

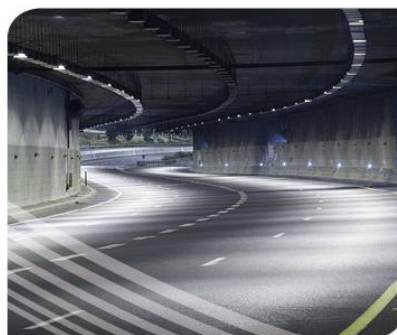


Republic of Serbia  
Ministry of European  
Integration

This project is funded by  
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## EU PPF - PROJECT PREPARATION FACILITY



# BELGRADE NIŠ FAST RAILWAY PROJECT SECTION 3 PARAĆIN - TRUPALE (NIŠ) RESETTLEMENT POLICY FRAMEWORK

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### DOCUMENT CONTROL SHEET

Contracting Authority:	Delegation of the European Union to the Republic of Serbia (EUD)
Project Title:	Project Preparation Facility 9 (PPF9)
Beneficiary Country:	Republic of Serbia
Beneficiary Institution:	Ministry of European Integration (MEI)
Service Contract Number:	2020/415-787
Identification Number:	EUROPEAID/139687/DH/SER/RS

This Project is implemented by SUEZ Consulting (SAFEGE) in consortium with EGIS, EPEM and KPMG.



Document No.	XXX
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Report Title					
Original	Prepared by	Reviewed by	Approved by	Contracting Authority	Beneficiary Institution (MEI)
Name:					
Signature:					
Date:					

Report Title					
Revision No.1	Prepared by	Reviewed by	Approved by	Contracting Authority	Beneficiary Institution (MEI)
Name:					
Signature:					
Date:					



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### LIST OF ABBREVIATIONS AND ACRONYMS

EBRD	European Bank for Reconstruction and Development
EIB	European Investment Bank
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ha	hectare
IFI	International Finance Institutions
MCTI	Ministry of Construction, Transport and Infrastructure of the Republic of Serbia
NES	National Employment Agency
NTS	Non Technical Summary
Q	Quarter
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RS	Republic of Serbia
SEP	Stakeholder Engagement Plan
SRI	Serbian Railway Infrastructure
TA	Technical Assistance





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# 1 INTRODUCTION

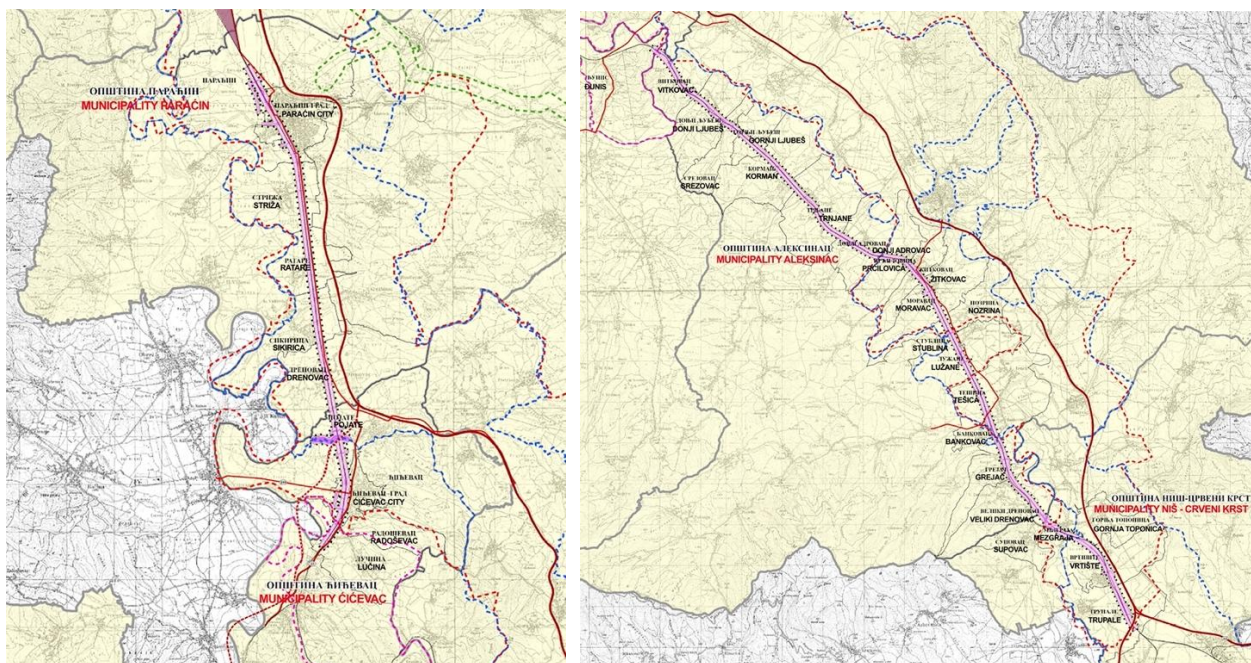
## 1.1 Overview of the Project

The Republic of Serbia is in the process of planning the reconstruction and modernisation of a part of the Pan-European Corridor X railway network, from the capital of Serbia, Belgrade, to the third largest city in Serbia, Niš (the project). Preliminary designs for three priority sections are being developed, as follows:

- Section 1: Resnik (Belgrade) to Velika Plana,
- Section 2: Velika Plana to Paraćin,
- Section 3: Paraćin to Trupale (Niš), excluding the section from Stalać to Đunis which is addressed as a separate section and is in a more advanced stage of project preparation.

This document addresses section 3 from Paraćin to Stalać and from Đunis to Trupale, as shown in Figure 1 below.

*Figure 1: Section 3 of the Belgrade to Niš railway: Paraćin to Stalać / Đunis to Trupale*



The project is under the direct management of the Ministry of Construction, Transport and Infrastructure of the Republic of Serbia (MCTI), while operational management is being carried out by the Joint Stock Company for the Management of Railway Infrastructure of the Republic of



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Serbia (Serbian Railway Infrastructure - SRI). The European Union Delegation (EUD) has provided Technical Assistance (TA), in the form of consultancy support, for the development of the project.

Two international financial institutions (IFIs), i.e. the European Bank for Reconstruction and Development (EBRD) and the European Investment Bank (EIB) are considering providing financing for the reconstruction of the Belgrade to Niš railway line. To be able to receive financing approval from the IFIs, the project has to comply with their environmental and social (E&S) standards and requirements. In July 2022, a number of E&S documents were prepared for the entire Belgrade to Niš corridor (Corridor Level E&S documents), based on the available Conceptual Design, and publicly disclosed on the SRI website.

From the Conceptual Design, project planning has progressed to the stage of Preliminary Design, for each of the three sections listed above. A Spatial Plan for the Belgrade Niš Railway Infrastructure Corridor, covering Sections 2 and 3 of the Belgrade to Niš railway corridor (Spatial Plan), was developed with inputs from the relevant sections of the Preliminary Design and was publicly disclosed in April 2024<sup>1</sup>. The design and spatial planning teams analysed all comments received on the Spatial Plan, responded to them (responses are available [here](#)<sup>2</sup>) and made the necessary adjustments in the design and spatial plan to reflect these responses where practicable. On 20 November 2024 the Spatial Plan was adopted by the National Assembly of Republic of Serbia and published in the Official Gazette, decision 91/2024 dated 21.11.2024. The Preliminary Design is expected to be completed in the fourth quarter of 2025. Environmental and Social documents for Section 3, to accompany the Preliminary Design, have been prepared in parallel and are disclosed for comments (see section 11.1).

### 1.2 Resettlement Planning

The implementation of the project requires land acquisition which will be carried out on behalf of SRI, through the national process of expropriation. This will lead to physical and economic displacement of various categories of affected people and businesses. To ensure that all physical and economic displacement caused by the project is addressed in accordance with national legislation, as well as the IFI standards and requirements, SRI developed a Corridor Level Resettlement Policy Framework (RPF), in July 2022.

The benchmark IFI standards for developing the Corridor Level RPF, as well as all future resettlement planning documents are:

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<sup>1</sup> Changes and Additions of the Spatial Plan of the Special Purpose Area of the Infrastructure Corridor of the Belgrade to Niš Railway (March 2024).

<sup>2</sup> in the document: Report on the implemented public insight from 21.06.2024.





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- EBRD Environmental and Social Policy (April 2019), particularly Performance Requirement 5 – Land Acquisition, Restrictions on Land Use and Involuntary Resettlement<sup>3</sup>;
- EIB Environmental and Social Standards (February 2022), particularly Standard No. 6 on Involuntary Resettlement<sup>4</sup>.

The Corridor Level RPF from July 2022 has served as a basis for developing a more focused Resettlement Policy Framework for Section 3 from Paraćin to Trupale, Niš (this document, the Section 3 RPF). The Section 3 RPF was developed by SRI with assistance from consultants, using the inputs of the draft Preliminary Design and Spatial Plan, disclosed in April 2024, as well as numerous comments received during the public disclosure period. Revisions of the Preliminary design, resulting from accepted comments were also taken into account to the extent possible and presented in this Section 3 RPF.

The SRI Manager for Legal and Corporate Affairs and the Director of the Legal Sector, together with the consultants assisting in the development of the Section 3 RPF, organised meetings with representatives of each of the municipalities crossed by Section 3, during February and March 2024. The purpose of the meetings, among other things, was to inform municipality representatives about expropriation and resettlement planning and hear their concerns and/or suggestions in relation to this topic. The consultants, together with municipal representatives also visited potentially affected locations in all of the municipalities to better understand potential impacts discussed at the meetings. Feedback from the municipalities and observations from the site visits have been taken into account in the development of this RPF.

Finally, as a number of comments received on the disclosed Spatial Plan pertained to expropriation and resettlement, the RPF has been developed with the aim of responding to the most common questions posed by potentially affected people and other interested stakeholders. More information about stakeholder engagement activities is provided in the Project Stakeholder Engagement Plan Annex for Section 3.

This Section 3 RPF has been publicly disclosed for review, comments and suggestions, as part of the overall disclosure package for Section 3, starting from July 2025 for a period of 120 days. The disclosure package also includes the following documents for Section 3:

- The Environmental and Social Impact Assessment (ESIA) and Non-Technical Summary (NTS)
- The Environmental and Social Management Plan (ESMP)
- The Project Stakeholder Engagement Plan (SEP) Annex for Section 3

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<sup>3</sup> EBRD Environmental and Social Policy from 2019 -

<https://www.ebrd.com/news/publications/policies/environmental-and-social-policy-esp.html>

<sup>4</sup> EIB Environmental and Social Standards from 2022 - <https://www.eib.org/en/publications/eib-environmental-and-social-standards>



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After the Preliminary Design has been completed, an Expropriation Elaborate will be prepared in accordance with national legislation. The Expropriation Elaborate will provide the necessary inputs for developing a detailed Section 3 Resettlement Action Plan (RAP). The Section 3 RAP will be developed on the basis of the principles and processes presented in this RPF. Indicative contents of the RAP are provided as Annex 1 of this RPF.

## 2 BRIEF SECTION 3 PROJECT DESCRIPTION

Section 3 of the planned railway (hereinafter referred to as Section 3 Project) mainly follows the existing railway corridor and passes through parts of the following municipalities: Paraćin (15 km), Čičevac (6 km), Aleksinac (30 km) and Niš (7 km)<sup>5</sup>. A list of cadastral municipalities also crossed by the railway is provided in Table 2 further in the text.

In nontechnical terms, the planned railway modernisation efforts on Section 3 which is approx. 58 km long, involve the following key activities:

- Reconstruction of the railway track for speeds ranging from 160 to 200 km/h and construction of a safety fence along the entire alignment,
- Modernisation of electrification, signalling and telecommunications equipment,
- Upgrading of existing stations and construction of new ones,
- Closure of 48 existing level crossings and preservation of 30 crossings through the construction of 18 underpasses and 12 overpasses, as well as accompanying access roads where needed. The construction of 3 underpasses for pedestrians and bicycles are also planned (included in the Preliminary Design), however the Spatial Plan also makes provision for subsequent construction of pedestrian / bicycle underpasses to satisfy local needs. The exact locations of these underpasses will be the subject of further discussion with the municipalities, if needed
- Construction of 12 replacement bridges and one new bridge, two viaducts and one tunnel,
- Construction of service roads along at least one side of the railway, where possible, outside of the fence and connected to the local road network (available to the public for use),
- Construction of railway channels and drainage systems, and where needed, drainage fields to accept the discharge. Drainage in underpasses will be the subject of the detailed design and will be the subject of consultations with municipalities, as specified in the project ESMP,
- Construction of culverts and regulation of watercourses and canals (existing and planned), which intersect with the railway

The new railway will have the following major structures:

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<sup>5</sup> Lengths in km have been rounded off.



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- 13 bridges, of which the longest are the bridge over the Jovanovačka river (~162 m) and the bridge over the Južna Morava river (~113 m)
- Two viaducts, one approx. 329 m long and the second approx. 143 m long
- 5 stations serving passenger and freight transport (Paraćin, Čičevac, Aleksinac, Tešica and Trupale), 3 stations serving only passenger transport (Sikirica/Ratare, Korman and Lužane) and one serving only freight transport (Adrovac)
- 18 underpasses, 3 underpasses for pedestrians/bicycles only and 12 overpasses.

A more detailed presentation of the project and all of its components and facilities planned for construction, is provided in Chapter 2 of the Section 3 ESIA which is being disclosed at the same time as this RPF.

### 3 SECTION 3 PROJECT RIGHT OF WAY AND IMPACTS

#### 3.1 Project Right of Way

The Railway Law of the RS<sup>6</sup> defines the railway zone (railway right of way), which encompasses land within a corridor of 8m from the most external railway track. In inhabited areas, the width of the railway zone can be reduced to 6m from the external railway track, at most. In this zone, no structures or other assets (trees, crops, etc.), other than railway structures, are allowed.

The Spatial Plan defined the boundaries of the public purpose land (project right of way), which includes areas needed for the reconstruction of existing and construction of new project components. This encompasses the general railway right of way land, within which new railway tracks and other structures (bridges, viaducts, tunnels, etc.) will be located, as well as land needed for railway stations, service roads, underpasses and overpasses, all infrastructure facilities and networks and land needed for the regulation of water flows (rivers, streams, etc.).

The defined boundaries of the public purpose land comprise: a) public land already occupied by the existing railway, and b) new areas of public and privately owned land, where the railway corridor diverges from the existing one and where new facilities (overpasses, access roads, etc.) will be built. Privately owned land will be acquired through expropriation, and Expropriation Elaborates will be developed on the basis of the public purpose land defined by the Spatial Plan, with further adjustments, as needed.

The information from the Expropriation Elaborate for Section 3, which include a list of all affected land plots, their total size, the area to be acquired, registered structures, the names of the owners/users, their share in ownership, etc. will be used for developing a detailed Resettlement

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<sup>6</sup> Official Gazette of the RS 41/2018



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Action Plan for Section 3. The Resettlement Action Plan will list the exact project components and facilities for which land will need to be acquired.

### 3.2 Expected Impacts in Different Project Phases

Project impacts associated with land acquisition and restrictions on land use, which can lead to involuntary physical and economic displacement, as defined in relevant IFI policies, will occur in different phases of the Project:

#### 3.2.1 Before Construction

Land and assets located on that land (structures, trees, crops, etc.), not already owned by the Republic of Serbia and used by SRI, will be acquired through a process of expropriation and cleared for project construction purposes. This land will remain permanently affected and unavailable for use, leading to permanent physical and economic displacement. The area of land which will be acquired is currently defined as the public purpose land, as presented in the Spatial Plan (see Section 3.1 above), however it is expected that changes will occur in some locations and the final status of all affected land will be confirmed in the Expropriation Elaborate, when the RAP will be prepared.

The defined public purpose land includes plots and facilities that already belong to the Republic of Serbia and are used by SRI, and no expropriation of such land will be needed. However, even on these plots of land, there are existing railway facilities, including railway apartments, railway houses and potentially some facilities rented to local businesses, that will have to be demolished for the Project, leading to physical and economic displacement.

It is not uncommon for additional land to be needed as a result of the preparation of the Detailed Design, either because of changes in the position of certain facilities (e.g. overpass) or even to allow access for construction on certain narrow roads, particularly in small villages. In such cases, additional RAPs or RAP Addendums will need to be prepared, to comply with IFI policies.

#### 3.2.2 During Construction

Additional land may need to be acquired temporarily (only during construction), for construction camps, material laydown areas, storage of topsoil and excavated materials, etc. The preferred areas of land which will be used for these purposes are areas of land in the project right of way, or any other unused public land plots in nearby locations. However, based on experience from similar projects in Serbia, in situations when this is not possible, contractors will purchase and/or rent land from private landowners, based on voluntary agreements.



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### 3.2.3 During Operation

Based on experience from similar projects in Serbia, land may need to be acquired even following completion of construction, anytime up to the point of receiving a use permit, if it is determined that certain impacts on people residing along the railway cannot be fully mitigated. For example, noise levels will be recorded during the operational testing of the railway, and if it is determined that in some locations noise cannot be reduced to legally allowed limits, with the implementation of mitigation measures, there may be a need to resettle individuals living in these locations. Public interest, as the basis for carrying out expropriation, lasts until the moment when the use permit is issued and the railway is put into operation, after which further land acquisition is not possible. However, even after the railway becomes operational, if it is determined that noise exceeds allowed limits, the owner of an affected structure can approach SRI with a request for compensation for damages, including compensation for the structure which has become uninhabitable, or to request that additional noise mitigation measures are carried out on his/her structure (for example, isolation of windows).

Apart from impacts stemming from outright purchase of land, described previously, further impacts can result from the establishment of land use restrictions.

In addition to the railway zone (general railway right of way), described in Section 3.1, the Railway Law defines additional zones in which certain land use restrictions apply, and they are:

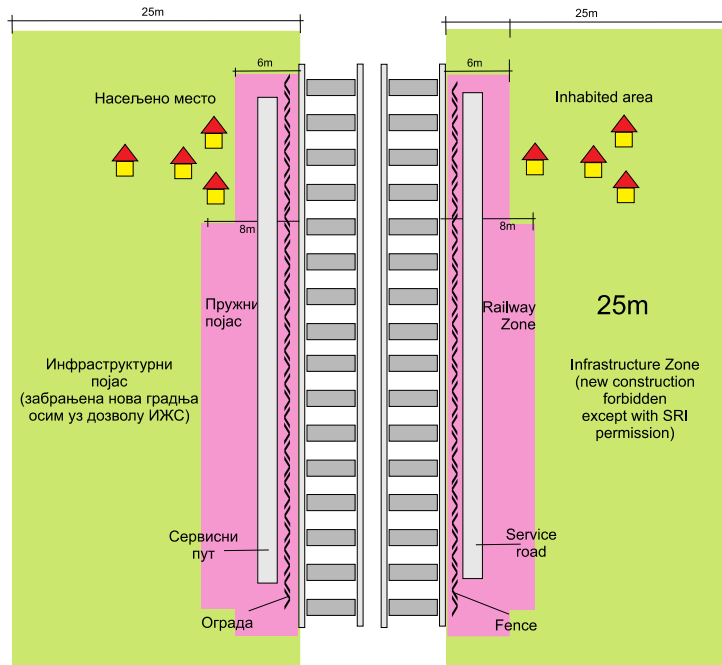
- Infrastructure zone with a width of 25m from the external track – existing structures are allowed to remain, while new structures may be constructed only with the fulfilment of two conditions:
  - That the construction of such structures is foreseen by the urban plan of the relevant unit of local self government (municipality)
  - That all conditions and approvals provided by SRI are fulfilled (a request for approval has to be submitted by the person intending to construct)
- Fire safety zone (forest land) with a width of 18m from the external track – the owners of the land are obliged to regularly remove trees, plants and leaves
- Fire safety zone (agricultural land) with a width of 13m from the external track – the owners of the land are obliged to remove mature crops in a timely manner and, if needed, undertake other fire protection measures.

As the railway corridor in Section 3 largely follows the existing corridor, these zones in the majority of locations, have been established and have been in force for a long time. However, in locations where the new project footprint deviates from the existing one, the zones (and use restriction impacts) will be newly established when the railway becomes operational.

*Figure 2: Schematic representation of the Railway Zone and Infrastructure Zone*



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### 3.3 Estimated Affected Land and Assets

Based on the information which is available in the Spatial Plan, a preliminary estimate of affected land and assets is presented in this Section 3 RPF. The information is provided only to demonstrate the potential scale of displacement, however as further work is being done on the preliminary design and spatial plan, and as more details will be available in the Expropriation Elaborate, changes are very likely. Information on efforts being made to reduce the number of affected land and structures at the time of developing this RPF and future planned efforts, is presented in Section 3.5 of this RPF.

#### 3.3.1 Estimated Affected Land

According to data presented in the Spatial Plan which covers the section Velika Plana – Trupale (section 2 and section 3) agricultural land is dominant with 61%, followed by construction land with 29%, around 9% forest land and less than 1% comprises water area. The public purpose land area in which Section 3 project facilities will be constructed, amounts to a total of 370 ha of land. There is no land use data for the affected 370 ha of land, however, it can be anticipated that some 50% may be agricultural land (estimated 185 ha). As explained earlier, the public purpose land area includes both public land already used by the existing railway corridor and land that needs to be newly acquired for the project.



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Table 1 provides a breakdown of the estimated total affected area of 370 ha, by municipality. Close to 50% of the total affected area is on the territory of Aleksinac municipality, while the remaining 50% is almost equally distributed between Paraćin and Čičevac and slightly less in Niš.

*Table 1 Estimated total affected area of land per municipality*

Municipality	Total estimated affected area <sup>7</sup>
Paraćin	75 ha
Čičevac	70 ha
Aleksinac	175 ha
Niš	50 ha
<b>TOTAL</b>	<b>370 ha</b>

According to the Spatial Plan, on Section 3, a total of 4,457 land plots of land are expected to be affected by the project, of which only 14% (619 land plots) will be fully affected and the rest (86%, 3,838 land plots) only partly affected. Again, this is preliminary data which is prone to further changes.

Table 2 below provides an overview of partly or fully affected land plots by municipality and cadastral municipality. This includes land plots which are publicly owned (and already used by the railway) as well as those privately owned, which are planned for expropriation.

*Table 2 Potentially affected land plots by municipality*

Municipality	Cadastral municipality	Fully affected plots	Partly affected plots	Total fully affected	Total partly affected
Paraćin	Paraćin	29	137	80	684
	Paraćin grad	27	71		
	Striža	2	97		
	Ratare	4	83		
	Sikirica	10	98		
	Drenovac	8	198		
Čičevac	Pojate	58	124	141	476
	Čičevac	63	213		
	Čičevac grad	19	75		
	Lučina	1	64		
Kruševac	Đunis	4	7	4	7

<sup>7</sup> An additional estimated 1.5 ha of land is expected to be acquired on the territory of Kruševac municipality.



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Municipality	Cadastral municipality	Fully affected plots	Partly affected plots	Total fully affected	Total partly affected
Aleksinac	Vitkovac	26	226	324	2,238
	Donji Ljubeš	19	118		
	Srezovac	26	97		
	Gornji Ljubeš	7	82		
	Korman	8	136		
	Trnjane	49	157		
	Donji Adrovac	78	143		
	Prćilovica	16	128		
	Žitkovac	19	33		
	Moravac	18	140		
	Nozrina	1	60		
	Stublina	0	1		
	Lužane	7	250		
	Tešica	18	227		
	Bankovac	0	1		
	Grejač	23	161		
	Veliki Drenovac	9	278		
Niš (Crveni Krst)	Supovac	4	74	70	433
	Mezgraja	0	61		
	Vrtište	8	177		
	Trupale	58	121		
<b>TOTAL</b>	<b>32</b>	<b>619</b>	<b>3,838</b>	<b>4,457</b>	

### 3.3.2 Affected Structures

During the development of the RPF, a review of maps provided in the Spatial Plan and as part of the Preliminary Design, was carried out. These maps were compared with publicly available cadastral maps and Google Earth images to identify structures potentially affected by the Section 3 project. Site visits to some locations were also carried out to view affected structures and better understand their condition and use.

Based on all this information, an overview of affected structures has been prepared, as presented in Table 3. As with all previously presented data, the following information should be taken as an estimate, which needs to be further confirmed when the Preliminary Design is completed and the Expropriation Elaborate becomes available.



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An estimated 180 residential structures may need to be acquired, which, along with 34 affected railway apartments, means that approx. 214 households may be physically displaced for the construction of the Section 3 Project. Auxiliary structures include structures such as barns, sheds, animal shelters, storage facilities, as well as some unfinished structures. Regarding businesses, what has been identified in this stage, is a gas station in Paraćin which is a part of a larger complex which includes a large restaurant for celebrations (weddings and special events) and smaller shops. Other observed businesses include small shops, a pharmacy, a cafe, as well as one larger business near Aleksinac station, and 2 community sports fields. Approximately 43 railway structures may also be affected, and within these, there are 34 railway apartments.

*Table 3 Potentially affected structures by project component*

Project component	Type of structure				Railway apartment
	Residential structures	Auxiliary structures	Business or other structure	Railway structure	
Overpass or underpass, access road	73	44	4	8	2
Railway station	36	13	7	31	30
Expansion of existing alignment	15	17	1	0	1
New alignment	56	45	4	4	1
<b>TOTAL</b>	<b>180</b>	<b>119</b>	<b>16</b>	<b>43</b>	<b>34</b>
	<b>358</b>				

According to SRI records, the 34 railway apartments potentially affected by the Section 3 Project are inhabited by 94 persons. A total of 13 apartments are used by railway workers, mostly from SRI, three from Serbia Cargo and one from Serbia Train. The remaining 21 apartments are used by third parties (relatives of former employees or others). Ten out of the 34 apartment holders do not have a valid legal basis registered with SRI. Some of the contracts for use or decisions date back as far as 1985, or 1996 with the most recent contract (for temporary use) is from 2013.

*Table 4 Potentially affected railway apartments by municipality and cadastral municipality*

Municipality	Cadastral municipality	No. of households	No of persons	Railway worker	Third party	No legal basis
Paraćin	Paraćin grad	12	36	5	7	4
	Striža	1	4	0	1	1
	Sikirica	2	7	1	1	0
	Drenovac	1	2	1	0	1
Ćićevac	Ćićevac grad	4	9	1	3	0



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Municipality	Cadastral municipality	No. of households	No of persons	Railway worker	Third party	No legal basis
Aleksinac	Korman	2	5	1	1	0
	Grejač	1	2	0	1	1
	Lužane	1	5	0	1	0
	Moravac	1	1	0	1	0
	Žitkovac	5	16	3	2	1
Niš (Crveni Krst)	Mezgraja	1	4	0	1	1
	Trupale	3	3	1	2	1
<b>TOTAL</b>	<b>12</b>	<b>34</b>	<b>94</b>	<b>13</b>	<b>21</b>	<b>10</b>

### 3.4 Summary of Potential Impacts

As can be seen from previous sections of this document, and based on experience from similar projects in Serbia and the region, the types of impacts that can be expected as a result of land acquisition for the Section 3 Project, can be summarised as follows:

- Loss of land or access to land: as land will be acquired and cleared for the project, some individuals will lose the ability to use land, whether it is their land or owned by someone else.
- Loss of crops, trees, etc.: a part of the affected land is agricultural or forest land and losses of different types of crops, trees, plants, etc. are expected.
- Loss of residence and physical displacement: as shown in previous sections, there are residential structures along the project footprint which will be affected and households residing in them will be physically displaced when they are acquired. This includes both privately owned residential structures and those that may be owned by someone else (e.g. railway apartments) and people using the structures may be tenants, but also informal occupants of such structures.
- Loss of non residential structures: in addition to structures that are used as residences, there are additional structures that will be impacted, including garages, sheds, barns, wells, irrigation systems, etc. Some of the non residential structures may also be used for business activities, such as shops, workshops, but also larger business facilities (e.g. gas station, small factory, etc.).
- Loss of operational business / economic activity: apart from structures used for business themselves (as above), some people may be engaging in economic activities which could be disrupted as a result of the land acquisition process, resulting in economic displacement which could be permanent or temporary (until they re-establish their activities elsewhere).
- Establishment of use restrictions on privately owned land, which could limit or prevent owners from constructing new structures, if permission by SRI is not granted. This impact refers to newly established parts of the railway footprint.





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- Loss of income or livelihood associated with either of the above losses: people using agricultural land can be economically displaced by the loss of agricultural land (or access to it) if the area of land is significant or the only land a person uses, etc. There are other categories of people who could be affected, including employees working for a business that needs to relocate or will be closed, or individuals engaging in informal economic activity.
- Loss of community facilities, utilities and public amenities: this includes impacts such as loss of community sports fields, loss of community water supply systems, etc.
- Experiencing more severe impacts as a result of an existing vulnerability.

Appropriate entitlements for different categories of people affected by all of these types of impacts are presented in the Entitlements Matrix (see section 7 of the RPF).

### 3.5 Avoidance of Displacement

In previous project planning stages, a decision was made to reconstruct and modernise the railway by keeping the alignment in its current location to the extent possible, while making changes only where necessary to enable reaching speeds of between 160 and 200 km/h. An overview of the process of reaching this decision, and the alternatives which were considered, is available in the Section 3 Project ESIA, Chapter 4, Assessment of Alternatives.

One of the advantages of selecting the proposed route was the possibility of retaining the existing railway right of way and reducing the amount of additional land and structures, which would need to be expropriated for the project. However, as it was necessary to reach the target speed of trains, adjustments of the alignment were necessary and these are the locations where expropriation will need to be carried out, affecting not only land, but also structures. In addition, to be able to reach this speed and for safety reasons, it was decided that all at grade railway crossings need to be closed and replaced with underpasses and overpasses. Since the existing railway route passes through inhabited locations, the majority of these crossings are located in inhabited locations, to enable people to access locations on the other side of the railway. The construction of underpasses and overpasses and their connection to the existing local road network, also requires expropriation which will affect land and structures in these locations.

During the development of the preliminary design, one of the considerations that the design teams were required to follow, was to reduce impacts particularly on structures, so that costs of expropriation would be reduced, but also with a view of avoiding causing physical and economic displacement of people living or working along the railway or destruction of community facilities. As the general decision was to keep the alignment in its current location to the extent possible, passing through many inhabited locations, options for avoiding structures were limited. A change in one location, to avoid a group of houses, would inevitably cause changes in another, often causing similar impacts. In addition, choices considered for the construction of overpasses and



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underpasses, were between keeping the existing points of communication between parts of settlements, which would inevitably cause displacement for persons residing or working in their vicinity and displacing overpasses and underpasses outside of inhabited areas, which would cause longer travel times for the local population to reach areas on the other side of the railway.

These issues, along with many other considerations, such as technical possibilities, existing local infrastructure, municipal development plans, development plans of local companies using the railway, traffic counts on existing railway crossings, etc. were discussed between the design teams and municipal representatives at meetings which were chaired by the MCTI, from May 2023 onwards. Meetings on various important topics were also held with companies that could be impacted by planned changes in industrial railway tracks, as well as other relevant public companies such as Serbia Train, Serbia Cargo, Serbian Electricity Distribution Company, Serbia Waters, Hydrometeorological Institute, Roads of Serbia and many others, with whom it was also necessary to harmonise all proposed solutions. An overview of these meetings is presented in the Project SEP Section 3 Annex.

After the Spatial Plan was publicly disclosed, comments from all interested stakeholders were submitted, some of them pertaining to avoidance of expropriation. Individuals, and in some cases groups of affected people, requested changes in the design to avoid their properties and displacing them. The design team considered each comment and where possible, made the necessary adjustments.

To date, changes to the design to avoid or reduce the number and/or type of affected structures were made in the following locations:

- Donji Ljubeš, towards Srezovac settlement (Aleksinac municipality) - the proposed railway route from the prefeasibility stage would have impacted more than 20 structures, mainly residential, while the Preliminary Design solution avoids these structures and impacts an estimated 6 structures, of which only 2 or 3 residential.
- Vrtište (Niš municipality) - the proposed railway route from the prefeasibility stage would have impacted the same number of structures as the Preliminary design solution, however this solution avoids a small family business (bonded warehouse) which has been operational for over 25 years and whose activities are also connected to railway transport of goods.
- Korman, underpass (Aleksinac municipality) - the location of the underpass was slightly shifted to avoid 2 residential properties.
- Stublina, overpass (Aleksinac municipality) - similarly to the above, the position of the overpass was slightly changed to avoid one residential property.
- Mezgraja, at the edge of the settlement towards the South Morava River (Niš) - a local sports field was completely avoided.



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The design teams also considered alternatives for the location of Aleksinac station, where according to the initial design, some 30 structures were impacted. The changes in the design reduced the number of affected residential properties to between 5 and 7 and a reduction of the expropriation footprint to approximately 1.5–2 hectares. At the same time, further changes are being made in the location of the Čičevac underpass in Železnička street. Upon numerous debates, a decision was reached to accept the request from the Čičevac municipality to plan a vehicle underpass in this location (a pedestrian underpass was previously planned), which unfortunately will impact an additional 10 structures, of which at least 7 residential and one business. The municipality believes that the benefits of this solution for the local population and community outweigh the negative impact, and particularly because some of the residential structures in this location are not permanent residences.

Visual presentations of these changes, along with the other considerations which were taken into account during the development of the Preliminary Design, apart from avoidance of structures, are available the Section 3 Project ESIA, Chapter 4, Assessment of Alternatives.

Further to the above, when responding to comments on the Spatial Plan, the design teams considered possibilities for moving the draft expropriation line away from properties which were affected with a very small area, especially if small parts of structures were affected. In situations where there are no safety or other concerns for avoiding such properties, the requests have been accepted and relevant changes in the preliminary design and Spatial Plan will be made. At the same time, where properties were partly affected, but with a significant area, the design teams responded positively to requests to move the draft expropriation line in a way to include the full land plots.

This process is not final, and further changes may be made in the stage when the Expropriation Proposal is prepared. During the RAP development stage, such opportunities should be explored in greater detail and documented.

### 3.6 Stakeholder Feedback

During stakeholder consultations for the ESIA, as a part of the development of Stakeholder Engagement Plan (SEP) and Social Impact Assessment (SIA), several local communities expressed concerns related to expropriation, land acquisition, and resettlement, namely:

- Lack of Information: Communities in Paraćin, Crveni Krst, and Aleksinac municipalities reported insufficient information about the project design, timeline, and scope of land acquisition. They requested meetings with the project implementer (SRI) to present the design and explain impacts.



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- **Restricted Land Use:** In some areas, residents are unable to change land use or obtain permits due to the anticipated project, resulting in delays and potential financial loss—particularly where land value depends on its official use classification.
- **Uncertainty Around Resettlement:** Many households are unaware of whether or when they will be displaced, preventing them from planning relocation or maintaining their properties.
- **Vulnerable Groups:** There is concern about the ability of elderly residents to manage resettlement independently. Communities emphasized the need for dedicated support during physical displacement.

All communities requested improved communication, greater transparency, and early planning to minimise disruption and ensure fair and informed resettlement processes.

The listed above are some of the issues voiced by the stakeholders that SRI should consider during the implementation of the following phases of the project. In addition, the RAP to be developed should consider those in a greater detail.

## 4 INSTITUTIONAL AND LEGAL FRAMEWORK

### 4.1 Applicable Legislation of the Republic of Serbia

The law which applies most directly to land acquisition which will be carried out for the project is the Law on Expropriation of the RS<sup>8</sup>. The Expropriation Law focuses on land and assets which may be expropriated with provision of compensation, and restrictions which may be placed on property or use rights, in the public interest. In addition to this law, several important provisions (e.g. compensation for structures without construction permits, establishing temporary representatives to deal with absentee owners) are included in the Law on Special Procedures for the Implementation of Construction and Reconstruction Projects of Linear Infrastructure of Particular Importance for the Republic of Serbia<sup>9</sup> (Law on Linear Infrastructure). This law has been repealed in August 2023, however as the implementation of this project began before the law was repealed, it will be completed in line with the mentioned law.

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<sup>8</sup> Official Gazette of the RS 53/95, 16/01 – Federal Constitutional Court decision, 20/09, 55/13 – Constitutional Court decision and 106/16

<sup>9</sup> Official Gazette of the RS 09/2020



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Another relevant law, applicable in situations which have been identified as possibly occurring in connection to the clearing of land, is the Law on Housing and Building Maintenance of the RS<sup>10</sup>. This law prescribes responsibilities of local self governments (municipalities) in relation to resettlement of persons residing in informal structures located on land that belongs to someone else, for the implementation of infrastructure projects in the public interest.

Solutions for addressing physical and economic displacement can be sought through cooperation with various government and non-government service providers, such as municipal Centres for Social Welfare which can provide assistance to vulnerable people, under relevant social welfare laws or the National Employment Service (NES) of the RS, which can provide affected people with assistance for employment and training, with the aim of livelihood restoration.

The relevant provisions of the above main laws, as well and other applicable laws which can serve as a basis for addressing specific EBRD/EIB requirements, are presented in detail in

Table 5.

### 4.2 Applicable EBRD and EIB Requirements

Along with the obligation for SRI to follow national legislative requirements, it also has to fulfil the requirements of international financial institutions (IFIs) which are considering to provide financing for the Project. The relevant requirements which were taken into consideration during the development of this RPF are:

- EBRD Environmental and Social Policy (April 2019), particularly Performance Requirement 5 – Land Acquisition, Restrictions on Land Use and Involuntary Resettlement;
- EIB Environmental and Social Standards (February 2022), particularly Standard No. 6 on Involuntary Resettlement.

The requirements and standards are presented in detail in

Table 5, while the full text of both policies is available online, see footnote 3 for EBRD and footnote 4 for EIB.

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<sup>10</sup> Official Gazette of the RS 104/2016 and 09/2020 - other law





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### 4.3 Comparison of RS Legislation and EBRD and EIB Requirements

Table 5 presents the main EBRD/EIB requirements, relevant provisions of national legislation and highlights the key gaps between them, which are being addressed by this RPF and will be further addressed in the development and implementation of a RAP.



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Table 5 Comparison of national legislation with EBRD/EIB requirements, identified gaps and measures to address them

No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
1	Avoidance or minimisation of displacement	The client will consider feasible alternative project designs to avoid or at least minimise physical and/or economic displacement, especially those socially or economically vulnerable.	No specific legal requirement to avoid or minimise expropriation during spatial and project planning, although this is done in practice to reduce expropriation costs.  The Law on Housing and Building Maintenance states that physical displacement of persons who have no legal rights to the land they occupy will be carried out for the construction of investment projects only if it can be proven that there is no alternative for resettlement and the settlement (or part of the settlement) cannot remain in the existing location.	Partly compliant.  Steps to document measures undertaken to avoid or minimise displacement are being taken and this will continue throughout project and land acquisition and resettlement planning.
2	Favouring negotiated settlement and avoidance of forced evictions	The client will seek to acquire land rights through negotiated settlements even if it has the legal means to gain access to the land without the consent of the seller.  The client will not resort to forced evictions. Forced eviction refers to the acts and/or omissions involving the coerced or permanent or temporary involuntary displacement of individuals, groups and communities from homes and/or lands and common property resources which they occupy or depend on, thus eliminating or limiting the ability of an individual, group or community to reside or work in a particular dwelling, residence or location, without the	Compensation agreements are encouraged by the Law on Expropriation. If an agreement is not reached within two months of the decision on expropriation becoming legally binding, the case is referred to the relevant court to pass a decision on compensation.  Evictions for persons with formal legal rights are carried out in accordance with the Law on General Administrative Procedure, by municipal authorities, with prior notice and availability of administrative and judicial remedies.  The Law on Housing and Building Maintenance states that evictions of persons occupying informal structures located on land not belonging to them, have to be implemented in accordance with certain principles, including prior notice and availability of administrative and judicial remedies.	Compliant.



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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
		provision of, and access to, appropriate forms of legal or other protections provided for under EBRD/EIB requirements.		
3	Vulnerable groups	<p>Project related risks and impacts, that would affect the lives and livelihoods of vulnerable, marginalised or discriminated against persons and groups, must be identified and assessed.</p> <p>The client must plan and implement adequate measures to avoid, minimise, mitigate or remedy negative impacts and, as appropriate, to reinforce positive effects, for vulnerable groups, in consultation with affected vulnerable groups.</p>	<p>The Expropriation Law allows provision of increased compensation, if there are circumstances which are essential for the owners' existence, such as the number of household members, the number of household members capable of earning a living or who are employed, the health status of household members, the monthly income of the household.</p> <p>The Law on Housing and Building Maintenance states that the responsible authorities are required to provide people affected by resettlement (who are without formal legal or recognizable rights to the land that they occupy) with adequate housing, access to assistance for fulfilling basic needs (food and water), access to social welfare and health protection, access to sources of livelihood and potential employment vacancies, access to inclusive education.</p> <p>Vulnerable persons are entitled to social welfare assistance, which includes placement in shelters and access to other services available under the Law on Social Protection, realised through the Centre for Social Welfare.</p>	<p>Partly compliant.</p> <p>Steps to identify vulnerable groups and propose adequate mitigation measures are being taken and will continue during resettlement planning.</p> <p>The provision of vulnerability assistance is under the jurisdiction of local self governments in which affected people have residence and Centres for Social Welfare, and therefore coordination between SRI and the municipalities (along with cooperation with Centres for Social Welfare) is needed to comply with EBRD/EIB requirements.</p>
4	Gender aspects	The client must consider specific gender dimensions of physical and/or economic displacement and ensure meaningful participation of women and men in any consultations about	Under the Constitution, women and men have equal rights in the Republic of Serbia, including the possibility to have formal legal rights on properties.	<p>Partly compliant.</p> <p>Steps to identify and address specific gender dimensions of physical and</p>



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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
		<p>resettlement.</p> <p>The consultation process shall ensure that women's perspectives are obtained and their interests factored into all aspects of resettlement planning and implementation.</p>	<p>According to the Family Law, if formal legal rights over properties / assets have been acquired during the marriage, the law assumes they are shared equally between the spouses, unless a different agreement is formally registered with the court. Registration of property rights acquired during matrimony in the Cadastre, is carried out automatically in the name of both spouses, in line with the Law on the Registration Procedure with the Cadastre of Real Estate and Utilities.</p> <p>The Law on Housing and Building Maintenance states that the contract providing accommodation for persons occupying informal structures located on land not belonging to them is concluded with both spouses, or both partners in a consensual union, whenever possible.</p>	<p>economic displacement are being taken and this will continue throughout resettlement planning.</p> <p>The provision of vulnerability assistance, including in relation to gender aspects, is under the jurisdiction of local self governments in which affected people have residence and therefore coordination between SRI and the municipalities is needed to comply with EBRD/EIB requirements.</p>
5	Census and socio economic survey	<p>The client is required to carry out a census and a socio-economic baseline survey to identify persons who are affected by the project and determine who will be eligible for compensation and assistance and describe the baseline circumstances of affected people.</p> <p>The client shall carry out an inventory of affected assets, including land, structures, crops, communal amenities and natural resources to establish the basis for further valuation of such assets.</p>	<p>Ownership or other formal legal rights on land and structures are recorded in the Real Estate Cadastre. Factual ownership or use of land of those not recorded in property registers can be proven in the expropriation process through sale purchase contracts, inheritance documents, etc.</p> <p>According to the Expropriation Law, the request for determining public interest and subsequently the proposal for expropriation, have to include a detailed list of properties to be expropriated, their location, information about individuals who have formal legal rights on these properties.</p> <p>The Law on Housing and Building Maintenance requires the recording of data on persons occupying illegal structures located on land not belonging to them who will</p>	<p>Partly compliant.</p> <p>Steps to identify and record persons who have no recognisable legal right or claim to the land or assets they occupy or use in the census, and to carry out a socio economic survey of affected people, will be taken during resettlement planning.</p>



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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
			be resettled, including name, surname, personal ID number and address.  No specific legal requirement to carry out a socio economic survey.	
6	Cut-off date	The client shall establish a cut-off date for eligibility either: (i) as foreseen in applicable legislation; or (ii) using the end date of the census or of the inventory (whichever is the latest) and inform the affected people of the cut off date.	Persons who have formal legal rights on land and structures, as registered by the Cadastre or based on legal documents (sale purchase contracts, inheritance decisions, etc.) are entitled to compensation for their affected assets under the Expropriation Law.  There is no legal requirement to establish a cut off date for eligibility of persons who have no recognisable legal right or claim to the land or assets they occupy or use.	Partly compliant.  The cut off date for the eligibility of persons who have no recognisable legal right or claim to the land or assets they occupy or use will be defined and they will be informed about this date, during land acquisition planning.
7	Valuation of assets and compensation at full replacement cost	Valuation shall be at full replacement cost and shall be performed by qualified valuers.  Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labour for construction	Compensation under the Expropriation Law is determined in accordance with the average market price of a same type of property/asset.  The Law on Linear Infrastructure states that market value of affected land is determined by the Tax Administration based on the most recent registered sale purchase transactions for similar land in the vicinity of the affected land. The law allows the Tax Administration to align compensation rates with other rates provided for similar land affected by linear projects in nearby municipalities.  In the expropriation procedure, licensed valuers of different professions (civil engineers, agriculture specialists, forestry specialists, etc.) are engaged to record affected assets (structures, crops, fruit trees, forests, etc.) and determine their value.	Compliant.  Benefits realised in practice which are not necessarily defined by law (calculation of the construction value without depreciation, the right to compensation for moving costs or assistance to move), will be defined during resettlement planning.





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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
		<p>of structures or other fixed assets, plus transaction costs.</p> <p>The cost of moving and re-establishing utilities in the new homes shall be borne by the client.</p>	<p>The Law on Linear Infrastructure stipulates that when construction land, on which an unregistered structure has been built (and for which the legalisation process has not been completed), is being expropriated, the affected owner of the structure (the person who owns the land), has a right to be compensated for the construction value of that structure. When valuers determine the construction value of affected structures, they do not include depreciation in the calculation. By analogy and based on the opinion of the line Ministry, compensation for structures constructed on agricultural land and those for which a legalisation request has not been submitted, is determined in the same way.</p> <p>In practice certified valuers take into account the costs of resettlement when determining the value of a property and include them in the compensation calculation. Sometimes the contractors assist households or businesses which are being resettled to move their things, equipment, etc.</p>	
8	Eligibility criteria	<p>Affected persons may be classified as follows:</p> <p>(i) persons who have formal legal rights to the land (including customary and traditional rights recognised under national laws) or assets;</p> <p>(ii) persons who do not have formal legal rights to land or assets at the time of the census, but who have a claim to land or assets that is recognised or recognisable under national laws; or</p>	<p>The Expropriation Law recognises persons who have formal legal rights on land and structures, as registered by the Real Estate Cadastre and those whose rights and claims are recognisable under national laws i.e. can be determined based on sale-purchase contracts, inheritance decisions, etc.</p> <p>The Law on Housing and Building Maintenance regulates the resettlement of persons who are living in informal structures (without permits, as they are constructed contrary to construction legislation and/or on public or private land that does not belong to the owner of the</p>	<p>Partly compliant.</p> <p>Informal land users, if they are registered as affected by the project at the time of the cut off date, will be entitled to compensation and assistance, which will be defined during resettlement planning.</p>



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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
		(iii) persons who have no recognisable legal right or claim to the land or assets they occupy or use, <u>at the time of the cut off date</u> .	structures), in situations of public interest and expropriation.  There is no specific legal recognition of informal land use, although such users have legal options to claim their rights to compensation for any affected crops or trees that they planted and farmed, as well as any improvements they made to the land.	
9	Entitlements to compensation and assistance	The client will provide compensation for loss of land, other assets or natural resource and access thereto, that are acquired or affected by the project.  The client will provide resettlement assistance, which refers to technical and financial assistance provided to displaced people in addition to compensation to support their efforts in relocating to a new home and restoring their incomes or livelihoods.	The Expropriation Law foresees provision of compensation for land and any assets located on that land, affected by the project.  The Law on Housing and Building Maintenance prescribes that adequate housing <sup>11</sup> must be provided by the local self-government where the household has registered residence, if the household does not own other residential property or enough means to secure other accommodation. The Law also prescribes that tenants who have legal contracts for an indefinite period (regardless of who the owner is), have the right to resettlement to a comparable apartment (publicly owned), if they or any member of their household do not have ownership of any other residential property.  There is no legal requirement to provide resettlement and/or livelihood restoration assistance, beyond compensation for affected assets.	Partly compliant.  Resettlement and/or livelihood restoration assistance will be provided to affected people, which will be defined during resettlement planning.  The provision of assistance is under the jurisdiction of local self governments in which affected people have residence and therefore coordination between SRI and the municipalities is needed to comply with EBRD/EIB requirements.
10	Timing of compensation	Compensation will be provided before displacement or imposition of access restrictions on land or assets. Where	Under the Expropriation Law, the right of accessing the property, is acquired when an agreement on compensation has been reached or when the decision on	Compliant.

<sup>11</sup> Adequate housing has to satisfy some basic criteria, as follows: location which provides access to infrastructure, unpolluted land, livelihoods and public services, affordability of housing, size (minimum 8 m2 per person), household connections to electricity, water and sanitation, safety and security, accessibility for disabled and elderly and cultural acceptability.



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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
		repeated efforts to contact absentee owners have failed, where project-affected persons have rejected fair compensation offers, or where competing claims to the ownership of lands or assets are subject to lengthy legal proceedings, the client may deposit compensation funds provided by the resettlement plan into an interest-bearing account and proceed with project activities in accordance with national law. Compensation shall be made immediately available to eligible persons upon resolution of entitlement issues.	<p>compensation becomes legally binding (i.e. cannot be appealed against). Compensation is executed shortly after. Proof that funds for expropriation are available in the budget, has to be submitted together with the expropriation proposal.</p> <p>Urgent access to land / properties can be granted by the Ministry of Finance, if it determines it is necessary due to the urgency of executing construction works, if the decision on expropriation is final and if an offer specifying the form and amount of compensation was previously sent to the affected owner. If the object of expropriation is a house or business / agricultural structure, and if compensation is to be provided in-kind, an appropriate temporary structure must be provided, until a replacement structure is provided.</p> <p>The Law on Linear Infrastructure states that if the residence of a registered owner of a property cannot be identified or if the registered owner is deceased and the inheritance proceedings have not been completed. In that case, the compensation amount is deposited with the court. The right of the owner (or his/her heirs) to claim compensation can never expire and he/she can do so even years after expropriation has taken place.</p>	
11	Compensation in kind / cash	<p>The client shall offer land based compensation, unless proven unfeasible or unacceptable to affected persons.</p> <p>Payment of cash compensation for lost land or assets at full replacement cost in-lieu of in-kind compensation may be appropriate where: (i)</p>	The Expropriation Law states that compensation can be provided in kind for agricultural land or for residential and business structures (if they are a source of livelihood), on request of the person who has formal legal rights and if a suitable property can be identified.	Compliant.



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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
		livelihoods are not land-based; (ii) livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual land is economically viable; or (iii) active markets for land, housing and labour exist, displaced persons use such markets, and there is sufficient supply of land and housing.		
12	Entitlements in case of economic displacement of businesses	<p>Where land acquisition, or restrictions to land use affects businesses (formal or informal), the client will provide compensation as follows:</p> <p>(i) the cost of reestablishing activities elsewhere;</p> <p>(ii) lost net income during the transition period; and</p> <p>(iii) the costs of the transfer and reinstallation of the plant, machinery or other equipment, as applicable.</p> <p>Clients are required to provide additional targeted assistance and opportunities at least to restore, or where possible improve, their income-earning capacity, production levels and standards of living of both the owner of the business and employees losing pay or employment.</p>	<p>The Expropriation law foresees compensation for affected land and businesses structures, as well as the costs of re-establishing business activities in another location (for example, lost net income during the transition period, if it is determined that such a loss occurred), as assessed by certified valuers.</p> <p>The Labour Law regulates the rights of workers, who may suffer some temporary interruptions in employment or permanent loss of work, and such rights are realised through the National Employment Service.</p> <p>There is no legal requirement to provide additional targeted assistance and opportunities at least to restore, or where possible improve, the income-earning capacity, production levels and standards of living of both the owner of the business and employees losing pay or employment.</p>	<p>Partly compliant.</p> <p>Targeted assistance will be provided to affected people, which will be defined during land acquisition planning.</p> <p>The provision of assistance to persons who experience temporary interruptions in employment or lose work or business operations, is under the jurisdiction of the National Employment Service, as well as local self governments in which affected people have residence and therefore coordination between SRI and the municipalities is needed to comply with EBRD/EIB requirements.</p>



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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
13	Community facilities, utilities and public amenities	The client will replace affected community facilities, utilities or public amenities to ensure a better or similar level of service, based on consultation with the affected community and relevant government stakeholders.	Serbian legislation requires that all affected facilities, utilities and public amenities are replaced, in agreement with their owners (municipality, local community, etc.)	Compliant.
14	Information disclosure, consultation and informed participation of affected persons	The client will organise meaningful consultation of affected persons and communities throughout the process of resettlement planning and implementation in accordance with the principles and processes outlined in EBRD/EIB policies (as presented in the Stakeholder Engagement Plan), supported by disclosure of relevant information, through simple, practical, accurate and culturally appropriate documentation.	<p>The decision on establishing public interest, with a list of plots proposed for expropriation is made publicly available. Affected persons are informed that an expropriation proposal has been submitted and invited by post to a hearing by the property administration to present any facts which may be relevant for expropriation. Further hearings are held as part of the procedure for determining compensation.</p> <p>The Law on Housing and Building Maintenance states that the plan for resettlement has to be developed in consultation with affected people (persons living in informal structures on land that does not belong to them) and organisations protecting human rights. The conclusions from the consultations present an obligatory part of the draft decision on the necessity of resettlement. The final decision on the necessity of resettlement is published in the official gazette of the local self-government who adopted it.</p>	Partly compliant. Information disclosure and consultation with affected people will continue throughout project and resettlement planning.
15	Grievance mechanism	The client will establish an effective grievance mechanism as early as possible in the land acquisition and resettlement process, in order to address specific concerns about compensation, relocation or livelihood restoration measures raised by	The Expropriation Law foresees rights of affected people to initiate an administrative dispute before the relevant court against the decision on determining public interest. They can submit an administrative appeal against the decision on expropriation to the Ministry of Finance. If the Ministry of Finance refuses or rejects the appeal, affected people	Partly compliant. A grievance mechanism will be established and implemented during land resettlement planning and implementation.



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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
		displaced persons (or others) in a timely manner, in accordance with the principles and processes outlined in EBRD/EIB policies (as presented in the Stakeholder Engagement Plan).	can initiate an administrative dispute before the responsible court.  If a compensation agreement cannot be reached within two months after the decision on expropriation becomes legally binding, the case will be referred to the local court to determine the compensation amount.	
16	Development of a Land Acquisition and Resettlement Plan	To address the risks and impacts identified in the environmental and social assessment, the client will prepare a resettlement plan.  Where the nature or magnitude of impacts associated to land acquisition is unknown due to the project development stage and a detailed census of affected people and assets cannot be conducted for this reason, the client will prepare a resettlement framework. Once the project components are defined in sufficient detail, a detailed resettlement plan will be prepared on the basis of the resettlement framework.	The Law on expropriation doesn't require the development of a Land Acquisition and Resettlement Plan.  The Law on Housing and Building Maintenance requires local self governments (municipalities) to develop a resettlement plan for persons occupying illegal structures located on land not belonging to them. The decision on the necessity of resettlement and resettlement plan have to include the following information: <ul style="list-style-type: none"> <li>• Reasons for resettlement</li> <li>• Map of the area with structures planned for demolition, with a presentation of affected land plots.</li> <li>• Total number of households and persons who are to be resettled.</li> <li>• The dynamic and deadlines for resettlement</li> <li>• Identification data for people who are to be resettled (name, surname and personal ID number)</li> <li>• The location of resettlement and type of accommodation</li> </ul>	Partly compliant.  A Resettlement Action Plan on the basis of the Resettlement Framework will be developed.
17	Monitoring and evaluation	The client will establish procedures to monitor and evaluate the implementation of the resettlement plan and will take corrective action if necessary during implementation to	No legal requirement to monitor and evaluate expropriation.  The Law on Housing and Building Maintenance requires the local self-government to keep a registry of how resettlement was carried out, including personal data on	Partly compliant.  Monitoring and evaluation activities to be implemented during resettlement, will be





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No.	Issue	EIB/EBRD requirements	Serbian legislation	Compliance
		achieve the objectives consistent with EBRD/EIB requirements.	affected people (name and surname, ID number and address permanent or temporary residence).	defined during resettlement planning.



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### 5 KEY LAND ACQUISITION, COMPENSATION AND ASSISTANCE PRINCIPLES

The key principles guiding future land acquisition planning and implementation for this project are as follows:

- Efforts to avoid or at least minimise physical and economic displacement will continue during the RAP development phase;
- A socio-economic survey of affected people/households will be carried out, to assess impacts, provide baseline information and design appropriate resettlement and livelihood restoration measures which will be described in the RAP;
- A census of persons who have no recognisable legal right or claim to the land they use or assets they occupy will be carried out at the same time as the socio-economic survey. The date of the census will be the cut off date for eligibility for this category of affected people/entities;
- Consultations will be organised and information provided to affected people throughout the development and implementation of the RAP;
- Compensation for any affected assets will be provided at full replacement cost, regardless of whether they are formally registered or not, based on reports from certified valuers. Full replacement cost is defined differently for different types of assets, as presented further in this document;
- In case of physical displacement, compensation will be provided prior to taking possession of acquired assets. In cases of acquisition of only land, as a rule, compensation will be provided when expropriation decisions are legally binding and prior to land entry and any civil works. Exceptions to this may occur in cases where the affected owner cannot be identified, such as in situations involving absentee owners or owners who are deceased but whose probate procedures have not been lawfully concluded, or where probate has not been initiated at all. Other exceptions include refusal to accept a fair compensation offer, failure to respond to invitations by administrative bodies to attend hearings regarding the proposed compensation, or prolonged legal proceedings related to competing claim. In such cases, compensation will be executed after all legal actions have been completed in accordance with the law. Exceptionally, in cases of expropriation of structures, civil works may proceed even prior to compensation payment, provided that the structure is uninhabited, property rights over the structure have not been resolved, the owners are unknown or unreachable, or if the owner is deceased and the probate process has either not been concluded or not been initiated at all. In such cases, civil works may only commence if the compensation amount is deposited in an interest-bearing escrow account until the court or administrative procedure is completed;
- Vulnerable individuals and households will be identified and will be assisted based on their specific needs, as agreed with responsible local self governments;



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- The livelihoods and standards of living of affected persons compared to pre-displacement levels should be improved, or as a minimum restored;
- Living conditions of physically displaced persons through provision of adequate housing (including essential services and utilities) with security of tenure under conditions that do not leave displaced households in a worse position than before relocation.
- All compensation and assistance will be provided equally to men and women;
- A grievance mechanism will be implemented through which all affected people can submit their complaints and grievances in relation to compensation and resettlement and expect a timely answer;
- Monitoring of all compensation, resettlement and livelihood restoration activities will be regularly carried out and reported on to the IFIs.

## 6 ELIGIBILITY FOR COMPENSATION AND ASSISTANCE

### 6.1 Categories of Eligible People

In line with national legislation and EBRD/EIB requirements two main categories of eligible people / entities (e.g. businesses) have been defined as follows:

CATEGORY 1: Persons / entities **with formal legal rights** to land or assets or **rights that are recognisable under national legislation**<sup>12</sup>, whose eligibility stems from legal instruments (registration in the Cadastre or other registries, inheritance decisions, legal contracts, and similar). In relation to this project, Category 1 includes legal owners of privately owned land or structures, persons residing in SRI apartments with a valid legal basis, persons formally renting land or structures, owners of formal businesses and their registered employees.

CATEGORY 2: Persons / entities **with no legal rights or claims** to the land or assets they use or occupy, whose eligibility is determined based on their presence in the project affected area, at the time of the cut off date, which will be the date of the census and socio-economic survey. In relation to this project, Category 2 includes persons using land or structures informally, persons residing in SRI apartments without a valid legal basis and any persons whose formal or informal incomes or livelihoods are affected as a result of land acquisition for this project.

<sup>12</sup> Category 1 comprises both of people with formal legal rights and those whose rights are recognisable under national legislation, which are listed as two distinct categories in the EBRD and EIB standards. However, because in Serbia they have the same rights, derived in the same way, there is no difference between them and they are grouped together. Category 2 corresponds to the third category in the relevant EBRD and EIB standards.



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### 6.2 Vulnerable People / Households

Based on site visits to various project locations, it was determined that there are no areas where people of a particular vulnerable live collectively. However, it was determined that there are cases of abandoned structures along the railway route, probably once used by the railway, which are in poor condition and some of which may be informally occupied. Experience from similar projects in Serbia and the region suggests that these may be very vulnerable households, in need of assistance, in case they are affected by the project.

Cases of informal use of public (railway) land have not been identified at this stage, however, based on experience, it is possible that those cases also exist. Experience shows that such cases of informal land use should not automatically be regarded as proof of vulnerability of the users, but can sometimes be the result of people using land which they know is vacant and serves no one, especially if it is conveniently located, for example, near their own land which they farm or near their place of residence. Nevertheless, such cases need to be recorded and explored in detail, to be able to determine if the people using the land are vulnerable and if the land is an important source of livelihood for them. This applies also to people who may be legal owners of affected land, but this is the only land they have and they have no capacity to easily replace it using the compensation they receive.

The project affected areas include small rural communities, with an ageing population, and it is highly likely that among households that will need to be resettled there are those that comprise an elderly person or an elderly couple, who may not have the capacity or support, to organise the purchase or construction of a new property and to resettle on their own. Other factors which could limit a households' potential to resettle despite having received adequate compensation, are having a household member who is severely ill or disabled, single parent households caring for small children without support or households living in poverty.

All of these groups will need to be assisted to resettle and upon identifying them during the development of the RAP, appropriate assistance measures need to be defined and agreed with responsible institutions.

In addition, based on experience from other projects, knowing the makeup of the population and the levels of education and access to information in some of the smaller rural communities, it is important to engage with people in person, to respond to their questions and concerns regarding displacement.



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### 7 ENTITLEMENTS MATRIX

The following table provides an overview of entitlements of each category of an affected person / entity, for each type of loss. Entitlements are explained in more detail in Section 8 of the RPF.

*Table 6 Entitlements Matrix*

Type of potential loss / impact	Category of affected person / entity	Entitlements
Loss of land or access to land	Owner of land	Cash compensation for land at full replacement cost or adequate replacement land, if requested and available.  Any identified economically unviable – orphan land, will also be acquired, if requested by the owner and determined as unviable, by certified valuers.
	Formal user of land (renting land)	Provision of information about the planned acquisition of the land, at the time of the RAP socio economic survey.  If renting public land, adjustments to contract or provision of replacement land for use, if requested and available.
	Informal user of land	Provision of information about the planned acquisition of the land, at the time of the RAP socio economic survey.  In case of vulnerability, assistance to access other land for use and/or vulnerability assistance.
Loss of crops, plants, trees, etc.	Owner of crops, trees, plants (may be the owner or user of the land)	The right to harvest crops or fruit.  AND/OR  Cash compensation for lost crops, yields and timber, at full replacement cost, as determined by certified valuers.
Loss of residential structure and physical	Owner of residential structure or apartment	Cash compensation for the residential structure / apartment at full replacement cost, as determined by certified valuers.



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Type of potential loss / impact	Category of affected person / entity	Entitlements
displacement of household residing in it	and members of his/her household	AND Compensation for moving costs as determined by certified valuers or assistance by contractor.
	Formal user of residential structure or apartment (renting) and members of his/her household	Provision of information about the planned acquisition of the structure, at the time of the RAP socio economic survey. AND Moving assistance or allowance.
	Informal user of residential structure or apartment and members of his/her household	Provision of information about the acquisition of the structure at the time of the socio-economic survey for the development of the RAP. AND Moving assistance or allowance. In case of vulnerability, replacement residence for use as social housing and vulnerability assistance.
Loss of residence (railway house or apartment), with or without contract, and physical displacement of household residing in it	Household members occupying the residence, as registered by the census.	The right to use a replacement residence (house or apartment) corresponding in size and quality to the lost living space, with security of tenure (continued rent or use contract). AND Moving assistance or allowance.
Loss of non residential structure / premises (shed, garage, well, business premises, etc.)	Owner of the structure / premises	Cash compensation for the affected structure / premises, at full replacement cost, as determined by certified valuers.
	Formal user of the structure / premises (renting the structure)	Provision of information about the acquisition of the structure / premises at the time of the socio economic survey for the development of the RAP.





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Type of potential loss / impact	Category of affected person / entity	Entitlements
Loss of operational business	Owner of the active registered (licensed) business	As determined by certified valuers: <ul style="list-style-type: none"> <li>The cost of re-establishing business activities elsewhere</li> <li>Lost net income during the transition period, if it is determined that any losses occurred</li> <li>The cost of transfer and reinstallation of the plant, machinery or other equipment</li> </ul>
	Employees of the affected business (permanent or temporary, registered and unregistered)	Compensation for lost wages from the employer or assistance provided by the National Employment Service stemming from unemployment insurance. OR Provision of targeted livelihood restoration assistance and/or employment opportunities, including those provided by the Project.
Establishment of use restrictions on privately owned land, preventing owners from constructing new structures	Owner of land requesting construction permit	If the structure can be built in line with the urban plan of the relevant unit of local self government, SRI will grant approval in all cases when the safety of the railway and the planned new structure is not jeopardised.  In cases when that is not possible, SRI will cooperate with the owner of the land and suggest changes that need to be made on the planned structure or its location, so that approval may be granted.
Loss of income or livelihood (formal or informal) associated with any of the above losses (economic displacement)	All categories of affected persons listed above.	Individually tailored livelihood restoration or improvement assistance (e.g. assistance to access employment on the Project or through the NES, assistance to access other land for use, assistance to access available agricultural programmes and subsidies, etc.)
Experiencing more difficult impact, as a	Vulnerable individuals/households	Individually tailored assistance (assistance in obtaining needed personal documents, assistance to open a bank account, assistance



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Type of potential loss / impact	Category of affected person / entity	Entitlements
result of an existing vulnerability		to access social welfare or health programmes provided in the municipality, etc.)
Loss of community facilities, utilities and public amenities	Local community or group	Replacement community facility, utility or public amenity.

## 8 COMPENSATION AND ASSISTANCE PRINCIPLES

As can be seen in the entitlements matrix above, different types of losses will necessitate different compensation and assistance measures for various groups of eligible people. This section provides answers to the most common questions people have in relation to expropriation, while more detailed information will be provided to those directly affected by land acquisition, in the RAP development stage.

The basic principle which will be followed in providing compensation for all types of affected assets is to ensure that it aligns with the principle of full replacement cost. The intention is to ensure that affected people receive enough compensation which would enable them to replace all lost assets or acquire improved assets, without any additional costs or losses. For some people, compensation alone may not be enough to achieve these goals and additional assistance will need to be provided, to ensure they are able to fully restore (and improve if possible) their living standards and livelihoods.

### 8.1 Loss of Land and Crops, Plants, Trees

As can be seen in previous sections, the acquisition of privately owned land can be expected for this project. Compensation rates for different categories of affected land (agricultural/forest land or construction land) will be defined by the local Tax Administration, based on the average most recent notarised sale purchase agreements for land in the vicinity of the affected land. Owners of land plots which are only partly affected, will have the right to request that the remainder of their land is also acquired, if certified valuers determine that this land will be economically unviable (orphan land) and / or otherwise unusable. Although the law allows for owners of affected land to request the provision of replacement land instead of cash compensation if possible, SRI, as a public company which does not own any land, has no options to grant this request, at this time. Possibilities to provide this form of compensation will be explored during the development of the RAP.



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Owners of crops located on affected land will be entitled to harvest them, as well as to collect fruit and cut down trees (in case of orchards and vineyards) before land is used for construction. If this is not possible, all associated losses will be compensated at full replacement cost, as determined by certified valuers of an appropriate professional background (agriculture experts, forestry experts).

### 8.2 Loss of Housing and Other Structures

Another significant impact in any land acquisition process is the loss of housing and other structures, including business structures, requiring people to move to new residences or move their businesses. To enable the replacement of such affected assets, certified valuers, of an appropriate professional background, will be hired to calculate their replacement value. As per the law and in line with EBRD/EIB requirements, all structures, regardless of their legal status (formal or informal) will be compensated to their owners. Compensation for registered, legal structures, will be calculated based on their market value, while compensation for unregistered residential structures, as well as all non-residential structures (barns, garages, wells, etc.) will be based on their construction value. Costs of moving furniture, personal belongings, equipment, etc. to another location will also be included in the provided compensation amount. In some specific cases, contractors, who often have large vehicles available on site, may be requested by SRI to assist people to move their belongings.

The standard practice for SRI when initiating expropriation is to approach owners of residential (and business) structures first, to allow enough time for relocation, having in mind that the solution for some will be to construct new structures in other locations, which takes time. This will not always be possible, but options will be discussed and agreed with each individual owner.

Households residing in affected SRI houses and apartments will be entitled to replacement apartments, as this is the usual company practice all throughout Serbia. Each affected household will be approached individually to discuss resettlement options when the time for relocation comes and all agreements will be reflected in new contracts, providing affected households with security of tenure.

Bearing in mind that the project covers a large area and that there are vacant or abandoned structures along the railway, it is possible that some are informally occupied. These structures are in very poor condition and the people residing in them, are usually among the most vulnerable citizens, without any alternative residence. The presence of such households within the project footprint has to be explored during the development of the RAP and, if registered at the time of the census (cut off date), they will be entitled to social housing. The provision of social housing is the responsibility of the local self government (municipality) in which the affected person has registered residence and the mechanisms for implementing this solution will be developed and presented in the RAP.



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### 8.3 Land Use Restrictions

A specific impact loss which could occur during the Project operations phase, stemming from the Railway Law, is the obligation of an owner of land to obtain a permit from SRI for constructing a new structure on his/her privately owned land within the 25m infrastructure zone. To obtain a permit, the construction of a new structure has to be in compliance with the urban plan of the relevant municipality. If that condition is fulfilled, the person intending to construct has to request approval from SRI. In most cases, SRI issues approvals of such requests and will continue to do so. However, if the proposed structure would endanger the operation of the railway or if the structure itself would be endangered by the operation of trains, SRI will cooperate with the owner of the land and suggest changes that need to be made on the planned structure or its location, so that approval may be granted.

The new application of these use restrictions, caused by this project, is limited only to inhabited locations where the railway route departs from the existing one.

### 8.4 Compensation for Affected Businesses

Affected business structures and land on which they are located will be compensated in the same way as described in Sections 8.1. and 8.2. Certified valuers will also assess additional costs associated with moving the business to another location, including the costs of relocating any affected materials, equipment or machinery. The time period that is needed for relocating a business will be agreed with each owner individually depending on the type of economic activity. As mentioned earlier, SRI strives to initiate expropriation of affected businesses as a priority, so that the chances of any additional impact and losses, for the businesses, including any affected employees, are reduced. Certified valuers will determine if, due to no fault of the business owner himself/herself, any lost net income occurred in the transition period, and such losses will be compensated using official financial records of the business.

Employees of affected businesses can expect to be compensated for lost wages during the transition period, from their employer, or through assistance provided by the National Employment Service stemming from unemployment insurance. Alternatively, they may be provided with targeted livelihood restoration assistance and/or employment opportunities, including those provided by the Project, as described in Section 8.5 below.

### 8.5 Assistance Measures

SRI will cooperate with the municipalities on whose territory expropriation will take place, to ensure that affected people have access to existing support programmes provided by them or republic level



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institutions, depending on the type of impact and their needs. As with social housing, the provision of support to affected people (access to employment, social welfare, health care, education, etc.) is under the jurisdiction of the local self government where the affected person has registered residence.

Based on experience from other projects, the majority of affected people will prefer to receive cash compensation for their assets and will not require any additional assistance. However, some individuals, particularly those who can be considered more vulnerable than the rest of the population, will require assistance and will be entitled to it.

This project is a linear project and the average affected areas of agricultural land are not significant and their acquisition will not produce any long term financial losses for their users. However, there could be exceptions, which will require the provision of additional assistance, so that the affected person/household can restore, or improve, its standard of living and livelihood. Various measures for assisting people who engage in agriculture can be provided in the municipalities, from subsidies to small grants, aimed at increasing the quality of agricultural outputs and/or production capacities.

The National Employment Service (NES) of the Republic of Serbia is also an important potential implementing partner, with its branch offices in the affected municipalities. The NES can work with affected people to develop their own individual career/employment plans and provide access to available jobs. NES counsellors are available to guide each registered individual in applying for and keeping a job. The NES also provides advice in establishing a micro/small business and subsidies for self employment, as well as training and re-training opportunities.

As with other similar projects, contractors hired for carrying out construction works on this project will be requested to cooperate with local stakeholders to maximise local hiring and creation of employment opportunities for women, during the construction phase.

Apart from assistance measures listed above, people and/or households identified as being more vulnerable than others, will be additionally supported in line with their needs in cooperation with local self governments. Based on experience from other projects, such households may need assistance to obtain personal documents to be able to access support programmes, assistance to access social welfare or health services, assistance to enrol their children into a new school, etc.

### **8.6 Loss of community facilities, utilities and public amenities**

At the time of developing this RPF there are no details on possibly affected community assets, other than knowing that some local sports fields are likely to be affected. In addition, based on discussions with municipal representatives and comments received on the Spatial Plan, it can be expected that some local infrastructure networks, belonging to and financed by local people and/or local



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communities (e.g. water supply network financed from self contribution funds), may also need to be relocated. All such assets will be replaced at no cost to the local communities.

## 9 ROLES AND RESPONSIBILITIES

In order to ensure that the RAP is developed and implemented in accordance with this RPF, the table below defines the basic roles and responsibilities of the key actors in this process on behalf of SRI, i.e. the Legal Department, headed by the SRI Manager for Legal and Corporate Affairs, and the Project Implementation Unit (PIU). In addition, the table presents the basic activities of the RAP consultants who will be engaged for the preparation of the RAP, as well as municipalities and service providers, whose support will be necessary in order to implement the RAP. More detailed roles and responsibilities of all involved parties will be defined during the development of the RAP.

*Table 7 Roles and responsibilities for the development and implementation of the RAP*

<b>SRI Legal Department</b>	<b><i>RAP Development Phase:</i></b> <ul style="list-style-type: none"> <li>Approval of RAP development plan prepared by RAP consultants</li> <li>Organisation of needed meetings and attendance, as necessary, including with affected people and municipalities and/or service providers</li> <li>Support to RAP consultants to obtain relevant information, as necessary</li> <li>Review, commenting and acceptance of the RAP</li> </ul>
	<b><i>RAP Implementation Phase:</i></b> <ul style="list-style-type: none"> <li>Overall responsibility for RAP implementation</li> <li>Implementation of expropriation, as per the law</li> <li>Use of legal instruments to achieve outcomes consistent with this RAP, such as favoring reaching compensation agreements, compensation at full replacement cost, engaging certified valuers and ensuring that their reports include an assessment of moving costs, identification and addressing informal land use, provision of information to affected people, grievance management, etc.</li> <li>Initial screening for people in need of additional resettlement and/or livelihood restoration assistance, and vulnerable individuals / households, at expropriation hearings. Feedback on these cases to the SRI PIU social expert(s)</li> <li>Review and approval of assistance plans developed by SRI PIU social expert(s), following their implementation and provision of support, as needed</li> </ul>





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	<ul style="list-style-type: none"> <li>• Management of RAP related grievances</li> <li>• Maintaining a census registry on affected land plots and sharing of information with the SRI PIU social expert(s) for the development of Project E&amp;S reports.</li> </ul>
<b>SRI PIU social expert(s)</b>	<p><b><i>RAP Development Phase:</i></b></p> <ul style="list-style-type: none"> <li>• Participation in the RAP development process, in relation to the identification of vulnerable individuals / households (census and socio-economic survey) and provision of recommendations to the SRI Legal Department in defining resettlement and livelihood restoration assistance to be provided during RAP implementation.</li> </ul> <p><b><i>RAP Implementation Phase:</i></b></p> <ul style="list-style-type: none"> <li>• Obtaining reports on the progress of the expropriation process from the SRI Legal Department and including them in regular Project E&amp;S reports.</li> <li>• Based on a review of this data and feedback from Legal Department, identification of individuals / households / businesses in need of resettlement and/or livelihood restoration assistance, and among them, those who are vulnerable.</li> <li>• Meetings with individuals/households identified as above and developing individual plans for assistance in accordance with the specific needs of affected people (group assistance plans may also be applicable), to be reviewed and agreed with the Legal Department.</li> <li>• Cooperation with relevant municipality representatives and service providers identified as able to provide the relevant assistance</li> <li>• Following up on the execution of services for identified individuals, households and/or groups and adjustment of plans, as needed.</li> <li>• Provision of updates to the SRI Legal Department on the above and participation in managing grievances in relation to these specific topics. In cooperation with the Legal Department, including relevant information on the above-mentioned topics in Project E&amp;S reports.</li> </ul>
<b>RAP consultants</b>	<p><b><i>RAP Development Phase:</i></b></p> <ul style="list-style-type: none"> <li>• Draft RAP development plan, to be approved by the SRI Legal Department, which would include information on what steps need to be undertaken, by whom, and the proposed time frame.</li> </ul>



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	<ul style="list-style-type: none"> <li>• Joint meetings with relevant municipalities (SRI and consultants), to present the RAP process, the organisation and implementation of census and socio-economic survey, the results of the census and roles and responsibilities for RAP implementation (what support is needed by the municipality and relevant local service providers)</li> <li>• Preparation and implementation of the census of persons who have no recognisable legal right or claim to the land they use or assets they occupy and the socio-economic survey. The date of the census will be the cut off date for eligibility for this category of affected people/entities.</li> <li>• Meetings with other needed service providers (e.g. state level departments) and any other identified stakeholders, relevant for land acquisition. Identification of any other potential service providers from the civil sector and contacts to establish cooperation, if possible.</li> <li>• Meetings with affected people, with assistance from local communities and municipalities. The first meeting, at the beginning of the process to announce the development of the RAP, provide information on the way grievances in relation to land acquisition can be submitted and how they will be addressed, and to announce the census/socio economic survey and the cut off date for eligibility. The second meeting, to present the draft RAP and provide information on how comments or questions can be submitted.</li> </ul>
<b>Municipalities and service providers</b>	<ul style="list-style-type: none"> <li>• Meetings with SRI representatives to discuss possible assistance measures for affected people (individuals / households or groups), provide information on how assistance can be delivered and organise contacts with relevant institutions / departments which can deliver the assistance</li> <li>• Implementation of assistance measures for affected people, which are under their jurisdiction, and provision of feedback to SRI representatives on achieved progress. This includes the obligation of provision of social housing, in accordance with the applicable legal requirements.</li> </ul>
<b>External consultant and / or TA</b>	<ul style="list-style-type: none"> <li>• External RAP audits and RAP completion audit, see section 12 of this RPF.</li> </ul>

## 10 DEVELOPMENT OF A RAP



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### 10.1 Census and Socio Economic Survey

When the Preliminary Design for Section 3 is completed, the Expropriation Elaborate will be prepared, listing information on all affected land and structures, as registered in the Cadastre, together with limited information about their owners (names of all owners and their share in ownership). The Expropriation Elaborate also contains cadastral maps showing the affected land plots and areas proposed for expropriation. These maps will be compared to satellite images to determine what other structures exist in the project area, as not all of them are visible on cadastral maps because they are unregistered. Site visits to the project locations may also be needed to verify this information and determine if structures are present on the ground, as well as their current use. Engagement with local authorities and communities will also be needed to announce the development of the RAP as well as the implementation of the census and socio-economic survey. This engagement is also needed to define the best possible strategy for implementing the survey and other field activities, and in particular, for reaching affected people as their contact details are not available in the Cadastre.

The aim of the census and socio-economic survey will be to cover 100% of households that will be physically displaced and businesses that will have to relocate, as well as a percentage of owners of affected land, based on an appropriately defined survey sample. Depending on the analyses of the project footprint and identified impacts, there may be a need to expand the survey to capture other identified losses. Other methods of collecting data, such as focus group meetings may also be used, to explore identified issues of importance.

The results of the census and socio-economic survey will be analysed and used to define the types of compensation and assistance measures that are needed to address physical and economic displacement resulting from project related land acquisition.

### 10.2 Avoidance of Displacement

While reviewing the available cadastral and other maps, and based on investigations in the field, opportunities for avoidance of any affected land and structures will be explored and recorded. These opportunities will be presented to the design teams for consideration and adjustments of the expropriation line, if and where possible.

### 10.3 Engagement with Authorities and Affected People

Continued engagement with local authorities will be extremely important, to inform them about the outcome of the census and survey and to discuss ways in which they can support affected individuals, households and businesses at the local level, to mitigate displacement impacts. As explained in earlier sections, local self governments have an important role in providing social



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housing and all types of assistance programmes, which will have to be utilised to address physical and economic displacement. Their role in assisting vulnerable individuals is extremely important as they also have the necessary resources to provide such support.

When the draft RAP is prepared, meetings with affected people will be organised, to present the document and answer all questions and concerns. Contact details for grievances in relation to expropriation and the implementation of the RAP, will also be made available.

### 10.4 Preparatory Activities

During the preparation of this RPF, certain issues have been identified which may serve as guidance for early, strategic planning of land acquisition, as follows:

a) ***In kind compensation for affected land.*** Having in mind the expected scale of displacement, and not only for Section 3 but the other sections of the Belgrade to Niš railway as well, opportunities for providing replacement land as compensation, should be explored. This would be particularly useful in communities where groups of households may need to be resettled, who would prefer to remain living in the same or nearby settlement. Land which was previously located in the railway right of way may not be needed in the future, as the railway route changes, and could make a suitable replacement location for construction of new housing. As mentioned earlier, SRI is not the owner of the land which is acquired through expropriation and is not able to offer this or any other land to affected people. Land is owned by the Republic of Serbia and the key institution managing its use is the Republic of Serbia Property Directorate. SRI, with support from MCTI, could initiate contact with this institution, to see if any such arrangements may be possible.

b) ***replacement railway or social apartments.*** As with the previous issue, the scale of expected displacement for the Belgrade to Niš railway, and the number of railway apartments that will have to be provided, as well as the potential need for some social apartments, necessitates planning as early as possible.

### 10.5 RAP Development Schedule

The Preliminary Design and Expropriation Elaborate for Section 3 are expected to become available in Q3 2025.

When these documents become available, a period of 12 months is needed for the development and approval of the Section 3 RAP by all involved parties.

*Table 8 RAP development schedule*



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Activity	Responsible Party	2025		2026	
		Q3	Q4	Q1	Q2
Review and analyses of the Expropriation Elaborate	RAP consultants	x			
Field work, engagement with local authorities and communities	SRI and RAP consultants	x			
Preparation of the census and socio-economic survey	RAP consultants		x		
Implementation of the census and survey, analyses of results	RAP consultants		x		
Field work, engagement with local authorities and service providers, defining mitigation measures	SRI and RAP consultants		x	x	
Drafting the RAP	RAP consultants			x	x
Engagement with affected people to present the draft RAP and obtain feedback	SRI and RAP consultants				x
Finalisation and approval of the RAP	RAP consultants, all involved parties				x

## 11 DISCLOSURE OF THE RPF AND GRIEVANCE MANAGEMENT

### 11.1 Disclosure of the RPF

*For details on the disclosure of the ESIA package, including the RPF, and planned consultations during the disclosure period, please see the Section 3 SEP Annex.*

This Section 3 RPF has been publicly disclosed starting from July 2025, for a period of 120 days during which all interested stakeholders can submit comments or questions.

The Section 3 RPF is available in electronic form as follows:

- on the SRI website
- on the MCTI website



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- on the websites of the four municipalities crossed by Section 3 - Paraćin, Čičevac, Aleksinac and Niš.

Hard copies of the document are also available in all 4 municipalities, for review and comments. Stakeholder meetings will also be organised during the disclosure period.

Comments or questions can be submitted by all interested individuals or organisations, using the following contact details:

- Email address: [infobgnis@srbrail.rs](mailto:infobgnis@srbrail.rs)
- Telephone no: 011/3618-050
- Postal address: Serbian Railway Infrastructure, Nemanjina 6, 11000 Belgrade, for the attention of the PIU Department

All received comments and questions will be responded to at the end of the disclosure period in a register which will be publicly disclosed in the same way as the Section 3 RPF described above.

### 11.2 Grievance Management

SRI is in the process of setting up a project level grievance management system, with assistance from EUD TA consultants. This system is expected to involve SRI representatives working in the field, as well as the central level Project Implementation Unit (PIU). The grievance management system will be set up before the development of the RAP and detailed information for submitting grievances both in relation to the project itself, as well as expropriation and resettlement planning and implementation, will be made publicly available.

The general principles which will be followed in managing grievances are as follows:

- Grievances and information requests can be submitted by post or email, using the published contact details. An indicative grievance form is provided as Annex 2.
- Assistance to submit a grievance can be received by contacting the local SRI representative, whose contact details will be made available to local communities
- All grievances will be registered in a grievance log (Annex 2). Persons who submitted the grievance will be informed about the receipt and recording of the grievance within 7 days and the grievance will be responded to within 30 days. For complex grievances, more time is sometimes needed, in which case SRI will inform the person that submitted the grievance (within those 30 days) of the expected time frame for the response.
- Grievances will be processed by the responsible SRI departments and the company response, together with an action plan, if relevant, will be delivered to the person who submitted the grievance





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- Depending on the subject of the grievance, SRI may coordinate with representatives of the relevant municipality or other involved party in finding an acceptable solution.
- Local SRI representatives will assist in delivering the response to the person who submitted the grievance and answering any questions they may have
- When construction begins, grievances in relation to construction activities will be addressed directly by the construction contractor(s) and monitored by SRI
- Submitting a grievance to SRI will not replace legal remedies available to all affected people in accordance with the laws and regulations of the Republic of Serbia or prevent affected people from using them.

## 12 MONITORING, EVALUATION AND REPORTING

Once the RAP has been developed and land acquisition begins, SRI will actively monitor the implementation of the RAP, until all displacement impacts have been mitigated.

An internal monitoring system will be established in SRI, consisting of:

- Progress monitoring of inputs and outputs which measures whether inputs are delivered on schedule and as defined in the RAP;
- Periodic measurement of outcome indicators against baseline conditions, obtained through the socio economic survey, to determine whether outcomes consistent with the RAP are being achieved.

To enable monitoring, a census registry (Annex 4) will be maintained by SRI recording all affected land plots and associated information on who owns them, who is using them, what they are being used for, what other assets are located on them and are affected (e.g. structures), the status of acquisition, the date when compensation was executed, any grievances submitted, any additional assistance provided, identified vulnerability of the owner (or non owner user) and mitigation measures provided to project affected vulnerable persons and /or households.

Given the scale of expected displacement, independent social or resettlement specialists may be hired to undertake periodic supervision and monitoring of RAP implementation and/or a final RAP Compliance report. The need for such monitoring and reporting and details regarding the scope of work and the financing arrangements, will be confirmed during the RAP development phase and included in the RAP.

A list of indicators which will be used for monitoring is presented in Table 9. This list may be revised based on the results of the socio economic survey and presented in the RAP.



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Quarterly RAP reports will be prepared using the indicators listed below and submitted to the EBRD and EIB. A final RAP Compliance report will be prepared by SRI or by independent specialists, as specified above, and/or TA, and submitted to EBRD and EIB when all land acquisition has been completed and all impacts successfully mitigated.

*Table 9 Monitoring indicators*

Indicator	Source of Information	Frequency of measurement during land acquisition
<b>Input indicators</b>		
Overall spending on land acquisition, by categories of expenditures	SRI financial records and inputs from local service providers	Quarterly
Number of group consultation meetings, results of consultation activities	Meeting minutes Consultation reports	Biannually
Number of individual expropriation hearings	Expropriation decisions	Quarterly
Number of affected people/households / businesses, by category (owners or users, formal or informal) and types of impacts (physical displacement, loss of land, loss of business structures, loss of income, loss of non-residential structures)	SRI census registry and grievance management records Valuation reports	Quarterly
Number and type of affected assets (land, residential structures, non residential structures, businesses, land plots with orchards, etc.)	SRI census registry Valuation reports	Quarterly
Additionally needed land (beyond land that is being acquired in line with the preliminary design) and how/when it will be acquired	Updated project design and expropriation studies	As relevant
<b>Output indicators</b>		
% of expropriation decisions completed (from the total number of expropriation cases)	SRI census registry	Quarterly



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Indicator	Source of Information	Frequency of measurement during acquisition of land
% of expropriation decisions processed involving temporary representatives (without the participation of owners)	SRI census registry	Quarterly
% of compensation agreements reached	SRI census registry	Quarterly
% of compensation payments executed	SRI census registry	Quarterly
% of cases in which affected people turned to the court requesting higher compensation	SRI census registry	Quarterly
% of cases where affected people requested the acquisition of an additional part of the plot (orphan land)	SRI census registry	Quarterly
<b>Outcome indicators</b>		
Number of cases where expropriation and/or displacement was avoided (and description)	Updated project design and expropriation studies	As relevant
Number and type of grievances and how they were/are being addressed (trends)	Grievance management records	Quarterly
Number of cases where land was being used by someone other than the owner (formal or informal user) and description of these cases (who are the users, what arrangements were made for use of land, what type of assets belonging to the user were affected, was there a need for compensation and if so, how was it executed, etc.)	Expropriation hearings SRI census registry	Quarterly
Number of cases where the acquisition of the land will severely impact livelihoods and description of these cases (how are livelihoods impacted, what actions have been undertaken and outcomes)	Expropriation hearings SRI census registry	Quarterly
Number of cases involving vulnerable people and a description of these cases (type of	Expropriation hearings SRI census registry	Quarterly



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Indicator	Source of Information	Frequency of measurement during land acquisition
vulnerability and how it was addressed, outcomes of provided assistance)		
How did affected people use the compensation?	Surveys with affected people	Biannually
Does compensation represent full replacement cost?	Investigate whether cash compensation was adequate to ensure no reduction of standard of living, loss of income or livelihood	Biannually
Physical displacement – satisfaction with new homes, access to infrastructure and/or services compared to pre project situation, investments into new furniture, etc.	Individual meetings with people/households SRI census registry	Twice in the year following resettlement and after the first year annually until displacement impacts have been mitigated.
Economic displacement – have businesses re-established their activities in new locations; income level compared to pre project situation, number of employees compared to pre-project situation. Have employees continued to work for the same businesses in new locations, have their salaries changed since before displacement and how, etc. Were livelihood restoration measures needed and if so, what kind of measures.	Individual meetings with business owners  Individual meetings with affected employees	Twice in the year following relocation of the business and after the first year annually until displacement impacts have been mitigated.

## 13 RESETTLEMENT COSTS



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All expropriation costs for the Section 3 Project, and in particular the costs of compensation for affected land and assets, which are by far the most significant costs, will be secured by SRI from the Budget of the Republic of Serbia. SRI will also cover costs related to the relocation of households residing in railway apartments, as well as operational costs of expropriation such as engaging certified valuers.

Costs associated with the provision of social housing, as well as provision of resettlement, livelihood restoration and/or vulnerability assistance, are under the jurisdiction of local self governments and local service providers, such as the Centres for Social Welfare. Details of resources needed to implement all required measures will be the subject of discussion with relevant self governments during the development of the RAP.



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### ANNEXES

#### Annex 1 Indicative Contents of the RAP

HEADING TITLE	CONTENTS
Introduction	Purpose, scope and content of the plan Description of how the plan was prepared and approved and by whom.
Project description	General description of the project and description of the project components and activities that will require land acquisition and cause physical / economic displacement.
Project impacts	Expected project impacts / losses associated with the project components/phases covered by the plan Explanation of all activities and alternatives considered to avoid or minimise displacement
Legal framework	Any additional relevant information not already included in the RPF Legal Framework section, for example, some particular national legislative requirements relevant for identified impacts and how they will be addressed.
Affected people and assets	Results of the socioeconomic survey and any other tools used, e.g. focus groups, covering for example: <ul style="list-style-type: none"> <li>• People/households who will be physically displaced and land tenure</li> <li>• People/ households / businesses who will be economically displaced and land tenure</li> <li>• Standard characteristics of displaced people/households businesses and baseline information</li> <li>• Information on vulnerable groups</li> <li>• Social networks and social support systems, and how they will be affected by the project</li> <li>• Description of affected assets, including natural resources, public infrastructure and services</li> </ul>
Key compensation and assistance principles	Key principles of compensation, resettlement and livelihood restoration that the client is committed to implementing
Eligibility	Description and results of the census Description of cut off date for eligibility Eligibility of categories of displaced persons for compensation and other resettlement assistance.
Entitlements matrix	Entitlements matrix addressing categories of losses and entitlements pertaining to the project components/phases in question
Compensation and assistance	Description of the methodology for valuing losses to determine their replacement cost Description of compensation and assistance measures Description of process for executing compensation and assistance
Organisational arrangements	Procedures for the delivery of entitlements and the roles and responsibilities of all involved agencies / organisations (client, authorities, various service providers), including coordination arrangements



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HEADING TITLE	CONTENTS
Timeframe	Implementation timeframe covering all activities from preparation of the plan, through implementation, including monitoring and evaluation.
Disclosure of information and consultations	Description of engagement activities undertaken as part of developing the plan, its finalisation and approval. Summary of the views expressed and how these views were taken into account in preparing the plan Description of planned stakeholder engagement during implementation
Grievance mechanism	Description of grievance mechanism with contact details of those responsible for grievances for the project component / phase in question
Monitoring and reporting	Description of the internal and external monitoring and evaluation arrangements Monitoring indicators to measure inputs, outputs, and outcomes for resettlement/livelihood restoration activities Reporting on implementation of the plan
Implementation costs	Tables presenting expected costs for all resettlement activities and sources of funding





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### Annex 2 Grievance Form

<b>Reference No</b> (to be filled in by responsible person in SRI):	
<b>Full Name</b> Note: you can remain anonymous if you prefer, or request not to disclose your identity to third parties without your consent. In case of anonymous grievances, the response will be disclosed at the Project website: <a href="https://infrazs.rs">https://infrazs.rs</a>	<input type="checkbox"/> I wish to raise my grievance anonymously <input type="checkbox"/> I request not to disclose my identity without my consent
<b>Contact Information and Preferred method of communication</b> Please mark how you wish to be contacted (mail, telephone, e-mail).	<input type="checkbox"/> By Post: Please provide postal address: <input type="checkbox"/> By Telephone: Please provide telephone number: <input type="checkbox"/> By E-mail: Please provide E-mail address:
<b>Preferred language</b>	<input type="checkbox"/> Serbian <input type="checkbox"/> Other, please indicate language:
<b>Description of Incident or Grievance:</b> What happened? Where did it happen? Who did it happen to? What is the result of the problem? Source and duration of the problem?	
<b>Date of Incident/ Grievance</b>	<input type="checkbox"/> One-time incident/grievance (date _____) <input type="checkbox"/> Happened more than once (how many times? _____) <input type="checkbox"/> On-going (currently experiencing problem)
<b>What would you like to see happen to resolve the problem?</b>	



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

**Please return this form to:**

Email address: [infobgnis@srbrail.rs](mailto:infobgnis@srbrail.rs)

Postal address: Serbian Railway Infrastructure, Nemanjina 6, for the attention of the PIU Department

Telephone no: 011/3618-050



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No	Date when the grievance was received	Name of person who submitted the grievance	Interest in the Project (resident, landowner, NGO)	Contact details of the person who submitted the grievance	Brief description of the problem / grievance	Company responsible for addressing (SRI / contractor)	Name of person responsible for addressing and contact details	Planned actions to address the grievance	Actions carried out to address the grievance	Results of the actions carried out to address the grievance	Date when the person was informed and how	Notes
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No. from Exp. Study	No. of basic land plot (Cadastral)	Size of basic land plot (in m2)	Decision on land plot division from the Republic Geodetic Institute	Divided plot number	Type of land use as compensated (construction, agricultural)	Name of the owner(s)	Temporary representative appointed and reason	Contacts of the owner(s)	Is land used by someone other than the owner (user of land)? Name and contact details	Total area to be acquired (in m2)	Structures on land (house, auxiliary, business)	Crops, fruits, vegetables, trees

Submitted expropriation proposal	No. of Immovable Property registry	Request for entry of exp. note in Cadastre	Number of case file	Request for acquisition of orphan land (accepted or not)	Expropriation decision final	Appeal on the exp. decision	Expropriation decision legally binding	Finalised registration in Cadastre	Request to Tax Administration for rates	Submitted compensation offer	Price per m2 in RSD

Total compensation offer in RSD	Agreement on compensation	Court (date / amount)	Sent for payment	Payment made on:	Request for entry into property	Decision of the Ministry of Finance – entry into property	Grievance submitted (and registered in the grievance log with No. XXX)	Vulnerability (if yes, briefly describe the type of vulnerability)	List all assistance provided (moving allowance, additional compensation and for what, in kind assistance and type of assistance)	Remarks



Republic of Serbia  
Ministry of European  
Integration

This project is funded by  
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