities constructed in the first residential and business zone in line with the decision of the local government referred to in Article 69 paragraph 1 of this Law, notably:

a) for apartments of total net useful area of up to 100 sq m in family individual residential and individual residential and business facilities, decreased by 15% for every member of the family household, however the total decrease on this ground cannot exceed 75%,

b) for the next 100 sq m of net useful area in the same facility the fee is decreased by 10% for every member of the family household up to maximum percentage of decrease of 60%.

(2) A legalisation fee referred to in Article 160 paragraph 1 of this Law is decreased for the investor, i.e. owner who is unemployed, as well as for unemployed full-of-age members of his household if he or members of his family household do not own other immovable property in the territory of the local government in whose area the facility that is subject of legalisation is located. This does not apply to the facilities built in the first residential and business zone in line with the decision of the local government, notably for business premises with total net useful area of up to 100 m2 in family residential-business facilities, for every unemployed full of age member of the family household by 20%. However, the total decrease on this ground cannot exceed 60%.

(3) For apartments and business premises whose area is larger than the area referred to in paragraphs 1 and 2 of this Article, the investor, i.e. owner pays a legalisation fee for a difference of really built area and the area up to which a decrease calculated in line with Article 160 of this Law is approved.

Article 162

(1) A legalisation fee calculated in line with Article 160 of this Law is additionally decreased if the investor, i.e. owner of an individual residential and individual residential-business facility with an area of up to 400 m2 holds status of:

a) a disabled war veteran from category III to X or a member of his household holds that status, who acquired that status based on the regulations of the Republic relating to rights of war veterans, disabled war veterans and families of killed war veterans – by 50%,

b) war veterans from category I to V or a member of his household holds that status, who acquired that status based on the regulations of the Republic relating to rights of war veterans, disabled war veterans and families of killed war veterans – by 15% and

v) refugees, displaced persons or returnees who held that status at the time of illegal construction of a facility based on the regulations of the Republic relating to rights of refugees and displaced persons – by 30%.

(2) The family of a killed war veteran or a disabled war veteran in category I or II, i.e. if the investor is a member of his family household, as well as a minor child whose both parents were murdered, killed, died or went missing as civil war victims, who acquired that status based on the regulations of the Republic and persons who hold status of the most severe civil disabled persons in wheelchair and blind persons, do not pay the legalisation fee.

(3) A person referred to in paragraphs 1 and 2 of this Article is not recognised the rights that he can exercise in line with the provisions of this Article if he had already exercised the rights in a procedure of resolving a residential issue by allocation of a state-owned property based on his status.

Article 163

(1) The decreases that are recognised to investors based on the provisions of Articles 161 and 162 of this Law represent subventions of local communities for resolution of residential needs and issues of employment of the mentioned persons.

(2) The sum of all decreases of the legalisation fee, which are recognised to the investor of an illegally built facility based on Articles 161 and 162 of this Law cannot exceed 80%, except for the persons referred to in Article 162 paragraph 2 of this law.

(3) The investor pays a legalisation fee for the facilities referred to in Article 125 of this Law, in the amount of 50% of the amount referred to in Article 160 of this Law, decreased under the conditions prescribed in Articles 161 and 162 of this Law.

(4) The investor pays a legalisation fee referred to in Article 160 of this Law for the legalisation of the facilities built in the first residential-business zone and for the legalisation of facilities that the investors built for commercial purposes in full amount.

(5) For the legalisation of unfinished facilities referred to in Article 157 paragraph 2 of this Law, the investor is recognised legalisation fee reductions envisaged in this Law only if a ceiling structure was built above at least one floor of the facility above the ground.
2.2. Legalisation fee payment method

Article 164

The investor, i.e. owner can pay the legalisation fee calculated in accordance with Article 160 of this Law in following ways:

a) in cash in single payment, with an additional 10% discount

b) in equal monthly instalments for a payment period that cannot exceed 10 years, with a 1% annual interest and

v) in bonds of the Republic issued for material and immaterial damage.

Article 165

(1) The investor can pay legalisation fees in a combination of envisaged payment methods prescribed in Article 164 of this Law.

(2) A regulation of the Government establishes detailed conditions, method of calculation and payment of the legalisation fee for facilities.

6. Temporary retention of illegally built facilities

Article 166

(1) An illegally built facility in usage or its part that cannot be permanently legalised in line with the provisions of this Law is temporarily retained until the land on which it was built is brought to its end use according to the implementing spatial planning document. A local government body issues a decision with this regard.

(2) The investor referred to in paragraph 1 of this Article is obliged to pay the amount of 20% of the legalisation fee calculated in line with Article 160 of this Law for temporary retention of the facility, without a right to reduction.

(3) Documentation prescribed by the provisions of this Law is enclosed for temporary retention of the facility for certain type and size of the facility.

(4) No decision on temporary retention can be issued for the facilities referred to in Article 154 paragraph 1 of this Law.

(5) A land rent contract or other contract in the law-prescribed form can serve as evidence of solved property and legal relations during the issuance of a decision on temporary retention of the facility.

(6) The facility referred to in paragraph 1 of this Article for which a decision on temporary retention is issued can be connected to the facilities of communal and other infrastructure.

(7) A decision on permanent retention can be issued for the facility referred to in paragraph 1 of this Article for which a decision on temporary retention was issued if, before the expiry of temporariness, a new implementing spatial planning document, which planned its retention, is issued; the fee paid in line with paragraph 2 of this Article is included in the legalisation fee costs.

Article 167

The investor of a facility referred to in Article 166 paragraph 1 of this Law is obliged to remove the facility at his cost after the conditions for temporary retention are terminated, without a right to compensation for the removed facility

Article 168

(1) If a legalisation request is submitted, the relevant town planning and construction inspector issues a conclusion that will terminate a decision implementation procedure for removal of an illegally built or started facility or a part of the facility until the procedure referred to in Article 151 of this Law is irrevocably terminated, except if it was established in an appropriate procedure that the retention of such facility would disable the brining the land on which it was built to its end use in line with the implementing spatial planning document.
(2) When the procedure referred to in paragraph 1 of this Article is finished by the issuance of a decision on subsequent issuance of construction and usage permits, the inspector will discontinue the procedure of implementation of the decision on removal of an illegally built or started facility or part of the facility after that decision became irrevocable.

(3) When the procedure referred to in paragraph 1 of this Article irrevocably terminates by dismissal or rejection of the request, a town planning and construction inspector will continue the implementation of a decision on the removal of an illegally built or started facility of part of the facility.

(4) The relevant town planning and construction inspector is obliged to initiate the procedure for removal of an illegally built facility after the expiry of the deadline referred to in Article 153 paragraph 4 of this Law for which the investor did not submit a legalisation request.

2. Decree on conditions, calculation method and payment of a fee for legalization of facilities (Republika Srpska Official Gazette, No. 97/13)

The amount of the fee for legalisation of facilities is defined by the Decree on conditions, calculation method and payment of a fee for legalization of facilities.
ANNEX 3

INFORMATION LEAFLET
LAND ACQUISITION AND RESETTLEMENT POLICY
THE CONSTRUCTION OF PROTECTION DYKE IN THE CITY OF BIJEĽINA PROJECT WITHIN THE DRINA RIVER FLOOD PROTECTION PROJECT IN BIH, SECTION 2 STAGE 4, WITH TRIBUTARY OF THE RIVER JANJA

Below are given the form and content of the information leaflet of the project of construction of a dike in the town of Bijeljina under the Drina river flood protection project in Bosnia and Herzegovina, Section 2 stage 4 with the influx of Janja.

I. Introduction
a) Short project description
b) Project layout
c) Total land area per categories

J. Planning / Implementation of the rehabilitation and compensation programme

K. Resettlement policy and principles

L. Requirements and rights to compensation
c) Requirements for compensations
d) Rights to compensations

M. The amount of compensation
Table beneath represents a specification of the amounts of compensation for affected property

<table>
<thead>
<tr>
<th>Item</th>
<th>Compensation calculation</th>
<th>Unit</th>
<th>Unit value in KM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural land</td>
<td>Along the entire length</td>
<td>m</td>
<td></td>
</tr>
<tr>
<td>Non-agricultural land</td>
<td>Settlements in the dyke coverage</td>
<td>m</td>
<td></td>
</tr>
<tr>
<td>Forest land</td>
<td>Forest land in the dyke coverage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crops</td>
<td>Market value of products in x areas (m)</td>
<td>m</td>
<td></td>
</tr>
<tr>
<td>Non-productive fruit trees</td>
<td>Based on funds necessary for fruit tree growing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Productive fruit trees</td>
<td>Based on future income of x years necessary to regrow a fruit tree</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities</td>
<td>Based on relocation costs (material, workforce, transport)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compensation</td>
<td>As stated in the matrix of compensation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

N. Appellate procedure

O. Special recommendations for affected persons relating to the legalisation of lots that can be legalised

P. Contact information
Here will be listed contact person for further information and advice:

<table>
<thead>
<tr>
<th>No.</th>
<th>Legal entity</th>
<th>Name and surname of the contact person</th>
<th>Contact data</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>5.</td>
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<tr>
<td>6.</td>
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<tr>
<td>X</td>
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<tr>
<td>X</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
COMPLAINTS AND GRIEVANCE SUBMISSION FORM

<table>
<thead>
<tr>
<th>Name, Last name</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Contact Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Please indicate the preferable means of communication (Mail, Telephone, E-mail)</td>
<td>□ Mail:</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>□ Telephone:</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>□ E-mail:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Describe the grievance/claim:</th>
<th>What is the complaint about? What is the claim?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Negotiation:</td>
<td>Resolution of Negotiation:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>What is the basis of your claim?</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Signature:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
</tr>
</tbody>
</table>


ANNEX 4

CERTIFICATE OF CONFORMITY
OF THE CONDUCTED LAND PURCHASE IN THE COVERAGE OF THE JANJA RIVER REGULATION
IN A LENGTH OF 1.8 KM TO THE WORLD BANK'S OPERATIONAL POLICIES OP 4.12
INVOLUNTARY (FORCED) RESETTLEMENT
Investor: Ministry of Agriculture, Forestry and Water Management of the Republika Srpska / Agriculture Project Coordination Unit funded by the loan from the World Bank, International Development Association (WB-IDA)

Consultant: Civil Engineering Institute "IG" LLC Banja Luka

Expropriation beneficiary: Republika Srpska represented by authorised representatives from the Department of Property and Legal Affairs of the City of Bijeljina

CERTIFICATE

Which is to confirm that land purchase in a section of the Janja river regulation in a length of 1.8 km was conducted completely in line with OP 4.12.

According to the consolidated requirements of the legislation in the Republika Srpska and the World Bank's Operational Policy OP 4.12, the right to compensation can have been exercised in the following cases:

a) Compensation if a registered plot with a registered residential facility is expropriated
b) Compensation if a registered non-residential facility is expropriated, on registered land
c) Compensation if an unregistered residential and non-residential facility is expropriated
d) Compensation if registered and unregistered other structures (fence, septic tank etc.) are expropriated
e) Compensation if a registered agricultural plot is expropriated
f) Compensation for the lost yield of annual agricultural crops to the owner of the crops if the owner has proof of lease relationship with the land owner and cash compensation to the land owner at market price (Cash compensation for the crops shall be available only if the crops cannot be harvested within the given time period)
g) Compensation for the lost yield of perennial agricultural crops to the owner of the crops if the owner has proof of lease relationship with the land owner and cash compensation to the land owner at market price
h) Compensation if business premises in which activities are performed are expropriated; in this case, the expropriation beneficiary is obliged to provide other suitable premises in ownership prior to the demolition of business premises, and if they don't have an adequate room, the expropriation beneficiary is obliged to pay cash compensation to the owner.
i) Compensation if privately owned forest land is expropriated.

The right to compensation are exercised in accordance with the Compensation Matrix, shown in the Resettlement Action Plan, Chapter "14.3.2 Compensation Matrix".

The procedures defined in section "14.3.3. Assistance to highly affected and vulnerable households" are being followed.

The principle of the valuation of acquired land and property is implemented in line with the World Bank's requirements - OP 4.12 forcible resettlement, and relevant domestic legislation.
During the consultation process all affected persons and stakeholders have an opportunity to influence the flow of a project in a way that they express their opinions and suggestions that can be adopted, which relate to them personally, that is, in this case, first of all compensation for land and resettlement and participation in the design and implementation of environmentally and socially most acceptable solutions.

All affected persons were informed on their rights and Dispute Resolution Mechanism in a timely manner. The Dispute Resolution Mechanism has been established so that vulnerable persons could submit an appeal to any decision relating to temporary or permanent loss of land, property or income source, and to define compensation therefor, and in line with the World Bank’s Operational Policy OP 4.12. Involuntary resettlement, as well as in line with relevant domestic legislation. This primarily relates to the Expropriation Act that defines all steps in the expropriation procedure, in relation with the Expropriation Act, the appellate procedure is conducted in line with the General Administrative Procedure Act.

In Banja Luka,
1st August 2017

City of Bijeljina
Department for Housing and Community Services and Environment Protection
Head of the Department:

Tanja Stojanović, grad. traffic engineer

Authorised representative – Chef of Department of Property and Legal Affairs

Ministry of Agriculture, Forestry and Water Management of the Republika Srpska
Agriculture Project Coordination Unit APCU

Stefan Mercevic, Director of APCU

Civil Engineering Institute “IG” LLC Banja Luka

Dobrica Nebojsa Knežević

Milena Majanović, expert associate for geodetic issues

02/3-24-4-1346/17
ANNEX 5

REPORT OF THE PUBLIC DEBATE HELD ON 27.09.2017 IN THE GREAT HALL OF THE CITY OF BIJEŁINA WITH REGARD TO THE DEVELOPMENT OF A RESETTLEMENT ACTION PLAN FOR SECTION 2, STAGES 1, 2, 3 AND 4 INCLUDING THE JANJA RIVER REGULATION IN A LENGTH OF 1.8 KM JANJA LOCAL COMMUNITY

On 27 September 2017, a Public presentation and a Public debate relating to the Resettlement Action Plan were conducted for the construction of a Drina river protection dyke project, Section 2, including Stages 1, 2, 3, 4 and the Janja river regulation in a length of 1.8 km for Janja 1, Janja 2 and Janja 3 cadastral boroughs.

The invitation for public insight into this document and for the public debate was published in the "Glas Srpske" on 16 and 17 September 2017. All documents, including graphic annexes with the marked plots and owners located within the expropriation line were present at the Great Hall of the City Administration, City of Biševina in hard copy, and digital copy on the website of the City of Biševina Administration and the RS Ministry of Agriculture, Forestry and Water Management/APCU, and the links were published in public invitation.

The invitation also stated that the public insight would last in a period from 18 September to 3 October 2017, and that during the public insight all interested natural and legal entities will be able to submit remarks and opinions relating to the draft Resettlement Action Plan and Expropriation report by entering them in the register that will be kept at the Great Hall of the City Administration, City of Biševina and/or by posting them to the address of the City Administration, City of Biševina or RS Ministry of Agriculture, Forestry and Water Management, as well as by sending them to e-mail addresses of the mentioned institutions.

The invitation for public insight and public debate relating to the mentioned documents was also published in classified ads on 20, 21 and 22 September on RTVBN.

In accordance with the invitation, the public debate was conducted in the Great Hall of the City Administration, City of Biševina on 27 September 2017, beginning at 11 o'clock for the Janja cadastral borough.

Mister Siniša Cukut, a representative of the Civil Engineering Institute IG LLC Banja Luka opened up the public debate; he greeted the present and emphasised that in addition to ordinary citizens, the public debate was also attended by:

On behalf of the Consultant – Civil Engineering Institute IG LLC Banja Luka:
4. Siniša Cukut, Coordinator of the environmental protection sector
5. Bojana Ivić Župić, Expert associate for the environmental protection
6. Maja Pešević, Expert associate and designer for geodetic activities

On behalf of the Investitor - RS Ministry of Agriculture, Forestry and Water Management/ Agriculture Project Coordination Unit (APCU):
3. Jelena Đukić, Associate in preparation of the Drina flood protection project Ministry of Agriculture, Forestry and Water Management Agriculture Project Coordination Unit
4. Mika Stevanović, Predstavnik Ministry of Agriculture, Forestry and Water Management/Agriculture Project Coordination Unit

On behalf of the designer – Zavod za vodoprivredu d.o.o. Biševina:
2. Dejan Hrkalović, Designer

On behalf of the City of Biševina:
5. Mićo Mićić, Mayor of the City of Biševina
6. Tomica Stojanović, Head of the Department for Residential and Communal Activities and Environmental Protection
7. Milana Zuban, Head of the Department for Property and Legal Affairs
8. Milena Marjanović, expert associate for geodetic activities

The present were also greeted by Mr Tomica Stojanović, Head of the Department for Residential and Communal Activities and Environmental Protection on behalf of the City of Biševina.
After the introductory addressing, the subject Resettlement Action Plan was presented. Since infrastructural projects require the acceptance of their possible positive or negative social impacts, the present were given a detailed explanation of the World Bank's procedures in the context of land expropriation and rights of the populace to fair compensation in the case of expropriation; their issues are also considered by local laws in this field. After the Resettlement Action Plan for the Drina river protection dyke construction project, stages 1, 2, 3 and 4 (including the Janja river regulation in a length of 1.8 km) was presented the present were addressed by Mr Mika Stevanović who gave an overview of events that preceded the elaboration of project documentation for the Drina river protection dyke construction project. He emphasised that extensive flooding was registered along the river Drina over the last ten years, notably 2004, 2005 and December 2010, especially in the lower part of the watershed in the Republika Srpska, between Zvornik and the confluence of the river Sava, and many locations in the central Drina river watercourse, which belong to Goražde Canton in the FBiH. Immediately after the flooding in 2010, relevant institutions of Bosnia and Herzegovina, with the support of the Entities of the Republika Srpska and the Federation of Bosnia and Herzegovina in June 2012 formally requested that the World Bank consider a possibility of providing the funds for the Drina Flood Protection Project for Bosnia and Herzegovina (BAFPP). The World Bank positively reacted to this request and accepted to consider support to the establishment of urgent measures for management - mitigation of floods in the territory of two Entities in Bosnia and Herzegovina, notably for the areas that were most jeopardised by the floods in 2010 in the Drina drainage basin. The support was given to the implementation of two projects, notably in the area of Goražde (Goražde, Foča-Ustikolina and Pale-Prača) in the Federation of BiH and the area of Bijeljina (Bijeljina and Janja) in the Republika Srpska.

Mister Stevanović emphasised that the elaboration of project documentation for the construction of a protection dyke on the river Drina was funded by the proceeds of the loan from the (IDA) WB, and the consultant for the elaboration of project documentation is Zavod za vodoprivredu d.o.o. Bijeljina in consortium with Institut za vodoprivredu "Jaroslav Černi" A.D. Beograd. The WB, as the holder of the loan from the (IDA) WB, appointed the Ministry of Agriculture, Forestry and Water Management of RS / Agriculture Project Coordination Unit for the Republika Srpska territory.

The first step in the implementation of this project was the development of a Feasibility study for the Drina river flood protection in the area of Semberija and Janja, City of Bijeljina, which was developed by Zavod za vodoprivredu Bijeljina in January 2014. It was followed by the development of a Conceptual design for flood protection from the Drina river high waters in the City of Bijeljina in February 2016, and in 2017, the main design was developed by Zavod za vodoprivredu Bijeljina in consortium with Institut za vodoprivredu "Jaroslav Černi" A.D. Beograd.

After these documents were elaborated and the expropriation line was defined, Civil Engineering Institute was tasked with preparing a Resettlement Action Plan and Expropriation Report for the construction of a protection dyke on the river Drina project, which is presented here.

After Mr Mika Stevanović addressed the present, Mr Siniša Cukut opened the public debate and provided the present with a possibility to submit their questions and get involved in the discussion.

Mr Mihajlo Vlađenović, one of the owners of plots that are comprised by the project in the area of the Janja local community raised a question if substitute land can be provided for the land in the project coverage. This question was replied by Mrs Milana Zuban, Head of the Department for Property and Legal Affairs in the City of Bijeljina, adverting to the rights guaranteed to the owners of plots according to the valid Expropriation Act that is applicable in the territory of the Republika Srpska, it to say that an owner is entitled to compensation in other real estate for the expropriated real estate; if the expropriation beneficiary cannot provide such real estate fair cash compensation is determined, which cannot be lower than the market value of the expropriated real estate. Mrs Zuban explained to the present that in one phase of the expropriation implementation land owners are asked to state whether they want substitute land or fair cash compensation, and in accordance with their choices further activities are conducted. Mrs Zuban simultaneously explained the role of the City of Bijeljina in the procedure land expropriation for structures of general interests as is the Drina river protection dyke construction project.

Mr Ljubo Maletić, President of the Association of Farmers “Grad Bijeljina Republika Srpska” said that this project should have been discussed a long time ago, 5-months ago since the Main design is already developed. He especially stressed that none of the present is against the dyke construction, quite the reverse they all are for the dyke construction, but with the dyke alignment that was designed by the designer who visited the project area. A majority thinks that the alignment is poorly positioned and that it was designed from an office, without any visit to terrain. Mr Maletić pointed out that this is the most fruitful soil in Semberija, and we must keep every gram of soil as a gram of gold because that is the most precious what this nation has. They also raised a question why the dyke is 40 metres wide since such a wide strip caused larger areas to be expropriated.
Mr Mika Stevanović explained that several variant solutions were considered for designing the alignment and the most favourable solution for a level of 100-year water was selected, with the demands and good engineering practice being abided by. He also pointed out that neighbouring states Croatia and Serbia would not allow the river bed be deepened since that would jeopardise their territories.

Mr Husein Samić, from the Janja local community expressed his concern that the technical solution to this design was made in an office, not based on field visits.

Mr Đevet Aganović, a representative of the Janja local community raised a question whether the dyke alignment can change.

A general conclusion is that the population is not satisfied with the alignment position, they consider that they should have been involved in the process of the preparation of design documentation and dyke alignment positioning, it is to say that the adopted technical solution for which the Main design for a protection dyke on the river Drina was developed, approved and reviewed is not suitable.

The designer points out that the good engineering practice was abided by, all calculations were conducted, which were accepted during the designing, all constraints faced during the elaboration of design documentation such as geo-mechanical properties of soil that is suitable for dyke construction in the territory of the Republic of Serbia were taken into consideration. The legal procedure of developing a Preliminary design, then a Main design that was reviewed by an authorised company Zavoda za vodoprivredu Sarajevo was abided by; thus the design documentation is accepted as technically valid and complete technical documentation.

The presentation of the Resettlement Action Plan for Section 2, stages 1, 2, 3 and 4 (including the project of the Janja river regulation in a length of 1.8 km) included the public debate that started at 11 o’clock and ended at 12:40 hours.

**Viewpoint of the author of the subject RAP:** no remarks to the Resettlement Action Plan and Expropriation report were submitted during the conducted Public presentation, public debate and discussion on 27.09.2017 for the Janja local community or during the public insight that lasted form 18.09.2017 to 3.10.2017. The register of remarks and opinions that was kept at the premises of the City of Bijeljina during the public insight also showed no remarks.

**Also,** a letter - explanation that states that the Council of the Janja Local community issued an agreement in principle relating to the designed alignment of the regulated Janja river bed in a session held on 28.07.2015, as well as to other significant elements of the concept of Preliminary technical solution to Development of the lower Janja river course from its confluence with the river Drin upstream in a length of about 8.0 km, including protection from hilly and internal waters in Novo naselje in Janja.

In addition to that, the City of Bijeljina has delivered the lists of attendees with signatures in several meetings held in local communities during the period of technical documentation preparation for the Drina dyke construction project, notably:

- **Meeting of the representatives of the City of Bijeljina, Designer and Projektanta LCs Dvorovi, Novi Dvorovi, Međaši, Balatun with a topic: the Drina dyke construction,** at 10:00 hours on 26.11.2015
- **Meeting of the representatives of the City of Bijeljina, Designer and Amajlije LC with a topic: the Drina dyke construction on 25.11.2015**
- **Meeting of the representatives of the City of Bijeljina, Designer and Popovi LC with a topic: the Drina dyke construction on 25.11.2015**
- **Meeting of the representatives of the City of Bijeljina, Designer, expropriation report consultant and LCs Popovi, Amajlije, Kojčinovac, Međaši with a topic: the Drina dyke construction on 16.02.2016 at 13.00 hours**

In the continuation are given the list of attendees and photographs of the public debate that was held in the City Administration, City of Bijeljina with regard to the subject RAP on 27.09.2017.
AKCIONI PLAN PRESELJENJA ZA IZGRADNJU ODBRAMBENOG NASIPA U GRADU BIJEJINA U OKVIRU PROJEKTA ODBRANE OD POPLAVA RIJEKE DRINE U BIH, KNJIGA 2: REGULACIJA RIJEKE JANJE U DUŽINI OD 1.8 KM
AKCIONI PLAN PRESELJENJA ZA IZGRADNJU ODBRAMBENOG NASIPA U GRADU BIJELJINA U OKVIRU PROJEKTA ODBRANE OD POPLAVA RIJEKE DRINE U BH, KNJIGA 2: REGULACIJA RIJEKE JANJE U DUŽINI OD 1,8 KM
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**DATUM: 27.09.2017.**

**MEŠTO ODRAŽAVANJA: VELEKA SALA GRADSEKE UPRAVE GRADA BIJELEJINE SA POČETKOM U 11:00 CASOVA**

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