

**Supplemental Note
to the
Abbreviated Resettlement Action Plan
(ARAP)**

For Valjevo Flood Protection subproject



Republic of Serbia
Ministry of Agriculture, Forestry and Water Management
Directorate for Water Management
Project Implementation Unit

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1. BACKGROUND

Valjevo flood Protection sub-project has civil works on-going along the banks and within the basin of the Obnica River bed from km 1 + 250 to km 2 + 290 and includes reconstruction of the access bridge in the entrance zone to the correction facility KPZ “Valjevo”.

In April 2019 the Abbreviated Resettlement Action Plan (ARAP)¹ for this Sub-Project was prepared. The final version of the document was disclosed in May 2019 following the public disclosure period and public consultation on the draft documents held on April 8, 2019 covering the Valjevo Flood Protection sub-project impacts. Permanent acquisition of 11 private parcels (3339 m²) owned by 13 private owners including payment of compensation had been completed between March and June 2019 in line with the ARAP before the works commenced.

While setting out the construction site, and advancing with the flood protection works the contractor identified that the design had envisaged works from km 1 + 250 to km 2 + 290, while the corresponding cadastral maps did not correspond to the chainage and did not match the total length of the Project. Implementation of the remaining flood protection works in the length of approximately 500m requires additional 745 m² of land to be acquired spread across 9 land parcels owned by 11 (co)owners.

The objective of this Supplemental Note is to address the identified impacts, verify that works have not commenced on land subject of this Note, confirm that the land acquisition will not lead to loss of livelihood nor will cause landlessness as a result of land acquisition and the associated civil works, and confirm that compensation is to be paid to the PAPs fully compliant to the ARAPs entitlement matrix and eligibility criteria. The compensation to be paid will be assessed by the Tax administration office and will be comparable to the valuation for the original scope of impacts.

2. Details of impact to land

To continue with the works as per sub-project design, permanent acquisition of another 9 private parcels owned by 11 (co) owners will be required. The total area of land needed amounts to 745 m². The land parcels required are located upstream and outside the boundary of the detailed urbanistic plan for this particular area. When land acquisition is required outside an area covered by a project/area specific spatial plan the use of eminent domain cannot be imposed to acquire land. Such cases shall be dealt with through willing-byer-willing seller transactions negotiated between the City of Valjevo and each owner at replacement cost.

Additional impacts are minor, affecting between 0.26 and 11, 99 % of the land holding at the impacted location i.e. between 4 and 287 m², whereas the latter area is co-owned by 5 owners. The additional impacts affect no physical assets. The land is not cultivated as it borders with the river banks, often affected by rise of water level and affected by pollutants such as solid waste deposited on the and is not providing or contributing to the owner’s livelihoods.

The table below provides an overview of the total area of each parcel, loss per owner and percentage of loss relative to the entire area. The figure below depicts the additional impact relevant to the impact as identified before commencement of works (numbered in purple) while the PDF provides details of impacts to each parcel.

¹ See ARAP for Valjevo Sub-Project
https://valjevo.rs/Dokumenta/GradValjevo/Oglasi_Obavestjenja/2019/ARAP%20VALJEVO%20final_eng.pdf,
accessed on September 21, 2019

Figure 1: Additional parcels impacted



additional impacts
1.pdf

4. Additional Land acquisition implementation schedule

N ^o	Activity	Responsibility	Timing
1.	Census	PIU/Social Safeguards Specialist	Census completed on September 26, 2019
2.	Valuation at negotiation stage	Tax administration	October 5, 2019
3	Constitution of GRM	PIU /City of Valjevo	Completed on December 25, 2018 GRM applicable for additional impacts
4	Payment of Compensation	Municipality of Valjevo	October 15, 2019
5	Disclosure of Supplemental Note	PIU	October 15, 2019

5. Implementation arrangements

Institutional arrangements and monitoring responsibilities for additional impacts are with the Project Implementation Unit (PIU) of the Directorate for Water Management in line with the ARAP. The PIU will monitor the overall implementation of the subproject, cooperate with Valjevo Municipality and the Contractor and Consultant providing supervision of the flood protection works and ensure that works do not commence on land before the loss of land is fully compensated or in case of dispute the case referred to the court and the corresponding amount with contingency earmarked within the budget and available until the final resolution .

Annex 1 - Detailed overview of impacts

#	Municipality	Registry Sheet	Parcel Number	Area total	Area affected	% of impact	Type of land	ID of owner
1	Valjevo	15827	12840	1087	84	7.73	agricultural	1
2	Valjevo	15885	12839	942	247	26.22 (5.24 per owner)	other	2 3 4 1 5
3	Valjevo	15818	12717/1	2027	243	11.99	agricultural	6
4	Valjevo	518	13105	26287	n/a	n/a	other	n/a
5	Valjevo	10720	12717/4	1017	81	7.96	agricultural	7
6	Valjevo	15818	12717/3	498	24	4.82	agricultural	6
7	Valjevo	12555	12717/2	501	16	3.19	agricultural	8
8	Valjevo	15826	12838	1144	11	0.96	agricultural	2
9	Valjevo	13552	12830	1522	4	0.26	agricultural	9 10
10	Valjevo	15828	12833	2424	4	0.17	agricultural	11
TOTAL			9	37449	140			11