

ABBREVIATED RESETTLEMENT ACTION PLAN

FOR THE UPGRADING OF THE VEHICLE ROAD SEGMENT

MUZAK TOPIA TO BERAT CASTLE UP TO ST. ILIA'S CHURCH

In BERAT MUNICIPALITY

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Abbreviations

ADF	Albanian Development Fund
DCM	Decision of the Council of Ministers
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESMF	Environmental and Social Management Framework
GoA	Government of Albania
GRM	Grievance Redress Mechanism
IoCM	Institute of the Cultural Monuments
IPRO	Immovable Properties Registration Office
LGC	Local Grievance Committee
LGU	Local Government Unit
MC	Ministry of Culture
MIE	Ministry of Infrastructure and Energy
OMP	Operational Management Plan
OP	Operation Policy
PAP	Project Affected Persons
PCU	Project Coordination Unit
PIUTD	Project for Integrated Urban and Tourism Development
RAP	Resettlement Action Plan
ARAP	Abbreviated Resettlement Action Plan
RPF	Resettlement Policy Framework
SA	Social Assessment
WBG	World Bank Group

Definition of Resettlement-Related Terminology

Project in Brief	Definitions
<i>Application file</i>	Set of documents prepared to support the request for expropriation submitted to the respective authority
<i>Case file</i>	Set of documents that the Expropriation Commission finalizes in support of proposal for expropriation to the Council of Ministers
<i>Census</i>	A field survey carried out to identify and determine the number of Project Affected Persons (PAP) or Displaced Persons (DPs). The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures emanating from consultations with affected communities.
<i>Compensation</i>	Compensation is the payment in kind, cash or other assistances given in exchange for the acquisition of land including fixed assets, as well as other impacts resulting from project activities.
<i>Cut-off date</i>	Date of completion of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cutoff date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated.
<i>Expropriation Commission</i>	Special commission for application of the expropriation procedure in case of the sub activities.
<i>Expropriation Law</i>	Law No.8561/22/12/1999 ‘On Expropriation and Taking on Temporary Use of Private Property for Public Interest’
<i>Full replacement cost</i>	Method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. Depreciation of structures and assets should not be taken into account. For agricultural land it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes
<i>Land</i>	It refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the project.
<i>Land acquisition</i>	It means the repossession of or alienation of land, buildings or other assets thereon for purposes of the Project.
<i>Local Grievances Committee</i>	Local committee composed of three representatives: PAPs, Project; neutral expert to handle all grievances procedures in the affected areas and address PAPs concerns.
<i>Local Government Unit</i>	The LGUs include Municipalities and Administrative Units as per the new territorial division in force since June 2015.
<i>Project</i>	Project for Integrated Urban and Tourism Development
<i>Project Affected Person (s) (PAPs)</i>	PAPs are persons affected by land use or acquisition needs of the RAP in the framework of the project. These person(s) are affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they must move to another location.
<i>Replacement cost</i>	It means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on Market rate (commercial rate) according to Albanian law for sale of land or property. In terms of land, this may be categorized as follows: (a) “Replacement cost for agriculture land” means the pre-project market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes.
<i>Resettlement Action Plan (RAP), Abbreviated Resettlement Action Plan (ARAP) or “Resettlement Plan”</i>	It is a resettlement instrument (document) prepared when projects locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and/or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAP is prepared by the party (Potential Developer) impacting on the people and their livelihoods. RAP contains specific and legal binding requirements to resettle and compensate the affected party before implementation of the project activities. RAP is a site specific report for the current known impacts and is prepared in conformity with the provisions of this RPF with the views of the PAPs.

*The Resettlement Policy
Framework (RPF)*

It is an instrument to be used throughout the implementation of project activities as guidance tool. The RPF sets out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project.

1. INTRODUCTION

The Project for Integrated Urban and Touristic Development aims to deliver improved urban infrastructure, enhanced tourism assets, and strengthened institutional capacity for tourism related local economic development. Inhabitants and visitors of Berat, Gjirokastra, Saranda and Përmet, as well as of other locations of touristic interest along the so called “circuit of south Albania”, will soon be able to enjoy the first results of these interventions.

After the ratification of the financing agreement by the Albanian Parliament with the law Nr. 19/2017 “For the ratification of the loan agreement between the Republic of Albania and the International Bank for Reconstruction and Development for the financing of the Project for the Integrated Urban and Tourism Development” in March 2017, the work has been pursued in each of the project’ components: 1) urban upgrading and infrastructure improvement, 2) touristic sites upgrading, 3) tourism market and product development , 4) implementation support.

The Project for Integrated Urban Touristic Development (PIUTD) has identified Berat as one of the major locations for its Component 1 - “Urban Upgrading and Infrastructure Improvement”, which among others aims on improvement of supporting infrastructure.

The sub-project, “Upgrading of the vehicle road segment Muzak Topia to Berat Castle” is an investment identified as part of the initial activities funded under the PIUTD, which is expected to play a critical role to pilot and demonstrate an innovative and integrated approach to implement regional development in line with the new National Territorial Development Strategy.

The sub-project, “Upgrading of the vehicle road segment Muzak Topia to Berat Castle” is an investment identified as part of the initial activities funded under the Project for Integrated Urban and Tourism Development in Albania, which is expected to play a critical role to pilot and demonstrate an innovative and integrated approach to implement regional development in line with the new National Territorial Development Strategy.

2. DESCRIPTION OF THE SUB-PROJECT

The upgrading of the road “Muzak Topia”, which provides vehicular access to the castle, addresses the problems that follow the fact that this road is narrow and of poor quality asphalt, ending in a dead end

with unorganized and insufficient parking. Based on data received from the Municipality of Berat, the number of tourists averages 150 persons per day, but it peaks during spring-summer with about 700 visitors per day, with the largest concentration during the months May-September.

The road is situated totally within the jurisdiction of Berat Municipality and is located near the inhabited neighborhoods around the Castle of Berat. However, most urban settlements are located on the right side of the road, while the left side consists mainly of olive groves, apart from the first 500 meters, which are inhabited with settlements and a cemetery.

Due to its architecture, cultural heritage, and characteristic buildings, Berat has been considered one of the most beautiful towns of Albania for decades. Berat has also been nominated a UNESCO town in 2008. The castle of Berat is listed as one of the Cultural Monuments protected under the Albanian legislation. Berat Castle, a fortress landmark in the city of Berat, lies high above the Osum River.

The Osum is a river in southern Albania known for its beautiful canyons. Its source is in the southwestern part of the Korçë County, near the village Vithkuq at an altitude of 1,050 metres (3,440 ft). It flows initially south to the Kolonjë municipality, then west to Çepan, and northwest through Çorovodë where it flows through the famous Osum Canyon, Poliçan, Berat and Urë Vajgurore. It joins the Devoll near Kuçovë, to form the Seman River, which flows further into the Adriatic Sea.

The castle of Berat dates back 2,500 years and records of its first conquering were accomplished by the Romans in 200 B.C. After many centuries of stone reinforcement, the exterior (perimeter) was enlarged slowly over time, under Byzantine conquerors, in the 5th, 6th, and 13th centuries. Currently, the castle is in restoration due in part to a UNESCO World Heritage Site acknowledgement. The castle of Berat is connected with the town through numerous pedestrian cobblestone roads. The castle is an inhabited neighbourhood. Berat town has a population of approximately 70,000 inhabitants, of which 600-700 inhabitants live in the Castle area.

The existing vehicle access road, initially foreseen to serve to only the inhabitants of the nearby quarters, in its current conditions cannot cope with increasing tourist demand in Berat city. Based on data received from the Municipality of Berat, the number of tourists averages 150 persons per day, but it peaks during spring-summer at 700 visitors/day, with the largest concentration during the months May-September.

Currently, all tourists tours follow the vehicle road to reach the castle by bus. The pedestrian road is also available as an access road, but it requires a 900 m walk at least to reach the castle. The buses park at the monument near the castle entrance. The parking space can only handle two buses simultaneously

The aim of this sub-project is the upgrading of the vehicle road to Berat Castle “Muzak Topia”. This road provides for the access of vehicles and buses to the castle from its North-Western side.

The road in its current situation cannot handle freely the increasing flow of tourists visiting the town and the castle (Figure 1). Furthermore, community safety issues are in question due to difficulties in using the road at its current width, including difficulties of access in emergency situations, downgraded

engineering networks causing floods, safety issues due to lack of sidewalks and lack of sufficient parking lots.

The road starts at the entrance junction, on the north-western direction of the city, and continues up the hill for 1839 meters. The road can be divided in two separate parts. The first 500 meters are on a flattened terrain and in between of storehouses, houses, a cemetery and an electrical distribution station while the second part is up the hill and for most of its part passes through olive trees to reach at another inhabited area in top of the hill (see Figure 2,3,4).

Due to the fact that the road will be widened as and where technically necessary to make space for two buses in parallel, the project entails some land impacts, mostly agricultural land, for which this Abbreviated Resettlement Action Plan was prepared by ADF in cooperation with Berat Municipality.



Figure 1: View of the current status of the road

In line with the detailed project design, this subproject foresees upgrading of the existing vehicle road Muzak Topia, including the improvement of:

- Access to inhabited quarters through intervention in the existing access points and crossings
- Placement of sidewalks with trees
- Reconstruction of all infrastructure elements such as(culverts, drainage canals, etc)
- Parking lot for buses and private vehicles, as well as the road to the parking lot

The road will need to be upgraded in terms of its geometrical and qualitative characteristics so that it will sustain an increased traffic including busses of visitors. This subproject foresees upgrading of the existing vehicle road Muzak Topia providing so for:

- Access to inhabited quarters through intervention in the existing access points and crossings
- Sidewalks and decorative vegetation
- Complementation of the infrastructure with elements such as culverts, drainage canals, etc.

In discussing the intervention, the road can be divided in two separate parts.

- The first 500 meters are on a flattened terrain and in between of storehouses, houses, a cemetery and an electrical distribution station.
- The second one part is up the hill and for most of its part passes through olive trees to reach at another inhabited area in top of the hill.



Figure 2: Satellite view of the first segment of the road located in inhabited area



Figure 3: Satellite view of the road to monument square and the parking lot





Figure 4: Current conditions of the road

3. RESETTLEMENT ACTION PLAN IN THE FRAME OF THE RESETTLEMENT POLICY FRAMEWORK AND WORLD BANK GUIDELINES

The World Bank Operational Policy on Involuntary Resettlement requires that environmental and social impacts of all its supporting projects should be mitigated according to operational policies that spell out the principles and planning methods for mitigation work. This applies whenever land or property must be acquired, or its use modified, for a project, or loss of income because of land take, residence or

access to resources, either permanent or temporary whether the occupation is legal or illegal.

Resettlement of PAPs in the project zone will therefore be carried out in accordance with the Laws of Albania taking into consideration the World Bank Involuntary Resettlement Policy. In any instance where there is a gap or conflict between the Albanian Law on Expropriation and OP 4.12, World Bank Operational Policy 4.12 will prevail or implementing agencies will provide a solution in compliance with OP 4.12.

The World Bank OP 4.12 aims to achieve the following objectives:

- (a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- (b) 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. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- (c) 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.

In the case of sub-project “Upgrading of the vehicle access road Muzak Topia to Berat Castle”, it is land take that triggers OP 4.12.

The Resettlement Policy Framework (RPF) was prepared during the project preparation and serves as a guide for the preparation and implementation of Resettlement Action Plans (RAPs) for all sub-projects, including this one.

A critical objective of this assignment is to acquire the land in a manner which clearly stipulates that involuntary taking of land must be compensated at fair market value and that if loss of land negatively affects the financial sustainability of the land owner or land user, remedial measures must be taken to restore income.

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This ARAP is prepared based on:

- Property Evaluation Report- submitted to ADF from the Property Evaluation Expert which identifies the PAPs, prepares the Property Files for each Property Registered affected by Project in Berat IPRO office, identifying all the not registered land owners and informal users of land, etc.

- Census- baseline survey made by ADF's Social Inspectors which establishes the number and identity of individuals, households, or communities to be affected by the project, accompanied with an inventory of major assets (land, assets) to be affected by project implementation.
- Frequent site visits to communicate and consult with the Project Affected Persons, discussions with all affected owners.

The ARAP contains the details on how to ensure that WB principles can be implemented. There are different categories of expected project impacts, including loss of property and assets, but no impact is expected on livelihoods, All people, households and groups adversely affected by the project would be registered and they will receive a support. The project monitoring and evaluation will compare long-term impact against baseline socio-economic data. Though because of the improved access to tourist site there will be increase of tourists and thus increased of economic opportunity of affected households, which in other side will lose fraction of their house yards. In addition, it is expected that the value of their assets will be increased. The PAP's will be impacted positively in the future from perspective economic and touristic growth. Actually some of the PAP-s are engaged in touristic activities and this access serves as a touristic corridor.

Project implementation will directly affect PAPs because they will be expropriated for a certain area of their property, i.e. land take. Expropriation is carried out for public interest and the agricultural land taken will be used for the construction and operation of Muzak Topia street project in Berat. The project will have a positive impact indirectly on other communities in the old urban quarters, as tourists will visit not only the Castle, but also the old neighborhoods Gorica and Mangalem, which are connected through the cobblestone street with the Castle.

The assessment carried out during the preparation of the ARAP indicates that the rest of the land, other than the expropriated one, is still economically usable, i.e. the PAPs are affected on a small area (mostly less than 20%, with a few exceptions- refer to the resettlement matrix) of the individual parcel owned by them. That is why the level of PAP revenues does not deteriorate even after the implementation of the project but can be improved by the financial compensation of the expropriated land portion.

There is no owner affected with more than 20% lost of their total possessions. There are parcels affected more than 20% and this is case for 11 out of 80 parcels. But, owners of these 11 parcels also possess other land which is not affected by the road.

Field surveys and data collected during the ARAP preparation show that agricultural landowners use the land mainly for olive groves. The implementation of this ARAP does not foresee / require rehabilitation and / or assistance to relocate homes and / or other affected business buildings, but it includes cash compensation for property parcels, move of fences or expropriated agricultural land together with the crops, or the displacement of crops (it is possible to move the olive tree) , if this variant is accepted. The ARAP also provides for PAPs to be assisted by the Grievance Committee to facilitate complains raised by the PAPs.

The compensation amount, based on the methodology enables that the Project Affected Persons will be able to buy piece of land anywhere in the territory of Berat local government plus transaction costs, including plants – which is adressss the principle that the compensation should be at least at the replacement costs.

This subproject is supported by the community living nearby the road as it is expected that it will improve their livelihoods, givent that the road rehabilitation will help to increase frequentation of tourist and potential for the economic activities of the residences to service visitors/tourists to castle.

This ARAP's main results and findings are listed below:

- The legal framework in force for project implementation provides that project-affected persons (PAPs) are compensated for any loss of physical assets, income and profits deriving from the performance of this investment, whether such losses are temporary or permanent. The Census has shown that the construction of the road mainly affects only perimeter walls, mainly land plot, public property, agricultural lands, vegetation and production in these lands, as well as a property categorized as “olive grove”.
- The minimizations of resettlement effects for construction of the road were aimed by the project design and achieved to the maximum allowed by the requirements for a safe and useful infrastructure. However, the inevitable private land affected results for 80 agriculture plots owned by 69 land owners in total.
- The total area affected by the investment is 19,530 m². In addition, there are a number of 167 trees to be expropriated and/or replanted, of types olive, cherry, fig, plum, vine, orange, palms, pomegranate, pine.
- This ARAP reveals that the affected parties from land acquisition, for the reconstruction of the

road are public and private owners and Informal users of land (encroachers). A total of 69 private and public owners are identified to be expropriated according to the Albanian legislation in force. Land acquisition affects 80 plots in one administrative unit, in a total of 19,530 m²: Encroachment consists of locals using olive trees in the state land, as well as placement of fences and gates in state property.

- Land needed for the road is registered as agricultural land and construction land, olive groves, forest, in the local property registration office. Field observations and data collected through ARAP census survey show that the land is used as gardens, olive production and pasture. There are no dwellings or any other structure in the identified plots to be expropriated.
- It is provided that the Government of Albania will compensate the project affected people (PAPs) for any loss of physical assets, revenue, and income resulting from economic displacement or physical relocation whether these losses are temporary or permanent. However, the census-survey found that reconstruction of the “Muzak Topia” road will not affect any immovable property, such as: houses or structures.
- RAP reveals that potential impacts due to land acquisition for the road reconstruction appear to be moderate and manageable. Field observations and the census-survey showed that the road will be reconstructed mainly along the existing road, with minor widening, affecting thin strips of land along the sides. However, in case of any unforeseen event after the cut-off date, such as: boundary wall demolished, trees removed, etc., replacement of assets affected will be provided.

Based on the Property Evaluation Report, the ARAP applies the prices as shown in the table below:

	Category of Land	Price
1	The price for compensation of Land in Urban Area:	4,183 Lek/m ²
2	The price for compensation of Land in Agriculture Area:	1,800 Lek / m ²
Note: The transaction Cost for the assets which statute is state/ or are not registered and will be included in the unit price		303,500 ALL

The prices are calculated based on data from the real estate agents and announcements, in the commercial property market platforms, on land sales. The estimation of the cost to be compensated is done using Unit Prices which were developed based on the open market prices.

The total estimated cost of land compensation for a total area of 19,530 m², including trees and assets for the proposed project is estimated at **60,041,127.00 ALL** (about US \$ 555,936.00), Annex 8.

This value is added to the amount needed to cover the transaction costs. The compensation estimate includes also the transaction costs. Based on the suggestions of the World Bank, a reserve fund of 10% of the total is foreseen. So, in total, the budget for the compensation of persons affected by the reconstruction project of Muzak Topia road in total is calculated in the amount of **66,045,240.00 ALL** (about US \$ 611,530.00).

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During ARAP implementation, monitoring ensures that any issue which may arise is properly addressed, such as impacts from road widening, or loss of trees or standing crops. Nevertheless, safety and compensatory measures are provided if needed and any land which is temporarily affected must be restored to its original condition.

Social safeguard measures and guidance are provided for both construction phase and post-completion phase impacts relating to land acquisition/expropriation, impacts on livelihoods and related compensation, as needed.

The conducted socio-economic assessment for the purposes of this project indicates that, the economic status of project-affected people (PAPs) will not be worse off than before the project as a result of land

acquisition.

As the project design has been repeatedly reviewed with the aim of minimizing the impact on private properties, limiting the number of the affected properties on only few of them and most of the landowners is to be expropriated for more than 20% of their land (see total land area and percentage of land take for each PAP in the Inventory of PAPs and Assests, Annex 3). However, the land take against the whole lot is not estimated only as a fraction of the affected parcel.

In most of cases land use is for olive and oil production of households and contributes to their source of income but is not the main source of income. Therefore, the assessment is that the affected portion of land is not affecting PAPs' source of income.

The ARAP does not require rehabilitation assistance and/or moving allowances and no houses and/or other structures are affected, but only cash compensation for the lost land. Finally, ARAP foresees that assistance with project-related issues is to be provided by the local grievance committee to all PAPs, especially as regards the vulnerable groups.

The resettlement process will meet the requirements of the World Bank Operational Policy (4.12), on Involuntary Resettlement and also adhere to the provisions of the Constitution of Albania, the Land Acquisition Act.

4. METHODOLOGY

The methodology used by ADF environment and social team included a participatory approach of qualitative data, where meetings were organized and key informants were interviewed. The detailed methodology of the property evaluation expert is attached in Annex 1.

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

- Consultation with the affected people along the proposed segment was done as part of the participatory approach.

- Census surveys of all the direct and indirect affected people (including new project site area and existing water pipeline areas). A comprehensive questionnaire for data collection was developed, whereby it captured the following information: household bio-data, livelihoods, and infrastructure inventories including land, properties, and social services infrastructure. .
- Cadastral and Orthographic maps that identified features as population settlement, infrastructure, and land use pattern.
- Assets Inventory was used to show lost and affected assets at the household, enterprise and community level.

4.1. VALUATION AND COMPENSATION

Below is a resume of the compensation package for each of the affected people.

Lack of title/ permits: Where it occurs, expropriation could involve the loss of land, shelter or other sources of income. Since not all sub-projects and any consequent impacts, are known at project preparation stage, this RAP includes consideration of possible adverse impacts from loss of shelter and relocation, as well as loss of assets and/or income (livelihood). As indicated in the criteria for eligibility to receive compensation, these will include those people who are occupying or using the affected land, but may not carry documentation indicating formal or recognizable legal rights to the land or permits for buildings.

Loss of Income: If less than 10-20% of an individual's land holding is adversely affected by the land acquisition process for a particular sub-project –no significant loss of income is expected and impacts can be generally considered to be minor. In these cases, compensation will be provided as detailed in the following table. However, if affected people suffer loss of income through loss of more than 20% of their land holding, income reduction is likely and income restoration assistance will be provided. This will take the form of “Rehabilitation Assistance” meaning assistance comprising job placement, job training, or other forms of support to enable displaced persons, who have lost their source of livelihood as a result of the displacement, to improve or at least restore their income levels and standard of living to pre-project levels.

Loss of Structures: It is not expected that there will be any residential or other structures that will need to be acquired in the project site. However, in the event that there are structures (barns, kiosks, small

commercial buildings etc.) that will need to be demolished, “depreciation” will not be used while calculating the compensation payable for affected structures, and affected people will be able to replace their structures with the compensated amount.

Loss of municipality properties: As above mentioned, there are some land parcels which are municipality properties which have to be expropriated and put at disposal to the project. In this case the Council of Ministers is obliged to compensate with the market price when the property is going to be transferred. The legal situation is explicitly provided by law nr. 10 119, dated 23. 4. 2009 “On Territorial planning” (art.67).

4.2. Compensation Rates

Adequate compensation rates have been drawn based on the prevailing market rates and official data from the IPRO local office, of the affected facility in the RAP document. The established compensation rates have been applied throughout the project components with consistency in the respective project phases with allowances for adjustment for a case of the staggered compensation payments. Please see for more details Annex 1: Methodology on the Evaluation of the Expropriated Land.

4.3. Restoration Strategies, Change in Livelihoods and, Variation with Area of Impact

The restoration strategies applied by the proponent to ensure income restorations to the affected communities revolves round compensation. The overall objective of the adopted strategies is to ensure no negative change in the livelihood of the affected persons and their respective activity. The strategies aim at livelihood promotion through various economic incentives to the affected.

4.4. Land based Compensation

Land-based compensation option is not provided according to the Albanian legislation in force. Based on site observations and the Census – survey conducted with PAPs, it results that the majority of PAP is not losing more than 20% of their land plot and it will be compensated. Therefore, there is no land for

land choice needed or applicable for this RAP. Based on the RAP findings and Albanian legislation criteria, PAPs were consulted and gave their agreement on cash compensation or in-kind compensation method.

Based on previous experiences of ADF, each time there has been an investment in road improvement/rehabilitation, the livelihood of PAPs has improved, due to the improvement of access for the people living there or abroad. It means that the open market prices for land will be raised. Lack of investment is the key factor contributing to the economic state of the local communities.

Tourism is one of Berat's most promising directions of economic development. The city inherits from the past a long and rich range of historical, cultural, ethnographic, architectural and religious values, such as constituting a considerable potential for tourism. With the tourist resources of the city it is possible to develop familiar and organized tourism.

There is a good image restoration, especially in the last two to three years, when the influx of visitors from the country, from Kosovo and abroad has increased significantly. There is a re-activation of the city's best traditions versus visitors. Traditionally in Berat, the visitor has found special hospitality, enjoying a pleasant and relaxing environment, a chance to enjoy a traditional cuisine combined with the modern one, including famous olives, lamb and sea turkey and wines produced by vineyards around the city.

4.5. Cash Compensation

The cash compensation option is provided by Albanian Law. PAPs were consulted and some of them prefer the cash compensation for their land expropriation, while others agree on in-kind compensation. In very few of the cases (11 out of 80), more than 20% of the actual parcel is taken, but no more than 50%. These cases will be compensated by cash, and the rest of the parcel will be left on the possession of the PAP because the use of the parcel will be viable. In all the cases, this is cash compensation for agriculture land and construction land. The land remains viable after workings for farming and agriculture activities

- Compensation rates are calculated in consultation with representatives of affected populations to ensure that rates are fair and adequate;

- Compensation for land are sufficient to enable affected people to acquire land with same use anywhere in thr local government area;
- No compensation for structures is applicable for this RAP as there will be no impacts on structures. In case of any event, after the time of RAP preparation, during the works a structure is damaged the structure will be compensated at full replacement cost exclusive of depreciation and inclusive of all fees such as construction permits and title charges and labor costs;
- Compensation payments must be made before any acquisition of assets or physical resettlement takes place unless those payments are staggered to enable affected people to begin preparation of new sites;
- Compensation for dismantled infrastructure or disrupted services must be paid to affected communities, or to local institutions as appropriate, at full replacement cost, before civil works begin;
- Compensation for lost earnings must be paid to proprietors and employees for the duration of work stoppages resulting from the relocation of enterprises.

From the general census survey, main PAPs (households members) sources of income are: self-employment in agriculture/farming, self-employment in a family business, and other employment (local governance, services, etc), while there is a considerable support from emigrants (remittances). Although, there is a higher percentage of household's members who are engaged in agriculture, the analysis of their incomes show that land use is mainly for self- consumption rather than deriving incomes from selling agriculture products. Their agriculture products (mostly olives) are in few cases sold in small local markets. In addition, the census – survey shows that additional agriculture land owned by each PAP is another sustainable argument that they will not be worn out upon expropriation, on opposite the compensation could be used to further invest in their other lands for cultivating crops, irrigation, etc.

The project will also provide for relocation of olive trees, through replanting them using expertise and appropriate equipment.

There is no evidence of vulnerable groups affected due to project implementation. However, in case of need special assistance to facilitate communication of vulnerable people with the commission for expropriation is provided, in order to facilitate their procedures of land acquisition.

Given the lack of reliable data and limited and incomplete information on land sales it is safer to estimate a range of values rather than a single number as the prevailing land market values. A range leaves room for the accommodation of new and reliable information made available during the contacts with owners and residents or from official sources.

For more details on the methodology and source of information used for estimation of the ARAP budget, see Annex 1: “Methodology Notes for the Evaluation of the Expropriated Land”.

5. PROJECT SITE

The sub-project site is located in an urban area. Social services are within reach for the Project Affected Persons. Easy access is provided to the following services:

- Education: there are a number of kindergartens, elementary and secondary schools near the sub-project area
- Community services: local post office, town hospital, citizen registration services are less than 30 minutes walk from the site.
- The area is also host to a cemetery

5.1. People Affected by the Muzak Topia vehicle road rehabilitation

First 500 meters are in Urban Area where 11 households are affected, and the rest of 58 households live in other settlements of the city of Berat but own land along the route. The people living along the proposed subproject will lose marginal land that is defined as construction land, agriculture land and their fences. Fences will be re-built according to the new standards (esthetics will be improved)

5.2. Identification of Stakeholders and Project Affected Persons

A series of focus group meetings and key informant interviews were held with stakeholders in all project sites of the residential areas where the road will be constructed, so that the impacts of the project (both social and economic) were explained.

Identification of stakeholders and PAPs is done by site visits and meeting all stakeholders that were reachable, accompanied by-in the presence of the respective Head of the Area, together with a Representative from the Municipality of Berat.

The publicity was done from Municipality on newspaper more than 6 months before the evaluation process started. All PAPs were included in the survey, including those that were not residing in the area. In addition, the consultant explained and discussed with them the land compensation rates and mitigation measures. These consultations started with the submission of the draft design of the road (January, 2017) and still continuing.

In few cases these courtyards are used for business activities related to the cemetery, like flower selling or craft of marble (Figure 5). These families will receive support in design and preparation of better exposure and storing spaces as part of the assistance.





Figure 5 : Local business owners

Reconstruction of the surrounding walls with attention to aesthetic and practical aspects is their primary concern.

The properties along the road are enlisted as state properties, but we are aware that people are using them, harvesting olives, and also claim ownership, though there is no other prove but the cadastre files stating the parcels as state property. Project made available contacts and encouraged other people from the community to notify possible persons having claim, about the development and to represent themselves to Project or at the Municipality. Until there are no claims on the land that is specified as state land but has olive trees that are used by people.

Efforts undertaken to inform potential owners include notification in local media, Berat Municipality, facebook, public consultations, meeting with each of the PAP families, as described below.



Figure 6 : Contacting with local community



Figure 7 : Verifying the design on site with the designer and creating contacts with local community

The two businesses in the field of services (restaurants, hotels) (Figure 8) which are located at the top of hill, near the castle recognise the benefit from the construction of the road, although their comments mainly raise the question of distribution of the affected property among all the inhabitants of the area.

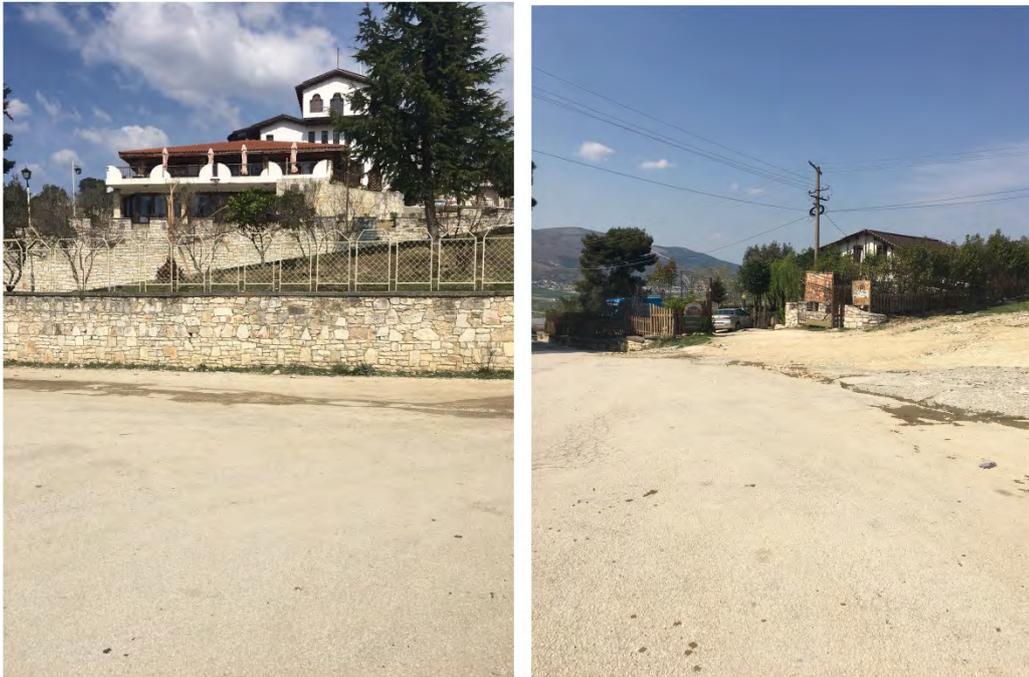


Figure 8: Businesses located near the monument square (entrance to the castle)

Although a presentation of the engineering benefits of the actual project design has been done to the PAP the communication process is on-going.

Communications with the designing company have been continuous during this phase. In a few cases our requests for the minimisation of the impact have been taken in account.

The PAP are encouraged to reflect on and articulate requests that would increase their benefit from the project. A subsequent community meetings will continue upon the approval of the draft ARAP.

6. PUBLIC CONSULTATIONS AND FEEDBACK

The meetings for the purpose of the RAP started in January 2017 and have continuously been organized by ADF and Municipality of Berat, with the Project Affected Persons.

Based on the design provided by Berat Municipality, site investigations held during February-March, 2017, identified the need for expropriation/displacement of one settlement, which was later on avoided based on request by ADF and World Bank to avoid any resettlements if not strictly necessary.

The Muzak Topia road rehabilitation project has been publicly discussed during safeguards disclosure meetings (July 2016 – before PIUTD project appraisal and January 2018- for discussion of ESMP for Muzak Topia road) (Figure 9). In this latter meeting, the revised and final design was disclosed with the public and affected persons participated in discussions. Minutes of the disclosure meeting can be found in the following web link:

http://www.albaniandf.org/english/info_lajme/Pages/lajm_en_2018_02_22.html



Figure 9: Meetings organized with PAPs

A series of public meetings were held with PAPs the residential area identified for land expropriation.

The municipality of Berat published a notification for all identified PAPs in its official website and on the facebook site (Figure 10). The notification is published on March 07, 2018 and the cut-off date was March 23, 2018. This date also denotes the start of the property evaluation and census

survey. (<https://www.facebook.com/136553133054780/photos/a.455546757822081.100534.136553133054780/1760245100685567/?type=3&theater>)

Nr	Zona Kadastrale	Nr.Pasurise	Nr.	Zona Kadastrale	Nr.Pasurise	Nr	Zona Kadastrale	Nr.Pasurise	Nr	Zona Kadastrale	Nr.Pasurise
1.	8501	4/396	40.	8501	4/396	79.	8501	18/326	118.	8505	749
2.	8501	4/376	41.	8501	4/344	80.	8501	16/73	119.	8505	735
3.	8501	4/314	42.	8501	4/140	81.	8501	16/253	120.	8505	752
4.	8501	4/378	43.	8501	4/140 ND	82.	8501	16/254 ND	121.	8505	754
5.	8501	4/95	44.	8501	4/141	83.	8501	16/81	122.	8505	754/1
6.	8501	4/96	45.	8501	4/141 ND	84.	8501	16/3	123.	8505	755
7.	8501	4/316	46.	8501	4/69	85.	8501	16/256	124.	8505	755/1
8.	8501	4/318	47.	8501	4/70	86.	8501	16/255	125.	8505	771
9.	8501	4/375	48.	8501	4/347	87.	8501	4/409	126.	8505	767
10.	8501	4/89	49.	8501	4/346	88.	8501	18/322	127.	8505	772/1
11.	8501	4/12	50.	8501	4/352	89.	8505	832/1	128.	8505	772/2
12.	8501	4/375	51.	8501	4/353	90.	8505	828	129.	8505	775
13.	8501	4/88	52.	8501	4/154	91.	8505	826	130.	8505	776
14.	8501	4/86	53.	8501	4/355	92.	8505	725	131.	8505	777
15.	8501	4/85	54.	8501	4/63	93.	8505	720	132.	8505	766
16.	8501	4/323	55.	8501	4/65	94.	8505	719	133.	8505	746
17.	8501	4/83	56.	8501	4/351	95.	8505	734	134.	8505	753
18.	8501	3/130	57.	8501	4/356	96.	8505	733	135.	8505	780/2
19.	8501	3/128	58.	8501	4/348	97.	8505	766	136.	8505	779
20.	8501	3/400	59.	8501	4/44	98.	8505	726	137.	8505	779/1
21.	8501	3/401	60.	8501	4/46	99.	8505	731	138.	8505	800/2
22.	8501	4/377	61.	8501	4/41	100.	8505	730	139.	8505	801/1
23.	8501	4/72	62.	8501	4/43	101.	8505	729	140.	8505	801
24.	8501	4/383	63.	8501	4/60	102.	8505	729/2	141.	8505	802
25.	8501	4/375	64.	8501	18/339	103.	8505	729/1	142.	8505	802/1
26.	8501	4/79	65.	8501	18/340	104.	8505	737/6	143.	8505	804/1
27.	8501	4/78	66.	8501	18/330	105.	8505	738	144.	8505	805
28.	8501	4/342	67.	8501	18/329	106.	8505	766	145.	8505	806
29.	8501	4/69	68.	8501	18/39	107.	8505	737/3	146.	8505	837/2
30.	8501	4/72	69.	8501	18/282	108.	8505	732/4	147.	8505	830
31.	8501	4/82	70.	8501	18/310	109.	8505	735/5	148.	8505	831
32.	8501	4/340	71.	8501	18/312	110.	8505	735/2	149.	8505	825/1
33.	8501	4/320	72.	8501	18/313	111.	8505	735/6	150.	8505	893
34.	8501	4/321	73.	8501	18/317	112.	8505	737/4	151.	8501	4/12
35.	8501	4/82	74.	8501	18/103	113.	8505	737/5			
36.	8501	4/334	75.	8501	18/318	114.	8505	737/2			
37.	8501	4/338	76.	8501	18/321	115.	8505	737/1			
38.	8501	4/153	77.	8501	18/323	116.	8505	747			
39.	8501	4/350	78.	8501	18/322	117.	8505	748/1			

NJOFTIM PËR SHPRONËSIMET:

Në zbatim të Ligjit nr. 8561 datë 25.12.1999 "Për shpronësimet dhe marrjen në përdorim të përkohshëm të pasurisë pronë private për interes publik", kërkojmë që brenda datës 23.03.2018, të gjithë personat që preken nga realizimi i projektit "Rikonstruksion dhe zgjerim i rrugës "Muzakë Topia", segmenti nga rrethrotullimi, të ish - rezervat e shtetit, deri te kisha e "Shën Ilias", të sjellin pranë Bashkisë Berat dokumentacionin e pronësisë që disponojnë.
Në labelat e mëposhtme jepen zonat kadastrale dhe nr. e pasurisë:



Figure 10: Notification of Berat municipality on their facebook site

The notification was also waived on the local TV (Annex 2). The notification was transmitted for three days over the period February 27-March 03, 2018 on TV Glob.

Feedback was received and recorded by the Municipality. As a result, a final list of PAP was finalized, and the census survey was initiated by ADF and Municipality of Berat.

The meetings during the property evaluation process were held on 29,30 June 2018. The representatives of administrative unit of Berat Municipality, Mr. Mirel Konomi and Mr. Pelivan Sinaj were present in every meeting. The consultation meetings offered to the resident's information about the upcoming Resettlement Plan, which will be disclosed and consulted.

The issues discussed during the consultations were consisted mostly on the type of compensation for the land. It was announced during the consultations that compensation will be based on the market price, comparable to the properties advertised to be sold in the surrounding area, with the sale price of the free market. Another issue raised was regarding the surrounding walls or gates of the properties that will be demolished based on the project, how will they be replaced? ADF staff clarified that the cost of these construction of new fences will be bared by the project.

ADF and the Municipality of Berat will invite the PAPs identified in this RAP in Berat municipality in the final workshop with stakeholders, upon clearance of this RAP by the World Bank.

7. EFFORTS TO MINIMIZE DISPLACEMENT

The project design was ordered by the Municipality of Berat and submitted to PIUTD project as a fast track investment. The first review of the detailed design done in January 2017 revealed that there was a need for resettlement. For this purpose, a preliminary ARAP was prepared by ADF and submitted to the World Bank.

Another issue that was identified during this first survey was that properties that were to be expropriated were mainly owned with partial documentation or in the process of legalisation, although they have been for a long time now on this stage of development.

For the purpose of pushing forward the process of legalization, an official letter was sent on March 20, 2017, to the Agency of the Legalization, Urbanisation and Integration of Informal Zones/Constructions by ADF, requesting this agency to speed up the process of legalization for the PAPs along this segment

This effort resulted in prioritizing of the legalization process of acknowledging the properties and speeding up the procedures for the affected PAPs for this sub-project. At least 8 properites have been legalized from March, 2017.

Expropriation would impact the fences and thin strips of yard in the houses and businesses at the first 500 m of the road, and at the end of the road. However, the business activity of each business owner is not expected to be impacted. All the remaining properties consist of agricultural land.

In general the road follows the right of way and widens into private land at a range of 0-3 meters maximum. From visits in the terrain we have seen that the land to be expropriated is of small percentage comparing to the general surface of the property and of no particular use value.

The most problematic situation, identified during the safeguards screening of the initial detailed design, was a residential house that would be demolished for the purpose of road widening, since in this section the road widened from the existing 5-7 m up to 13 m. As a result of this finding, the design was modified in order to avoid any expropriation of houses, since it is not substantial for the subproject to necessary reach such a width.

The latest design, approved officially in January 2018 and submitted by the Municipality of Berat to ADF, upon including all comments from all parties in the project, does not require any expropriation of houses and settlements.

8. IDENTIFICATION OF PROJECT AFFECTED PEOPLE

8.1. Final inventory of Affected Assets and People

The inventory table is the table filled out with the owners' name per each property surface to be expropriated and compensation rates. The data provided in this table are provided by the Census-survey completed with the respective owners and the correspondence with the Immovable Properties Registration Office (IPRO), as much as it was possible. For compensation rates refer to the "Methodology on the Evaluation of the Expropriated Land" in Annex 1. Some missing data on land owners' contacts will be filled in later upon RAP disclosure. It has not been observed any need to take a land surface for temporary use for the project realization.

With respect to the current inventory of PAPs (reviewed upon final road rehabilitation design), the ADF in cooperation with the municipality identified finally those PAPs whose data was missing, such as: the cadastral number of their land registration at the Immovable Properties Registration Office (IPRO), their total land area on ownership, etc. Verification on the land ownership for the identified owners was done through numerous site visits to meet with the affected population (see Annex 3- Inventory of PAPs).

8.2. Census survey

A Census- survey was implemented in both directly and indirectly affected communities by the project implementation to collect data on their living standards, access to services, income sources, economic activity, demographic data, social structures, emigration rate, market orientation, etc. This information supported to define the value of land loss, risk of impoverishment, and compensation rates. Based on the available information gathered about the PAPs and Census-survey data analysis, it results that no PAPs will be worse-off because of project implementation.

8.3. Eligibility

An affected community is defined as one which stands to lose all or part of its physical and non-physical assets including social and cultural networks as a result of the project implementation. To be eligible for compensation, a PAP must have formal legal rights to land or other assets or must prove informal occupancy i.e., those who do not have formal legal rights to land or other assets at the time of the Census-survey, but have claim to such legal rights by virtue of occupation or use of those assets. In other words, the absence of legal title to land or other assets is not, in itself, a bar to compensation for lost assets or to other resettlement assistance. For land acquisition under this RAP, there are 34 plots which land owners that will be expropriated have full legal rights in their land, including registration titles, while 11 plots are occupied by Informal Land Users that had no land title. There are also 35 plots which land owners are not registered but must not be excluded from receiving full resettlement cost.

An escrow account will be foreseen in this ARAP for those owners that have not made available respective legal documentation on ownership. According to IPRO, only 34 properties are legal, others are state, while some of the owners are old names and there have been changes from one owner to the other and these are not reflected in any kind of records. Some of the owners have been moved to other areas or out of the country and they may need additional time to provide documents.

Meanwhile an Inventory of assets has been done for each PAPs. All the assets as walls, fences and metallic gates are identified and assessed by Property Evaluation Expert. The compensation for all the assets identified can be compensated in kind as by the project it is foreseen to unify all the walls/fences and gates along the M.Topia Road. A Land owners agreement with ADF has been prepared with the purpose to agree on the the model and material of new reconstructed assets.

Based on the Resettlement Policy Framework, the entitlement matrix for the PAPs has been prepared, reflecting all categories of affected people and all types of losses associated with each category. The whole land to be expropriated for the Muzak Topia vehicle access road rehabilitation is registered as “agriculture land” and construction land. Regarding the part of the expropriation area that is registered as “agriculture land” (therefore land owners cannot construct structures over this land), the consultant assesses that the acquired land is still viable for cropping cultures or grazing animals. Therefore, the expropriated agricultural land is not depreciated by the land acquisition for the construction of the road is still viable for agriculture use. Regarding the land registered as construction land, the impact of the project, the percentage of most land taken is minimal and consists mostly of fences and surrounding walls.

The categories of PAPs according to OP 4.12 in this specific ARAP consist of:

- PAPs with ownership title
- PAPs in the process of legalization

PAPs that use state or other land (olive groves) picking of olives from the state land.

The final matrix of resettlement, based on the Private Property Evaluation Report, can be found in Annex 8.

8.4. Entitlement Matrix

Based on the Resettlement Policy Framework, the entitlement matrix for the PAPs has been prepared, reflecting all categories of affected people and all types of losses associated with each category. The whole land to be expropriated for the Muzak Topia vehicle access road rehabilitation is registered as “agriculture land” and “urban land”. There will be expropriated 69 land owners who in total possess 19,530m². Compensation for the acquired land is to be provided for 69 identified and no-identified land owners. The proposal will be 4180 ALL for the land defined as urban/cinstruction and 1800 ALL for the land classified as agriculture For the no-identified owners funds will be placed in the escrow account. In addition compensation or plants or conepsnation for the lost of yields will be provided for the land with plants/trees

Compensation for the assets is foreseen to be in kind due to the intervention of the Project for the unification of all walls, fence and gates. The total Value of all assets is calculated in **3,420,000 ALL**

and is foreseen under Project cost, i.e. replacement of existing fences and walls with project uniform fence/wall.

The table in Annex 7 of this ARAP provides additional information on the entitlement categories for the unilateral expropriation for the public interest provided by the Government with some sublegal acts, concretely with Decision no. 1 620, dated 26. 11. 2008 of the Council of Ministers, Decision no. 653, dated 29. 09. 2007 of the Council of Ministers and with the Decision no. 139, dated 13. 02. 2008 of the Council of Ministers.

9. GRIEVANCE PROCEDURE

Grievances are a common phenomenon in involuntary resettlement which, if not amicably and timely resolved, invariably gives rise to local resistance, political tension and unnecessary delays in executing the project. A grievance redress mechanism for the project is set up for addressing potential legitimate concerns of PAPs who may consider themselves deprived of appropriate treatment under the project with the compensation or construction phase impacts on their property. The mechanism is set up by the ADF and will be maintained throughout PIUTD project implementation, including:

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

The Grievance Redress Mechanism (GRM) is operated by the ADF and allows all project-affected beneficiaries to submit questions, complaints, or suggestions through e-mail, phone, or regular mail.

Essentially the grievance mechanism is an easy access, no cost mechanism, which involves people from the community, the project, and the relevant authorities to manage and fix problems before they run for official channels of redress, which might take time and have a cost.

The GRM has been publicized to project beneficiaries during the consultation meetings. All complaints will be registered and addressed within a predefined period.

The functioning of the grievance redress mechanism must be regularly monitored and evaluated by the ADF during project implementation.

For the purposes of the RAP, is set up an an Informal Grievance Mechanism (Annex 4) that will help to avoid the need to proceed to formal official authorities. This mechanism is set up by ADF and includes a neutral person from the affected area (local government or district official, the PAP and the Environmental and Social Safeguard Officer from the Project PIUTD

Generally, PAPs have two types of grievances. These are:

- Grievance after owner's list published in daily newspaper; and
- Grievance after expropriation procedures (after the Decision by the Council of Ministers).

In the first type of grievance above, the interested parties submit their claims within 15 days from the date of publication. In the second type of grievance, the interested parties submit their claims within 30 days after being informed of the expropriation decision.

These deadlines are defined in Law No 8561, dated 22/12/99 on 'Expropriation'

Normally, the first type of grievance is resolved via administrative measures conducted by the ADF & MUNICIPALITY, involving checking that procedures have been correctly followed and by meeting with the individual. If these measures are unsuccessful, the interested person submits their claim to the court, according to the regulations in operation. The procedure is developed in three stages: District court; Appeals court; and Supreme Court. Payments are dependent upon the court verdicts. The verdict of the courts shall determine the amount of compensation payments for the PAP's losses.

The second type of grievance cannot be resolved by administrative procedures. The affected parties submit their claims to the three stages of court proceedings.

Beyond these formal recourses to grievances, ADF officials will be involved in ensuring timely and correct payment of compensation to the PAPs. ADF staff will ensure that community members and in particular PAPs are informed about the avenues for grievance redress, and will maintain a record of grievances received, and the result of attempts to resolve these. The GRM will not prevent the beneficiaries from bringing their grievances to national courts.

The Citizen Engagement specialist assigned to the project will be the responsible focal point to address appropriately issues raised through the Grievance Redress Mechanism.

Local Grievances Committee

This is a local committee composed of three representatives: PAPs, Project; neutral expert to handle all grievances procedures in the affected areas and address PAPs concerns, in addition to the Grievance Redress Mechanism. The creation of this committee sui generis is considered to facilitate considerably any issues that arise with the PAPs and reduce their administrative costs considering that the affected areas are away from Tirana and all proceedings of their complaints are held in Tirana.

This committee must be composed of three members:

- (1) one representative from the Project
- (2) one representative from the PAPs;
- (3) one independent individual recognized as a neutral party.

The latter will chair the committee and will assist with determination of redress for grievances that cannot be resolved by the resettlement expert. The resettlement planner will maintain a record of grievances received and the result of attempts to resolve the grievances and include this information in the monitoring and evaluation report.

The Expropriation Law provides for an appeals process against the proposed award for compensation. In addition, the Urban Planning and Construction Police laws allow for administrative appeals against a decision for demolitions of illegal construction. Further appeals can be made to the district courts. The Office of the Ombudsman in Tirana receives complaints from citizens against government actions that affect their rights. The project staff will also play a role in resolving grievances.

The potential for disputes has been reduced considering that the construction of the road does not affect the PAPs to the extent where houses or other dwellings need to be dislocated, but rather a relatively small portion of their land or agriculture land. Also, the temporary land acquisition for having the sufficient working space during road construction has been reduced to a great extent affecting the existing infrastructure. However, the owners to whom the land will be expropriated have been consulted and compensation modalities have been explained.

A local committee for dealing with expropriations was also created for the purpose of this ARAP by the Municipality of Berat (please see Annex 4). This committee is a mandatory element of the legal procedure of expropriation according to national law.

Grievance mechanism was reassured and clarified to all present PAPs in order to address any mitigation measure.

Any PAP who is dissatisfied with the compensation amount may seek redress through the Grievance Redress mechanism. If a PAP still has an issue, he or she may initiate litigation in Courts.

10. INSTITUTIONAL RESPONSIBILITIES

ADF has ultimate responsibility for the implementation of all project components along with other institutions of the Albanian Government. A committee composed of PAP-NGO-Project Authorities was constituted and is responsible for overseeing the implementation of the RAP. ADF will work with other institutions such as local NGOs to ensure successful implementation of the RAP. Berat Municipality is the final beneficiary of the project implementation. An evaluation and expropriation commission for Project land acquisition was established by Berati Municipality. The expropriation commission prepared the Case file for the submission to the MoIE. An Individual Consultant for Property Evaluation of PAP, hired by ADF, calculate the compensation value for each category of PAP. Municipality of Berat provided the up-dated State of ownership from Local Registration Office. Also Public consultation is organized and feedback is received.

The ADF, under the Authority of the Minister of E&I, in co-ordination with the Treasury Department, under the authority of Ministry of Finance, is responsible for following up and concluding the compensation procedures for the people to be compensated.

The institutions and responsible agencies for the co-ordination of all the activities, policy of compensation rights, and execution of compensation are as follows:

- Registration Office for Immovable Properties in Region (BERAT Region) which is under the authority of the Central Registration Office (responsible for identifying the right of ownership, the renting rights, concession contracts' rights, and other forms of contractual agreements related to the title of ownership);
- Ministries and Agencies that will co-ordinate all the implementing procedures: Minister of E&I; ADF, Ministry of Finance; Ministry of Economy, Trade and Energy; Prefecture of BERAT, including Municipality of BERAT; The Office for Protection of Human Rights in Tirana; and Juridical Court System for each Region.

A procedures flowchart with more detailed information can be found in Annex 6.

The budget for the Land expropriation must be provided by the Central Government.

10.1. Monitoring and Evaluation

ADF will coordinate all monitoring activities to ensure that activities in the implementation schedule and principles of the ARAP are implemented.

11. BUDGET

The overall compensation cost is **66,045,240.00 ALL** (about US \$ 611,530.00). The implementation cost of this RAP will be covered by the Government of Albania. A breakdown of the budget is given in the Property Evaluation Report (Annex 5).

The overall responsibility for resettlement and expropriation for the Project is under the Council of Ministers. The financial responsibility for the expropriation procedures, including the compensation to be paid, resettlement costs, etc., lies with the Ministry of Energy and Infrastructure . The Council of Ministers is responsible for issuing the expropriation decision and authorizing the funds required. The land acquisition transfer must be fully completed, and payment made, before any Works can be executed on the expropriated property.

12. IMPLEMENTATION SCHEDULE

The implementation schedule for major activities has been prepared. The schedule includes a time frame from disclosure of the ARAP to the monitoring and evaluation of project implementation. An implementation flowchart is attached in Annex 6 of this document.

13. DISCLOSURE

The ARAP will be disclosed by ADF, which will make hard and soft copies available to stakeholders and distribute it through the official website. Public disclosure of the final version can only be done after the document has been cleared by the Bank. In addition to disclosing it locally in a local language, it will also be disclosed on the Bank's external website.

14. ADMINISTRATIVE PROCEDURES AND INSTITUTIONAL ARRANGEMENTS

14.1. Description of the Implementation Process

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

The implementation process follows the below stages:

- 1) The beneficiary subject in the expropriation process will be Berat Municipality (Art. 9 of the Law "On Expropriation...")

- 2) Berat Municipality needs to submit the request with a list of necessary documents to the Ministry of line, which is the Ministry of Energy and Infrastructure (Art. 10 and 11, of the Law);

- 3) By the time the Ministry of Energy and Infrastructure accepts the request of the entity (Berat Municipality) the Ministry of Energy and Infrastructure signs an agreement, which defines the rights and mutual obligations.

- 4) Within 10 days after the conclusion of an agreement with the entity applying for expropriation (Berat Municipality) the Ministry of Energy and Infrastructure, following the legal procedure starts the notification procedure directly to each owner of the private property to be expropriated and publish the Request for Expropriation for public interest. Notice of the request for expropriation is done in the Official Journal and in a newspaper with a nationwide distribution, as well as in a local newspaper for a period of one week.

- 5) A pre-disclosure to all affected land owners could follow in case not all PAPs are identified, so that nonresidents or emigrants who are not contacted directly could be notified on their land acquisition, compensation method and amount, and procedures. However, the final ARAP confirms that all PAPs are identified and are current residents in the expropriation area. In this draft ARAP there were some PAPs who were not residing in the expropriation area and living abroad. While, the current private land owners in Berat Municipality are already informed on the expropriation procedures.

- 6) If for any reason any of identified PAPs is not residing any longer in the expropriation zone after the cut-off date, but has moved to another area, municipality, region, or abroad, a notification procedure follows for ensuring that these PAPs are notified and compensated as per the RAP entitlements. It is recommended that an official letter sent by ADF to affected parties should be drafted, stating how the Ministry of Energy and Infrastructure will treat such cases by use of an escrow account to provide them with specific information on receiving their entitlements. However, the Albanian legal provisions make reference only to Article 6, point 2, of Law “On expropriation...”, according to which the Ministry of Energy and Infrastructure relies only on the publication of the expropriated land owners list and for those PAPs who even after the publication of the list are still not identified, the Ministry continues the expropriation procedures and deposits in a bank account the respective compensation amount for each expropriated land owner on his/her name.

7) PAPs affected by the expropriation have the right to complain to the Expropriation Commission of the MIE within 15 days from the end of the term of the public notice.

8) Collecting the complaints of the affected owners, and preparing the draft sub legal act for the Council of Ministers.

9) The Commission receives complaints that are based on supporting documents.

10) The procedure will be considered complete, when the owners through a statement approve the transaction of the property in favor of the State.

11) Within this period PAPs can inform the MIE on their acceptance of the expropriation conditions. By this confirmation the land owner passes its property to state ownership and receives through his bank account the compensation corresponding value.

12) For other land owners, who do not agree with the expropriation and compensation amount, the Expropriation Commission at MIE prepares a draft Decision for Expropriation and submits it for approval to the Council of Ministers.

8) This Decision of MIE is finally submitted to the Council of Ministers, who approves it and the Decision enters into force immediately. Also, it will be published in the Official Journal.

9) The affected owners have the right of complaint to the Court within 30 days from the notification of the Decision in the official journal. If they don't follow this procedure, the decision of the Council of Ministers will be an executive title.

10) The compensation amount is at the disposal of the expropriated land owners by the day when the Decision enters into force, but not later than 3 months from the deadline that the decision has established.

Although the Article 19, of Law “On Expropriation...” foresees that ‘the total expropriation value results from the final evaluation of expropriated objects’ and does not make reference to any potential additions of compensation value, which could result from the eventual Court decision in favor of land owners, this RAP recommends that a reserve fund is to be provided. The reserve fund, of at least 10% addition to the total, is to be provided to ensure that additional funds are available to respond to any grievances, which could result a higher compensation amount for land expropriation upon a potential Court Decision in favor of a land owner.

The same procedure “mutatis mutandis”, needs to be followed for other institutions who submit the request for expropriations (municipalities).

14.2. Responsible Institutions and/or Agencies

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

Immovable Property Registration Office for the Project area, under the authority of the Central Registration Office, which are responsible for identifying and verifying property boundaries and ownership.

Land Administration and Protection Offices (formerly Cadastre Offices) under the Region, which will clarify land allotment certificates for agricultural land that has not been formally registered and transferred to the Immovable Property Registration Offices.

The Municipality will be responsible for the coordination of the implementing procedures and execution of the compensation.

15. MONITORING AND EVALUATION

The following major outcomes are reached:

- Affected people are informed and consulted about their options and rights, and provided with technically and economically feasible resettlement and income restoration alternatives;
- Affected people following the monitoring procedures upon project implementation have to be effectively compensated at full replacement cost for losses of assets attributable directly to the project.
- In case of relocation, affected people are provided with development assistance in order to address relevant factors and sustain their capacity to restore and maintain livelihoods.

Considering the situation post evaluation of CENSUS and ARAP, the internal monitoring and supervision must consider:

- To verify that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements, has been carried out in accordance with the resettlement policies;
- To oversee that the ARAP is implemented as designed and approved;
- To verify that funds for implementation of the ARAP are provided by the Project authorities in a timely manner and in amounts sufficient for their purposes, and that such funds are used in accordance with the provisions of the ARAP.

The main internal indicators to be monitored regularly are:

- I. The entitlements are in accordance with the approved policy and that the assessment of compensation is carried out in accordance with agreed procedures.

- II. Payment of compensation to the PAPs in the various categories is made in accordance with the level of compensation described in the ARAP.
- III. Public information and public consultation and grievance procedures are followed as described in the ARAP.
- IV. Relocation and payment of subsistence and shifting allowances are made in a timely manner.
- V. Restoration of affected public facilities and infrastructure are completed prior to construction.

LIST OF ANNEXES

ANNEX 1: METHODOLOGY ON THE EVALUATION OF THE EXPROPRIATED LAND

Methodology for property valuation, based on fair value of

International Standard of this scope of work.

Road Muzak Topia Berat- Expropriation proses

Interested- ADF , Berat Municipality

Subject :The Property Evaluation for the expropriation process of the “land” to implement access road Muzak Topia Berat under PIUTD.

‘Agriculture’, is a small standard with a wide scope and a significant impact on those entities within its scope. It applies to most (but not all) entities that grow or rear biological assets for profit. The principle of the standard is that increases in value are recognised as the asset grows and not solely on harvest or sale. The standard raises some challenges:

- Which entities are in its scope?
- What is the asset to be recognised and measured?
- How is the asset measured?
- is agricultural activity disclosed in the entity’s financial statements?

There are some definition according the International standard(IAS) :

Agricultural activity – the management by an entity of the biological transformation of biological assets for sale, into agricultural produce or into additional biological assets.(replacment cost methode)

Biological transformation – comprises the processes of growth, degeneration, production and procreation that cause qualitative or quantitative changes in a biological asset. (income methode)

Biological asset – a living animal or plant.

Agricultural produce – the harvested product of the entity’s biological assets.

What are biological assets?

Biological assets include the following.

- Sheep, pigs, beef cattle, poultry and fish.
- Dairy cows.

- Trees in a forest.
- Plants for harvest (for example, wheat and vegetables).
- Trees, plants and bushes from which agricultural produce is harvested (for example, fruit trees, vines and tea bushes)

Is land related to agricultural activity a biological asset?

No. Land owned by the entity and used for agricultural activity is subject to the recognition and measurement principles of IAS 16, 'Property, plant and equipment'. Land owned by a third party and rented to the entity for the purposes of agricultural activity is likely to be the third party's investment property and is accounted for in accordance with IAS 40, 'Investment Property'.

How are biological assets measured under? The standard requires biological assets to be measured on initial recognition and at each balance sheet date at their fair value less costs to sell, except in limited circumstances.

What are the circumstances where an entity can depart from using fair value?

There are two occasions where the standard permits departure from current fair value: at the early stage of an asset's life; and when fair value cannot be measured reliably on initial recognition.

The first exemption is a practical expedient. The standard allows that cost may approximate fair value where little biological transformation has taken place since the initial cost was incurred (for example, for fruit tree seedlings planted immediately before the balance sheet date). The same applies when the impact of the biological transformation on price is not expected to be material (for example, for the initial growth in a 30-year olive plantation cycle)

The second exemption – that fair value cannot be reliably measured – is almost never relevant. The standard includes a presumption that fair value can be measured reliably for a biological asset. That presumption can be rebutted only on initial recognition for a biological asset for which market-determined prices or values are not available and for which alternative estimates of fair value are determined to be clearly unreliable.

In determining whether an estimate is 'clearly unreliable', a history of large variations in outcome of the biological transformation process is not relevant, as this should be factored into the measurement model.

Similarly large fluctuations in the price of the final produce are not a justification for an estimate to be clearly unreliable. The fact that the asset has a very long production cycle and there is no forward market price is not an excuse not to measure the asset at fair value.

Only when the asset is unique or of a very special nature may estimates be unreliable. The term 'clearly unreliable' is not used elsewhere in the evaluation literature, and based on the objective of the standard it is a high hurdle to clear.

In the event that the estimate of its fair value is deemed to be clearly unreliable, that biological asset is measured at its cost less any accumulated depreciation and any accumulated impairment losses.

Note that determining whether an asset is impaired requires an estimate of its value. As the exemption is only available on initial recognition, to rebut the presumption, an existing preparer must either have been gifted an asset that cannot be valued or be able to demonstrate that the price paid for the asset was not an arm's length market price.

A first-time adopter can only use this exemption until such time as the asset has a market price or can be valued using a valuation techniques. Once the biological asset has been fair valued, the cost model no longer applies.

What is fair value?

The current definition of fair value in literature/ standard, is the amount for which the asset could be exchanged between knowledgeable, willing parties in an arm's length transaction. **It represents a market price for the asset based on current expectations.**

The hierarchy of the fair value may be summarised as follows:

- Price for the asset in an active market.
- Recent transaction price for the asset if there is no active market.
- Market prices for similar assets, adjusted for the points of difference.
- Sector benchmarks.
- Present value of the future cash flows expected to be generated from the asset.

Many biological assets have relevant market-determined prices or values available, as biological produce in general are basic commodities that are traded actively. For example, there are usually market prices for olive tree, crops, pomegranade, fruit tree(in general) as there is an active market for these assets. When market-determined prices or values are not available for a biological asset in its present condition, present value of expected **net cash flows** from the asset should be used. Consistent with the objective of estimating fair value, the cash flows should be based as far as possible **on market data**. For example, while there is a market for above mentioned tree, the fair value is measured by projecting the cash inflows from the sale of them, less the cash outflows needed to grow them to its marketable weight and discounting them to a present day value.

The cash flow model should include all directly attributable cash inflows and outflows. The inflows will be the price in the market of the fruit trees, crops for each crop over the life of the asset; the outflows will be those incurred raising or growing the asset and getting it to market – for example, direct labour, feed, fertilizer and transport to market. The 'market' is where the asset will be sold. For some assets, this will be an actual market; for others, it may be the 'factory gate'.

If significant other assets are used to support the biological asset, the cash flow model should reflect the economics of this, otherwise the fair value will be overstated. For example, if an entity owns its land, the cash flows should include a notional cash outflow for 'rent' of the land to be **comparable with the asset of an entity that rents its land from a third party**. The fair value of a biological asset is independent of the land on which it grows or lives.

When is a contract price relevant?

Contract prices are not necessarily relevant in determining fair value, because fair value reflects the current market in which a willing buyer and seller would enter into a transaction.

At the date a contract is signed between willing parties, the contract price would be the best estimate of the future market price and would therefore be a relevant price to use in a cash flow model.

At a later date, historical contract prices may bear no relevance to the current fair value of the biological asset itself.

Therefore, the fair value of a biological asset or its agricultural produce is not influenced by the existence of a contract unless the contract prices represent current market prices. In some cases, a contract for the sale of a biological asset or agricultural produce may be an onerous contract, as defined in standard, 'Provisions, contingent liabilities and contingent assets', and would be measured in accordance with that standard. The existence of an onerous (difficult) contract does not affect the fair value of the biological asset.

Assessment Checklist

- Soil type
- Depth to water table
- Depth to bedrock, fragipan, and hardpan
- Flood zones
- Is the land historically prone to flooding? How often?
- Clay soil
- Berat's soil can have a high percentage of clay content. Consider whether this will be restrictive to your operation dependent on the percent and density of clay?
- Fertility
- What is the current cropping quality, investment necessities, and will the soil need to be managed before you start cropping?
- pH
- Does the pH match your crop needs? If not, how much investment of time and money is necessary to alter the conditions
- Slope
- Soil rating

Land Suitability And Climate

How many useable m² are there on the site? It is easy to overestimate the amount of m² that is crop able on a farm. A few tools that can give us a close approximation of suitable cropland are on the [websoilsurvey](#) and on [ASIG](#) web. These each have a mapping feature where you can draw potential field edges onto an aerial map and have the program calculate your surpluses m². Another option is to use a measuring wheel to measure as you walk the field.

LOCATION AND PROXIMITY

Where is the property in relation to markets, customers, labor, and agriculture support services and supply stores? Will you need to house labor? What additional resources will you need dependent on your proximity to markets to deliver to your customers?

LAND ORIENTATION

Consider the direction and/or quantity of sun available in all areas of the land that will be used. Are there shady areas? Hills, trees, and buildings can all create shade problems that you do not realize in the summer but become more accentuated later in the year when the sun is lower in the sky. Are there shady areas? Vegetable production areas should be located in full sun. That means they must have a MINIMUM of six hours of direct sunlight. However, truly full sun with no shade is recommended for most vegetables. Light is the life source for plants that form their energy through photosynthesis. Edges of your field which receive shade and only sun for six versus twelve hours in a day will have less access to light, slowing their growth and reducing your yield.

Is there often a breeze or wind at the site? In a windy site it will be important to provide livestock protection from the wind (windbreaks, etc). For vegetable producers strong winds may blow away high tunnels and row covers. On the other hand a light breeze can help dry plant leaves which helps prevent plant diseases. This light breeze can be a boon. A light breeze is also very beneficial for livestock.

MICROCLIMATES

Identify any frost pockets without air drainage, wet areas, high spots exposed to excessive winds, erosion, dry areas, etc. This information can be used in conjunction with macroclimate data or "hardiness zone maps" (see "Resources") to assess varieties of crops that could be grown in various locations.

TOPOGRAPHY/SLOPE

The land should be flat enough to be tilled or for equipment to be safely operated. This is not as important if grazing livestock. Identify strategies for productively managing non-tillable and excessively sloped areas and discuss whose responsibility it will be to manage those areas. If you are planning to crops that require frequent tillage of the soil on sloping ground you will want to work with the National Resource Conservation **Service to develop a conservation plan including swales and grass strips to prevent erosion.**

VEGETATION

Identify strategies for overcoming limitations related to existing tree cover, brush, grasses or weeds, including any existing invasive or vigorous weeds. Identify and point out to the landowner areas where tree removal is necessary.

WEED PRESSURE/ POISONOUS WEEDS

If you are entering into a short term lease be particularly careful to evaluate your weed pressure. For vegetable producers identify whether you have large patches of weeds such olive tree, that would take years to get under control. Also look for extremely high annual weed pressure.

Site History

A few areas in Berat have a history of old fig, olive. Find out what was grown in that area. Generally sites that are currently in agricultural production are not likely to have a history of contamination.

It is critical that you ask the prior farmer about what herbicides might have been applied to any field you plan to use the following year. There are a few classes of herbicides with long residuals which will limit what crops you can grow the following year.

WATER RESOURCES

Identify your water source and make sure there is sufficient water that is high enough quality for your use.

For vegetable production you need at least one to two inches of water per week during the main growing season. An inch of water for an acre is 20,000 gallons of water! If you are going to be able to irrigate sufficiently from a well you will need a significant flow in order to be able to irrigate efficiently. For example if you have a well with 37 gallon per minute flow it will take approximately 12 hours to irrigate one acre one inch. If you have 10 acres to irrigate you would need to be irrigating 24 hrs a day all week to get everything watered during a dry spell.

For vegetable production you will need a source of potable water to use for vegetable wash/pack. Wells and springs may provide a source of potable water. Check water pot ability by sending a sample to an accredited lab. While water collection from roof tops or other areas may seem like a good idea it is not allowable under good agricultural practices for vegetable wash pack unless it is treated after collection.

Good Agricultural Practices require that surface water used to irrigate that comes into contact with the edible portion of the crop should be tested at least three times per year for microbial contamination.

Infrastructure, Equipment, Improvements And Maintenance

ACCESS

How will you access the property? Check to see that roads leading to the property are traversable or adequately maintained, plowed, etc. for when you will need to make regular visits or transport goods to market. Does the site have adequate entry and exit for all equipment in every season and time of day during which you will be farming? See that the site has adequate access and turnaround space for large trucks delivering bulk supplies (or that a suitable alternate spot exists nearby). Each field or area on the property should have adequate entry and exit ways for regular equipment traffic. If individual fields, paddocks or areas have not previously seen the regular entry or exit of heavy equipment, farm vehicles, livestock or customers, consider the impact of such traffic on access ways and discuss with the landlord potential improvements to stabilize access ways, such as laying gravel. Make sure you discuss with the landlord the quantity, frequency and type (i.e. tractors, ATV's, customer vehicles) of traffic you are planning on.

FENCING

For vegetable producers in most areas of Berat deer fencing is a must. If there is not eight foot tall perimeter fence surrounding the area you plan to farm you will need to use portable deer fence or install permanent deer fence. If you have a short term lease electric 3 D deer fence may be a good option as you can move your investment easily. You will want to check with the township and the landlord that the type of deer fence you plan to install is allowable. In some townships you may have to work with them to make changes/exceptions to existing rules to allow for deer fence.

For livestock producers a permanent perimeter fence is generally necessary to keep livestock out of roads and other people's properties. Some landowners may be willing to work with you to share this investment. Additional divisions of pastures may be more easily added with movable electric fence.

EQUIPMENT USAGE

Some landowners may be willing to include some equipment in the lease for your use. If so, identify and inspect the equipment, discuss terms, including fees, maintenance schedules, time restrictions and the rights of any other users. Alternatively, landowners may be interested in being hired by you to perform custom work with their equipment (i.e. plowing, hay harvest, etc.) Consider all options.

HOUSING

Identify all buildings that could be used as residences, or consider all areas that could be used for building sites or for siting mobile housing. If an existing residence is to be included in the lease or a separate residential lease is to be crafted, both parties should be aware of the basic rights and responsibilities afforded to landlords and residential tenants by Berat Municipality and Albanian laws.

INFRASTRUCTURE

Identify and inspect any infrastructure on site that could be available to the farm operation, from barns to irrigation lines to coolers. You and the landowner should determine which improvements will be necessary in order for the farm operation to thrive and which improvements you will have the right to make. If you will be investing in improvements, a discussion as to if or how you will be compensated should be initiated. Routine maintenance schedules for all infrastructure to be included in the lease should be discussed. Any anticipated major overhauls or repairs should be identified and distinguished from routine maintenance. Typically you are responsible for all routine maintenance that prevents abnormal deterioration, while the landowner is responsible for all major overhauls, replacements or repairs to structures or other infrastructure. Be sure to consult with builders, irrigation specialists and other experts to get appraisals, quotes and advice on any infrastructure improvements you anticipate needing. Dependent on your operation, infrastructure can be a costly investment. Make a list of all existing infrastructure, their condition, and estimated cost for repairs and additions, for both the immediate and long-term future of your business.

LIVESTOCK

Any livestock that the landowner owns that is to be housed on site or managed by you should be inspected and the terms of livestock care discussed. If you have questions about animal health, contact a livestock veterinarian or specialist. Consider bio-security and isolation requirements, as well as the potential for herd or flock contamination. Inspect fencing, and discuss the installation and maintenance of animal fencing and water systems.

POWER SUPPLY

Identify electric service, if needed. Contact the local power company to establish price rates for power or to investigate the feasibility of bringing power to other areas of the site where needed. If it is determined that you will use a generator, identify and discuss proper storage facilities for the generator and its fuel source.

PROPERTY BORDERS

Identify all borders to confirm size of workable lands. Walk borders to determine where sensitive areas exist. For example, agricultural activity would be restricted in proximity to a stream or

wetland that acts as a border or intersects a border. *If the landowner is not familiar with exact border locations, you can access tax maps that delineate parcels at the local town office.*

Other Considerations

NEIGHBOR RELATIONS

Understand the usage, ownership and perimeters of bordering properties. Ask the landlord if it is possible to have a conversation with bordering landowners or tenants and if they are aware of your intentions to farm. Consider engaging them as you develop your plan, as they may have significant concerns about noise, pollution or aesthetics that may be more easily addressed up front. You do not need the landlord's approval to talk to neighbors.

RECORDS

If available you should examine any records related to past land use. These include: soil test results, pesticide application records, well or other irrigation water quality testing results, organic certification records, building blueprints, wastewater system design plans and permits, Current Use Program forest and field management plans and any other record that might reveal information pertinent to managing the land for agricultural use.

Was there a conservation plan completed in the past? If so, ask for a copy. If the landlord has a current tenant, ask to speak to him or her in order to obtain appropriate records. Be sensitive that current or previous tenants are not required to divulge these records and might be going out of their way to provide you information.

RESTRICTIONS/RESTRICTED AREAS

Identify any areas of the property where you will not be permitted to operate. Determine any sensitive areas that require special attention or will be restricted to certain farming practices and discuss those specific restricted practices. Discuss any farming practices or infrastructure modifications that you suspect might raise concern, such as constructing a tool shed or immovable chicken coop or establishing a composting or odor-prone livestock operation in proximity to residences, and propose sites for their implementation. Ask the landlord about hunting grounds, postings, or ATV trails that exist and are used on the property. Fostering a good landlord relationship remains in your ability to communicate. Make sure to outline exactly what you want to do so that both parties have a clear vision and understanding of changes that may happen to the land.

The list asset's price(total 80 evaluation) , which are going to be evaluated from the expert, within a time frame of 10 days, will be 500,000 leke without VAT or 600,000 Leke with VAT or 4650 Euro.

REPLACEMENT COST

Replacement cost is the price that an entity would pay to replace an existing asset at current market prices with a similar asset. If the asset in question has been damaged, then the replacement cost relates to the pre-damaged condition of the asset. The replacement cost of an asset may vary from the market value of that specific asset, since the asset that would actually replace it may have a different cost; the replacement asset only has to perform the same functions as the original asset - it does not have to be an exact copy of the original asset, but it can be similar to that.

The current worth for the compensation of the assets is fair value for the replacement of the land, taking in consideration the site improvement (which are mostly in their natural condition, without any improvements so in our point a view the replacement cost for more than 99% of the properties is equal with the fair value. We have calculated the replacement cost for structural assets (walls or fences, also the olive productivity). The meaning of the fair value is used for replacing the value of the asset lost from the project, we have strongly emphasized, that are agricultural land. The land can't have the different prices since it is not build, because it can't be depreciated.

Representative of

STUDIO ADPK(LtD) , Phd. Cand. Eng. Diana Bardhi

ANNEX 2: NOTIFICATION OF RESETTLEMENT LIST ON LOCAL TV

KRYETARIA E KREUTIT G
BERAT



REPUBLIKA E SHQIPËRISË
BASHKIA BERAT

Nr. 1089 / Prot. Berat, më 16/02/2018

Lënda: NJOFTIM NE TV.
Drejtuar: TV GLOB, BERAT

Kerkojme qe ne televizionin tuaj te transmetojme njoftimin e meposhtem:

Në zbatim të Ligjit nr. 8561 datë 25.12.1999 "Për shpronësimet dhe marrjen në përdorim të përkohshëm të pasurisë pronë private për interes publik", kërkojmë që brenda datës 05.03.2018, të gjithë personat që preken nga realizimi i projektit "Rikonstruksion dhe zgjerim i rrugës "Muzak Topia", segmenti nga rrethrotullimi te ish rezervat e shtetit deri te Kisha e "Shen Ilias", të sjellin pranë Bashkisë Berat dokumentacionin e pronësisë që disponojnë.

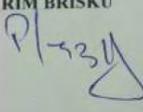
Shenim:

- Njoftimi i mesiperm te transmetohet ne datat 27.02.2018-03.03.2018 (3 dite).
- Njoftimi i mesiperm te transmetohet me shirit parakalues dhe ne rubriken e njoftimeve.
- Njoftimi i mesiperm te transmetohet(me germa shtypi te medha) me titra dhe me ze.

Duke ju falenderuar per bashkepunimin.

**KRYETARI I BASHKISË
PETRIT SINAJ**

Në mungesë dhe me porosi
N/KRYETARI I BASHKISË
ÇLIRIM BRISKU



ANNEX 3. INVENTORY OF PAPS AND THEIR AFFECTED ASSETS

Nr.	Name Surname of PAPS	Cadastral No of Parcel	Total Surface (m2)	Evaluation of the surface for Expropriation (m ²)			
				Surface for Expropriation (m2)	In %	Price	Legal Status
Cadastral zone 8501 Urbane area							
1	-	4/396	NA	54	<10	4183	State
2	Grabion Prifti	4/314	NA	41	<10	4183	State
3	Petrit Zylyftari	4/95	NA	18	<10	4183	State
4	Protoduaret	4/96	814	17	2	4183	Registered
5	Ylmie Petanaj	4/316	NA	43	<10	4183	State (Informal Land users)
6	Miranda Kanani	4/88	NA	75	<10	4183	State (Informal Land users)
7	Besnik dhe Hamit Briskaj	4/85	NA	100	<10	4183	State (Informal Land users)
8	Alfred Briskaj	4/323	NA	64	<10	4183	State (Informal Land users)
9	Kujtim Brisku (new)	4/83	NA	99	<10	4183	State (Informal Land users)
10	Dritan Briskaj (new)	4/321	NA	49	<10	4183	State (Informal Land users)
11	Arjan Briskaj	4/320	NA	47	<10	4183	State (Informal Land users)
12	Sabri Briskaj	4/343	NA	52	<10	4183	State (Informal Land users)
13	Selime Fero Qalliu	4/154	3405	35	1.0	4183	Registered
14	Syri Qlliu	4/63	NA	54	<10	4183	State
15	Bektash Llano	4/409	NA	6	<10	4183	State (Informal Land users)
16	Syri Qalliu	4/65	NA	131	<10	4183	State (Informal Land users (not present))
17	Okupuar	4/375	NA	90	<10	4183	State

18	Ylmije Petanaj	4/79	NA	42	<10	4183	State (Informal Land users)
19	Varrezat	4/78	NA	15	<10	4183	State
20	F.M.M Peshtanaku	4/41	1800	20	1,1	4183	Restrictions on the title to register (not present)
21	Agim Medi Nova	4/43	2600	36	1,3	4183	Registered (not present)
22	Artan Kallanxhi	18/340	NA	146	<10	4183	State
23	Myrteza Shkoza	18/330	NA	67	<10	4183	State
24	Flamur Seitaj	18/329	NA	54	<10	4183	State
25	-----	18/39	NA	37	<10	4183	State
26	Naum Bani	18/310	NA	131	<10	4183	State
27	Andrea Gjata	18/313	NA	22	<10	4183	State
28	Bedri Osoja	18/317	NA	23	<10	4183	State
29	-----	18/318	NA	16	<10	4183	State
30	Hasan Kokoshi	18/321	NA	11	<10	4183	State
31	Avdulla Kokoshi	18/323	NA	14	<10	4183	State
32	Vjollca Kokoshi	18/326	NA	38	<10	4183	State
33	-----	16/253	NA	21	<10	4183	State
34	Resmi Gega	16/254	NA	29	<10	4183	State
35	Polikseni Nano	725	4932	945	19	1800	Registered (not present)
36	Kozma Vrusho	726	2087	122	5,6	1800	Registered (not present)
37	Algerta Frasherri	730/1	255	134	52	1800	Registered (not present)
38	Hajrije Agalliu	730/2	980	376	38	1800	Registered (not present)
39	Myqerem Kreku	729/2	925	287	31	1800	Registered (not present)
40	Gramoz Kreku	729	906	75	8.2	1800	Registered (not present)

41	Baftiar Kreku	729/1	900	70	7.7	1800	Registered (not present)
42	Vlash Pambuku	737/6	NA	71	<10	1800	State
43	Vlash Pambuku	737/3	3740	591	15,6	1800	Restrictions on the title to register (not present)
44	Gjergji Kalldremxhi	737/4	NA	153	<10	1800	State (not Present)
45	Aleksander Gjergji Kalldremxhi	737/2	2000	220	11	1800	Registered (not present)
46	Aleksander Gjergji Kalldremxhi	737/1	1991	427	21	1800	Registered (not present)
47	Sako Molishti	749/1	NA	130	<10	1800	State (not present)
48	Bujar Molishti	752	3467	382	11	1800	Registered (not present)
49	Haki Molishti(Ndalohen	755	4200	162	3.8	1800	Registered (not present)
50	Ramadan Caco	767	NA	430	<10	1800	State (xxxxxxxx)
51	Edmonda Tabaku	777	2115	481	22.7	1800	Registered
52	Tefta Sinjari	776	2066	450	21.7	1800	Restrictions on the title to register (not present)
53	Shahzivar Nuri	775	6435	1239	19,2	1800	Registered (not present*)
54	Aleksi Nasi Tokli Bishka	772/2	4092	466	11.3	1800	Registered (not present*)
55	Lili & Naun Caco	772/1	NA	513	<25	1800	State (not present)
56	-----	771	NA	1021	<10	1800	State
57	Haki Molishti	754	4200	122	2.9	1800	Restrictions on the title to register (not present)
58	Bujar Molishti	753	4095	60	1,4	1800	Restrictions on the title to register (not present)
59	Sako Molishti	748/1	NA	194	<10	1800	State
60	Aleksander Gjergji Kalldremxhi	747	6288	71	1,1	1800	Registered (not present)
61	Shpetim Xhevit Qose	746	-	2	1	1800	Registered
62	Aferdita & Stavri Duhaxhi	735/2	2362	55	1	1800	Registered (xxxxx)
63	Kristaq Gallani	735/4	NA	12	<10	1800	State (xxxxx)
64	Spiro & Vangjel Papajorgji	738	2362	242	1.1	1800	Registered (present)

65	Kristaq Tutulani	719	NA	56	<10	1800	State (not present)
66	Arben Tahiraj	735/3	7550	2	0,1	1800	Registered (not present)
67	-----	720	NA	5	<10	1800	State
68	Kozma Nova	800/2	NA	272	<10	1800	State (present)
69	Dhimo Vrusho	801/1	662	164	24,7	1800	Restrictions on the title to register (not present)
70	Evgjeni, Mihal dhe Vellazeria Vrusho	801	678	200	29	1800	Registered (not present)
71	Stiliano Nova	802	4079	239	5.8	1800	Registered
72	Stiliano Nova	802/1	NA	219	<25	1800	State (not present)
73	Liljana Sallabanda	804/1	NA	396	<25	1800	State (not present)
74	Aleks, Nasi & Tokli Bishka	806	2003	130	6,4	1800	Registered (not present)
75	Zija & Vellezirit Qose	837/2	14225	1502	1	1800	Restrictions on the title to register (not present)
76	Neim Shehu	830	NA	180	<20	1800	State (not present)
77	Neim Shehu	831	NA	317	<20	1800	State (not present)
78	-----	832/1	NA	313	<20	1800	State
79	Mandi Xhamo	828	2172	75	3,4	1800	Registered (xxxx)
80	Kozma Nova	826	8579	4260	49	1800	Registered (present)

Note: the % :<10,<25,<20..... represent a visual assessment from the road map

ANNEX 4: SETTING UP OF THE GRIEVANCE COMMITTEE



REPUBLIKA E SHQIPËRISE

BASHKIA BERAT

Nr. 715/3 Prot.

Berat, më 10/05/2018

Lenda: Plotësim dokumentacioni për shpronësimin në rrugën “Muzak Topia”

Drejtuar: Ministrisë së Infrastrukturës dhe Energjisë
Tiranë.

Me fonde nga Banka Botërore, po investohet projekti “Rikonstruksion dhe zgjerim i Rrugës “Muzak Topia”- Segmenti nga rrethrotullimi të ish rezervat e shtetit deri tek Kisha e “Shën Ilias” Projekti fillon nga rruga kryesore e qytetit, rruga “ Antipatrea” , konkretisht të rreth rrotullimi duke vazhduar drejt kalase , le ne te majte zonen e Varezave publike të Burdulliasit dhe vazhdon pergjat ullishtes deri te lapidary ne Qafen e Kalase. Nga ketu pershkon gjurmen e rruges per ne Kishen e Shen Ilias.

Projekti pergjithsisht ruan gjurmen e rruges ekzistuese duke marr pak zgjerim ne te dy krahet e saj. Pjese e projektit jane edhe veprat e artit , tombino , mure mbajtese , trotuare , ndricim si dhe sistemim te ujrave siperfaqesor.

Realizimi I projektit kerkon shpronësim te siperfaqjeve kufitare me gjurmen e rruges, siperfaqje qe eshte 13659 m2 .

Në mbështetje të ligjit nr. 8561 datë 15.12.1992 “Për shpronësimet dhe marrjen në përdorim të përkohshëm të pasurisë pronë private për interes publik” si dhe VKM nr. 127 datë 23.03.2000 “Për Përmbytjen dhe procedurat e paraqitjes së kërkesës dhe të njoftimit për shpronësimet dhe marrjen në përdorim të përkohshëm të pasurisë pronë private për interes publik” sipas nenit 8 gërma c, bashkëngjitur po ju ripërcjellim dokumentacionin e plotësuar si më poshtë:

- Kërkesa për shpronësim ku është e përcaktuar
 - Objekti që do të shpronësohet
 - Adresuar Ministrisë së Infrastruktures dhe Energjitikës.
 - Kërkuesi Bashkia Berat
 - Adresa e kërkuesit :Lagja “22 Tetori”
 - Argumenti ligjor për shpronësim, investimi për zbatimin e projektit “Rikonstruksion dhe zgjerim i Rrugës “Muzak Topia”- Segmenti nga rrethrotullimi të ish rezervat e shtetit deri tek Kisha e “Shën Ilias”Lista e pronarëve , psuritë e të cilëve shpronësohen.
1. Përgjigje nga Zyra Vendore e Regjistrimit të Pasurive të Paluajtshme Berat nr.2800/1 Prot. Datë 08.05.2018, protokolluar nga ana e bashkisë me shkresën nr.715/4 prot. Datë 08.05.2018

2. Urdhëri i Brendshëm të Kryetarit të Bashkisë nr. 33 datë 18.01.2018 " Për ngritjen e komisionit për formatimin e dokumentacionit për procedurat e shpronësimit për interes publik për praktikat e vitit 2018" I ndryshuar me Urdhërin nr.100 datë 07.02.2018, I ndryshuar me urdhërin nr.286 datë 30.04.2018"

3. Raport Vlerësimi

4. Relacion Teknik

5. Kartela dhe fragment hartash nga Zyra e Regjistrimit të Pasurive të Paluajtshme , të cilat mungonin në shkresën me nr715/2 prot. datw 04.05.2018 të dërguar nga Bashkia Berat Dokumentacioni si më sipër u dërgua përsëri pasi me shkresën Nr.715/2, prot. date 04.05.2018 dokumentacioni I dërguar nuk ishte I firmosur nga të gjithë anëtarët e komisionit.

Përsa I përket cmimit për vlerësimin e pasurive në zonën kadastrale 8505 , ju bëjmë me dije se komisioni mori për bazë cmimin e referuar nga ZVRPP e cila është 203 lek/m².Pasi në VKM 89, datë 03.02.2016 " PËR MIRATIMIN E HARTËS SË VLERËS SË TOKËS NË RËPUBLIKËN E SHQIPËRISË", nuk përfshihet vlera e "ullishtes". Në VKM e sipërcituar I referohet vetëm cmimit të truallit për zonën kadastrale 8505.

Mbetemi në pritje të vlerësimit nga ana Juaj !

KRYETARI I BASHKISË

Petrit Shaj



KOMISIONI

Clirim Brisku

Kryetar

Besiana Kadriu

anetar

Valentina Zotkaj

anetar

Anxhelo Dhimo

anetar

Axhem Jaupi

anetar

Albana Shyti

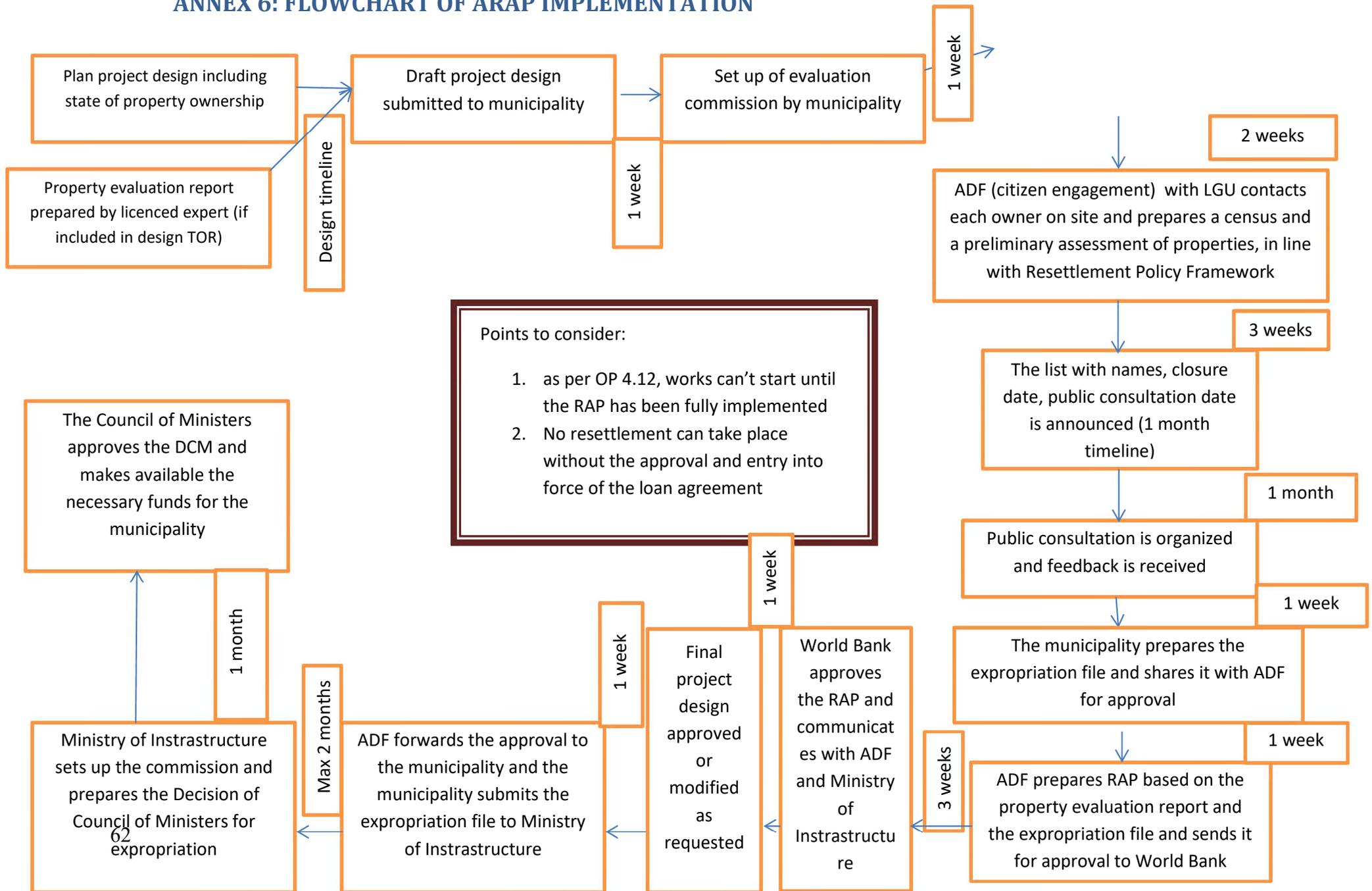
anetar

Mirjan Bregu

anetar

ANNEX 5: PROPERTY EVALUATION REPORT (ATTACHED)

ANNEX 6: FLOWCHART OF ARAP IMPLEMENTATION



ANNEX 7: ENTITLEMENT MATRIX

Category of PAP		Type of Loss			ENTITLMENTS		
	Definition		Type of Impact	Entitle Person	Compensation for loss Assets		Compensation for loss of Structures
	Private Property Owners		Directly Affected by Project Land Needs	Agriculture and Urban Land	Physical Assets loss	34 registered 35 not registered Title holders	Cash compensation for affected land equivalent to the best price for the PAP comparing the market price value of the property to government price.
Loss of standing crops and trees		Crops Loss		From census none has been identified	Replacement value of standing crops purchased at market cost in scarce season	NA	Not expected, however in any compensation at full replacement value not depreciated
		Trees		Total of 167 trees	Compensation at full replacement value	1,330,000 ALL	NA
Loss of houses, business or structure		Walls, fence, gates		See tab yyyy	Compensation in kind (removal of assets) based on an written agreement between owners and Municipality	3,420,000 ALL (Cost of Removal under project cost)	Not expected. However in any compensation with assistance for removal of structure into the area will be provide

Informal land users	Are those who have no legal title on land ownership (resident living on site)	Loss of shelters or place of business	Walls, fence, gates.	11 identified	Compensation In kind at full replacement of assets based on an written agreement between owners and ADF	(Cost of Removal under project cost)	Not expected. However in any small structure removal into the same area will be provide...
Tenants	Persons having tenancy agreements for business	Loss of income	Walls, fence, gates.	6 Tenants Business activities	Compensation in kind (removal of assets) based on an written agreement between business owners and ADF	(Cost of Removal under project cost)	Not expected. However in any compensation with assistance for removal of structure into the area will be provide

Loss of Trees

No	Cadastral area	No. Parcel	Tree	Quantity	Legal Status	Land holders
1.	8501	4/65	Olive tree	2	Public	Syri Qalliu
2.	8505	725	Olive tree	11	Registered Land	Polikseni Nano
3.	8505	726	Olive tree	2	Registered Land	Kozma Vrusho
4.	8505	730/2	Olive tree	3	Registered Land	Hajrie, Demir Agalliu
5.	8505	729	Olive tree	1	Registered Land	Gramoz Kreku
6.	8505	737/3	Olive tree	7	Registered Land	Vlashi Pambuku
7.	8505	737/4	Olive tree	5	Public	Gjerjgi Kalldremxhi
8.	8505	737/2	Olive tree	1	Registered Land	Gjerjgi Kalldremxhi
9.	8505	737/1	Olive tree	8	Registered Land	Gjerjgi Kalldremxhi
10.	8505	752	Olive tree	1	Public	Bujar Molishti
11.	8505	767	Olive tree	1	Public	Ramadan Caco
12.	8501	16/255	Pine tree	10	Public	
13.	8505	719	Olive tree	1	Public	Kristaq Tutulani
14.	8505	733/1	Olive tree	1	Registered Land	Algerta Frasheri
15.	8505	738	Olive tree	11	Registered Land	Spiro, Vangjel Papajorgji
16.	8505	735/5	Olive tree	5	Registered Land	Aferdita, Stavri Duhanxhi

17.	8505	747	Olive tree	2	Registered Land	Aleksander Kalldremxhi
18.	8505	748/1	Olive tree	3	Public	Sako Molishti
19.	8505	754	Olive tree	1	Registered Land	Haki Molishti
20.	8505	771	Olive tree	1	Public	
21.	8505	775	Olive tree	4	Registered Land	Shahzivar Nuri
22.	8505	776	Olive tree	4	Registered Land	Tefta Sinjari
23.	8505	777	Olive tree	6	Registered Land	Edmonda Tabaku
24.	8505	800/2	Olive tree	1	Public	Kozma Nova
25.	8505	800/2	Pine trees	3	Public	Kozma Nova
26.	8505	800/2	Palm tree	3	Public	Kozma Nova
27.	8505	800/2	Pomegranate tree	5	Public	Kozma Nova
28.	8505	801/1	Olive tree	2	Registered Land	Vellezerit Vrusho
29.	8505	801	Olive tree	3	Registered Land	Evgjeni Vrusho
30.	8505	802	Chery tree	3	Registered Land	Stiliano Nova
31.	8505	802	Hardhi	6	Registered Land	Stiliano Nova
32.	8505	802	Orange tree	2	Registered Land	Stiliano Nova
33.	8505	802	Prune tree	1	Registered Land	Stiliano Nova

34.	8505	802/1	Chery tree	6	Public	Stiliano Nova
35.	8505	802/1	Olive tree	4	Public	Stiliano Nova
36.	8505	804/1	Olive tree	4	Public	Liljana Sallabanda
37.	8505	804/1	Chery tree	1	Public	Liljana Sallabanda
38.	8505	806	Olive tree	2	Registered Land	Aleks Bishka
39.	8505	837/2	Olive tree	34	Registered Land	Zija Qose
40.	8505	831	Olive tree	5	Public	Neim Shehu
41.	8505	831	Fik	1	Public	Neim Shehu

Note: The removed into the same parcel of ownership by the project's environments budget or by the Municipality public services.

trees can be

ANNEX 8: RESETTLEMENT MATRIX

Nr.	Name	Cadastral No of Parcel	Total Surface (m ²)	Evaluation of the surface for Expropriation (m ²)							Assets Wall/ Steel (m)	Value calculated for replacment of the existing "contribution in kind" by the Company,	Vegetation									
				surface for compensati on (m ²)	In %	Price/ m ²	ExpropriationV alue	Transaction cost	The total value for land compensation	Legal Status			olive	Pine	Pomegra nad	Palm	Chery	Harvest	Orange	Plum	Fik	Compenastion total value (land+ vegetation+ trasnaction cost)
Cadastral zone 8501																						
Urbane area																						
1	Isuf Agalliu	4/396	NA	54	2.6	4183	225,882	303,500	529,382	State	15	90,000						619,382				
2	Grabion Prifti	4/314	NA	41	3	4183	171,503	303,500	475,003	State	15	90,000						565,003				
3	Petrit Zylyftari/ Syri Qalliu	4/65	NA	18	4.5	4183	75,294	303,500	378,794	State	20	120,000	20,000					518,794				
4	Protoduaret	4/96	814	17	2	4183	71,111	13,500	84,611	Registered	10	60,000						144,611				
5	Ylmie Petanaj	4/316	NA	43	9.5	4183	179,869	NA	179,869	state	17	102,000						281,869				
6	Miranda Kanani	4/88	NA	75	9.8	4183	313,725	NA	313,725	state	35	210,000						523,725				
7	Besnik dhe Hamit Briskaj	4/85	NA	100	0	4183	418,300	NA	418,300	state	18	108,000						526,300				
8	Alfred Briskaj	4/323	NA	64	0	4183	267,712	NA	267,712	state	12.5	75,000						342,712				
9	Kujtim Brisku (nee)	4/83	NA	99	0	4183	414,117	NA	414,117	state	25	150,000						564,117				
10	Dritan Briskaj (nee)	4/321	NA	49	0	4183	204,967	NA	204,967	state	18	108,000						312,967				
11	Arjan Briskaj	4/320	NA	47	0	4183	196,601	NA	196,601	state	18	108,000						304,601				
12	Sabri Briskaj	4/343	NA	52	0	4183	217,516	NA	217,516	state	0	-						217,516				
13	Selime Fero Qalliu	4/153	3405	35	1	4183	146,405	13,500	159,905	Registered	0	-						159,905				
14	Syri Qlliu	4/63	NA	54	7.8	4183	225,882	303,500	529,382	State	30	180,000						709,382				
15	Bektash Llano	4/409	NA	6	1	4183	25,098	NA	25,098	State (In process)	20	120,000						145,098				
16	Syri Qalliu	4/65	NA	131	8.2	4183	547,973	303,500	851,473	State	0	-						851,473				
17	Ylmije Petanja	4/375	NA	90	0	4183	376,470	303,500	679,970	State	20	120,000						799,970				
18	Ylmije Petanaj	4/79	NA	42	9.5	4183	175,686	303,500	479,186	State (In process)	25	150,000						629,186				
19	Varrezat	4/78	NA	15	0	4183	62,745	NA	62,745	State		-						62,745				
20	F.M.M Peshtanaku	4/41	1800	20	1.1	4183	83,660	303,500	387,160	Restrictions on the title to registered land. (not present)		-						387,160				
21	Agim Medi Nova	4/43	2600	36	1.3	4183	150,588	303,500	454,088	Registered (not present)	40	240,000						694,088				

