

RESETTLEMENT FRAMEWORK

SERBIA TRAIN: TECHNICAL PASSENGER STATION, ZEMUN ENVIRONMENTAL AND
SOCIAL DUE DILIGENCE

Table of Contents

1	Introduction	1
2	Potential Land Acquisition Related Impacts	1
2.1	Isolated house in the TPS Zemun compound.....	1
2.2	Structures and facilities of the company “Ratko Mitrovic” in the TPS Zemun compound.....	2
2.3	Informal settlement next to the TPS Zemun compound	3
3	Legal Framework	5
3.1	National Legislation	5
3.2	EBRD Requirements.....	8
3.3	Gaps between National Legislation and EBRD requirements	9
4	Key Compensation and Assistance Principles	9
5	Eligibility	10
6	Entitlements of Affected People / Entities	11
7	Compensation and Assistance	11
8	Institutional Responsibility	13
9	Timeframe for the Development of Resettlement / Compensation Action Plans	13
10	Disclosure of Information and Consultations	14
11	Grievance Mechanism	15
12	Monitoring and Reporting	15
13	Implementation Costs	16
	ANNEX 1 – Photo of isolated house in TPS Zemun	17
	ANNEX 2 – Photo of two structures owned by the company “Ratko Mitrovic”	17
	ANNEX 3 – Photos of houses demolished after resettlement in the informal settlement	17

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1 Introduction

The European Bank for Reconstruction and Development (the “EBRD” or the “Bank”) is considering providing finance to JSC Serbia Train (the “Company”) for the (re)construction of the Technical Passenger Station (TPS) Zemun located on the outskirts of Belgrade, to enable maintenance of the new EBRD - funded Electric Multiple Units (“EMUs”) and classic locomotive - hauled coaching sets (the “Project”).

The Project is categorised “B” in accordance with EBRD Environmental and Social Policy (2014). This Resettlement Framework (“RF”) has been developed to confirm the obligation of JSC Serbia Train to meet EBRD requirements in relation to physical and/or economic displacement, which may be caused by the Project. Based on this Framework, JSC Serbia Train will develop detailed Resettlement / Compensation Action Plan(s) in accordance with national legislation and EBRD’s Performance Requirement 5, when the details related to land acquisition requirements for the Project become known.

2 Potential Land Acquisition Related Impacts

The Project is expected to contribute to improvements in transport services being provided by JSC Serbia Train, for both national and international passengers, as it will enable maintenance of new EBRD funded Electric Multiple Units and locomotive - hauled coaching sets. The construction (and refurbishment) of TPS Zemun, which is located on the outskirts of Belgrade and away from residential areas, will enable the existing maintenance facility, located in downtown Belgrade to be closed down, which will benefit Belgrade residents.

All planned reconstruction works on TPS Zemun will be carried out within premises which comprise land for railway purposes. However, there is potential for certain construction related activities to cause involuntary physical and/or economic displacement, as described further in the text.

2.1 Isolated house in the TPS Zemun compound

A house located within the TPS Zemun compound, in an isolated location (see photo in Annex 1), is currently inhabited by a three-member household. The house is owned by Serbian Railways and was given for use (subsidized rent) to one of its employees in the 1970-ies as a service apartment. The employee has since passed away, while his wife, son and the son’s wife have continued to live in the house.

The house can be accessed on foot, by crossing railway tracks (right track Belgrade – Stara Pazova – Belgrade) in front of it, while access for a vehicle is possible only through the entrance

of TPS Zemun and a dirt road going through the compound. This household will be under the direct influence of construction works for the Project (a part of the railway tracks within the complex will be constructed in the area where the house is currently located) and their only access with a vehicle to the house will be lost, which is why they have to be resettled. The household is aware of Project plans and that they will be required to resettle, which they are not opposed to. However, the details of resettlement, including the legal framework under which housing and assistance will be provided, are unknown at present.

When the full details of the household's status of occupancy and the way in which resettlement will be organised become known, JSC Serbia Train will develop and implement a Resettlement Action Plan, based on this Framework and in line with national legislation and EBRD's PR 5.

2.2 Structures and facilities of the company "Ratko Mitrovic" in the TPS Zemun compound

Within the TPS Zemun compound, there are buildings / facilities owned by the construction company "Ratko Mitrovic", of which two (presently unused and abandoned) will have to be demolished for the project, planned for implementation next year (see photos in Annex 2).

The construction company "Ratko Mitrovic" was originally engaged by the state to build TPS Zemun during the 1970-ies. Since then, the company retained use of all structures which were once used for construction of the compound and use of land in the compound for storage of equipment and materials. For a number of years the construction company has been faced with significant challenges, including bankruptcy, and has not been actively using the facilities located in the TPS Zemun compound.

Several years ago, the company submitted a request for the legalisation of its structures located on public land (partly owned by the republic and partly by the City of Belgrade) in TPS Zemun, however the legalisation request was legally denied. In July 2015, the administrative process for removal of structures and facilities of the construction company "Ratko Mitrovic", after being refused for legalization, was initiated by the City of Belgrade Secretariat for Inspection Issues. The legal process is ongoing, however the actual demolition on the ground has not happened yet. According to national legislation, the demolition must be organised or costs must be borne by the company "Ratko Mitrovic".

In the meantime, a process for administrative transfer of ownership of all land in the TPS Zemun compound to the Republic of Serbia has been initiated. Once completed, this transfer of ownership will help the company "Ratko Mitrovic" to initiate their own process for resolving the re-location of all of their facilities, including the two structures which need to be removed before the beginning of the Project construction works. It is presently unknown how this process will evolve and whether the company "Ratko Mitrovic" will agree with the Republic of Serbia on a new location to which they can relocate all their facilities and activities.

In the event that the two structures are not removed prior to the beginning of construction works and it becomes necessary to demolish them for the construction of Project facilities, it will be

necessary for JSC Serbia Train to prepare and implement a plan for compensation of the affected structures, based on this Framework and in line with national legislation and EBRD's PR 5.

2.3 Informal settlement next to the TPS Zemun compound

An informal settlement ("Grmeč") inhabited mainly by Roma families who are internally displaced from Kosovo and Metohija and located on land belonging to the City of Belgrade outside of the TPS Zemun compound, is primarily accessible only through the compound, although not in any of the locations which are needed for the Project. The settlement has been planned for resettlement under the City of Belgrade Strategy for the Relocation of Unhygienic Settlements which dates back to 2009. The settlement is currently being resettled through a UNHCR project, implemented by NGO Vizija, since the summer of 2016.

The resettlement programme is completely voluntary and involves only households who chose to participate in it. Households are assisted to search for suitable village houses anywhere in Serbia that they would like to resettle to, which can be bought for under 9,200 EUR. The households are compensated for the fuel they spend visiting houses which they have identified and for collecting all the necessary documentation. They assist each other in finding and visiting the houses. Once resettled, the households can demolish their houses in the informal settlement, salvage any materials they choose and take the materials to their new location (see photos for demolished houses in Annex 3). The households are also entitled to 1,500 EUR for all necessary documents (for the sale purchase transaction, as well as transfer of residence, ID cards and all other necessary documents) and for furniture and household appliances. In addition, the households are provided with livelihood restoration assistance under another UNHCR funded programme, by which they are given small grants for agricultural activities (animals, machines) or services (mechanic tools, hairdressers, etc.) which they can carry out in their new location of residence. The households are also assisted to enrol children into school and register in the Centre for Social Welfare to transfer their benefits. According to NGO Vizija representatives, not much support has been needed from them as the households mostly moved in groups (in line with their preferences) to three locations, and have been relying on each other's support for most of these activities.

Initially, a total of 60 households were recorded by the census which was carried out by the City of Belgrade in 2016, all internally displaced and eligible to participate in the UNHCR programme. Another 6 registered households, who were not internally displaced, originally were not entitled to assistance under the UNHCR programme. However, at a later stage, UNHCR approved their inclusion in the programme, up to the amount of funding available. At the time of developing this RF, 45 households were physically re-located, another 10 were in the process of physical re-location. Before the end of the year, it is expected that UNHCR will approve another 7 houses and the final number will amount to 62 resettled households. This means that 4 households of those initially eligible will not be resettled and possibly 2, 3 more households who have moved into the settlement after the census and cut off date. According to NGO Vizija representatives, the 4 households that were eligible at first, but will not be resettled, failed to cooperate with them throughout the implementation period and did not search for suitable houses to be bought for their relocation.

For the households that remain living in the settlement (6 to 7 households) near the construction site, appropriate Project health and safety measures will need to be implemented to avoid any negative temporary construction impacts (see Figure 2 for planned construction areas).

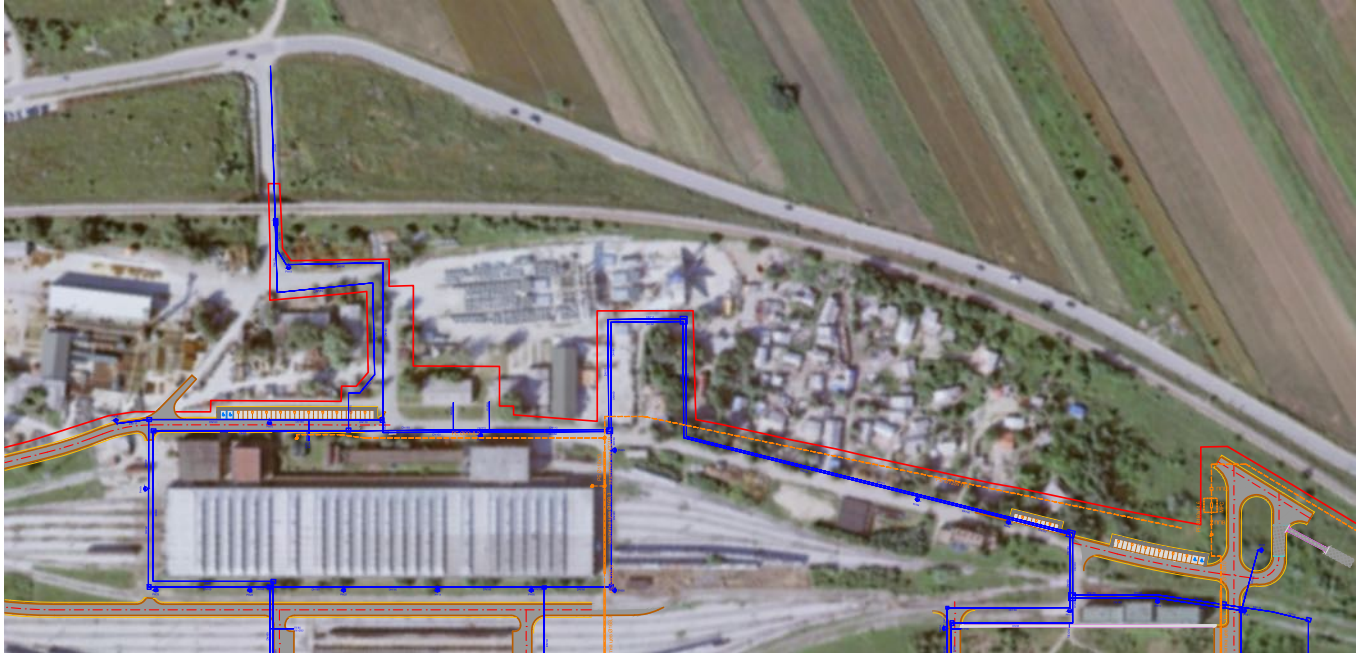
Construction activities will have to be organised in a way to allow safe access for the households to their houses. In the event that this is not possible and households have to be resettled, JSC Serbia Train will be required to cooperate with the appropriate Serbian authorities, to develop and implement a Resettlement Action Plan, based on this Framework and in line with national legislation (see section 3.1 - Law on Housing and Building Maintenance) and EBRD’s PR 5.

Figure 1: Location of the informal settlement, the isolated house and two structures which may be demolished for the Project belonging to “Ratko Mitrovic”, surrounding the TPS



Figure 2 below shows the boundaries of the construction site (in red), with the current informal settlement located on the right side of Figure 2. The size of the settlement and number of houses will be reduced as households are resettled under the UNHCR project (see Annex 3 for houses already emptied and demolished). Roads which are to be reconstructed for the Project are marked in grey (on the left and bottom part of Figure 2), while the blue lines mark the water supply network which will be constructed as part of the Project. The construction of the water supply will pass through entrances to the informal settlement, however this work will be done in stages and with the use of appropriate construction equipment, as well as signs and warnings to enable safe access to homes in the informal settlement.

Figure 2: Boundaries of the Project construction site



3 Legal Framework

3.1 National Legislation

Different legislative requirements apply to the various groups of affected people and activities.

The legal status of occupancy of the isolated house whose residents are required to resettle has not been determined with complete certainty at the time of developing this RF. It is believed that the house was given for use (under subsidised rent) to the father of the current head of household, during his service to Serbian Railways many years ago. There have been many changes in legislation since that time and it is not possible to determine at present whether or not the households would legally be entitled to new accommodation, or if they lost their formal legal use rights over the years. However the household may potentially benefit from the provisions of the Law on Housing and Building Maintenance of the RS¹ and the previous Law on Housing of

¹ Official Gazette of the RS No. 104/2016

the RS², where household members are entitled to resettlement into appropriate replacement accommodation (the number of rooms equaling the number of household members), if they do not own other appropriate accommodation (with at least equal living conditions). The applicability of these or any other laws will have to be determined during the development of the Resettlement Action Plan.

At present, the resettlement of the Roma settlement which is located next to the TPS Zemun compound is being carried out on a voluntary basis, by an NGO, with funds provided by UNHCR. In the event that some households are not resettled under this project, the remaining households would be subject to resettlement under the Law on Housing and Building Maintenance which addresses resettlement of informal settlements located on public land.

The key provisions of the law are as follows:

- Physical displacement of persons who have no legal rights to the land they occupy is carried out for the construction of investment projects only if it can be proved that there is no alternative for resettlement and the settlement (or part of the settlement) cannot remain in the existing location (Articles 78, 81).
- Evictions of persons occupying informal structures located on land not belonging to them, have to be implemented in accordance with certain principles: legality (national and international law), proportionality, protection of dignity, protection of vulnerable persons³, mutual cooperation (between various agencies involved) to ensure the protection of human and minority rights, (Article 80).
- Persons who are to be resettled under this law are entitled to free legal aid, they have to receive the decision on eviction which they can appeal against within 15 days and they can use other legal remedies available under administrative law (Article 84).
- Evictions and resettlement cannot be carried out on certain days or at certain times (bad weather, state or religious holidays, at night, etc.). Expenses of resettlement are borne by the local self-government, unless it is determined that persons who are being resettled have the means to secure their own accommodation (Article 85).
- During eviction and resettlement, the responsible authority is obliged to allow the presence of observers and representatives of human rights organizations, presence of other necessary public service providers (emergency services, firefighters, social welfare departments, etc.), to allow identification of those affected, documenting of possible damage to assets and to allow affected people to salvage any construction or other materials (Article 86).
- The Law requires the development of a resettlement plan for persons occupying illegal structures located on land not belonging to them (Article 82).
- The decision on the necessity of resettlement and resettlement plan have to include the following information (Article 83):
 - Reasons for resettlement
 - Map of the area which will be resettled with a presentation of affected land plots.
 - Total number of households and persons who are to be resettled.

² Official Gazette of the RS No. 50/92, 76/92, 84/92, 33/93, 53/93, 67/93, 46/94, 47/94, 48/94, 44/95, 49/95, 16/97, 46/98, 26/2001, 101/2005, 99/2011)

³ Women, children, single parents, households with three or more children, victims of family violence, persons over 65 years of age and persons with disabilities.

- The dynamic and deadlines for resettlement
- Identification data for people who are to be resettled (name, surname and personal ID number)
- The location of resettlement and type of accommodation
- The Law requires the recording of data on persons occupying illegal structures located on land not belonging to them who will be resettled, including name, surname, personal ID number and address (Articles 83, 87).
- The Law states that resettlement includes the moving of people and belongings from informal structures (Article 78), which implies that relocation is organised by the responsible authority
- The Law prescribes that adequate housing⁴ 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. Housing is provided through a contract concluded with both spouses, or both partners in a consensual union, whenever possible (Article 79).
- The Law states that the responsible authorities are required to provide people affected by resettlement with access to assistance for fulfilling basic needs (food and water) but not longer than one month, access to social welfare and health protection, access to sources of livelihood and potential employment vacancies, access to inclusive education. Resettlement must not lead to separation of family or household members unless requested differently by them (Article 87).
- Under the Law the local self-government is required to keep a registry of how resettlement was carried out, including personal data on affected people (name and surname, ID number and address permanent or temporary residence), (Article 87).
- The plan for resettlement has to be developed in consultation with affected people and organisations protecting human rights. The conclusions from the consultations present an obligatory part of the draft decision on the necessity of resettlement (Article 81). The final decision on the necessity of resettlement is published in the official gazette of the local self-government who passed it (Article 82).

Finally, the legal status of occupancy of a part of the TPS Zemun compound by the construction company “Ratko Mitrovic” is complex and is being addressed as part of a national process of resolving the overall status of this public company under bankruptcy. The applicable legislative requirements are unknown at present and will have to be explored and described in more detail during the development of the Resettlement / Compensation Action Plan. The structures / buildings belonging to the construction company, which have been refused for legalisation by relevant authorities as described earlier, are not to be compensated in cash nor are their owners to be provided with alternative, appropriate replacement structures under the Law on Legalization of Structures of the RS⁵. The Law on Planning and Construction⁶ requires owners of informal

⁴ 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.

⁵ Official Gazette of the RS No. 96/2015

⁶ Official Gazette of the RS No. 72/2009, 81/2009, 64/2010, 24/2011, 121/2012, 42/2013, 50/2013, 98/2013, 132/2014 and 145/2014

structures to demolish them at their own cost, which in this case applies to the construction company “Ratko Mitrovic”.

3.2 *EBRD Requirements*

EBRD requirements in relation to land acquisition are presented in Performance Requirement 5 (Land Acquisition, Involuntary Resettlement and Economic Displacement) of the Environmental and Social Policy (2014).

The relevant requirements can be summarised as follows:

- to avoid or, at least minimise permanent or temporary project induced physical or economic displacement whenever feasible by exploring alternative project designs; where displacement is unavoidable, appropriate compensation, resettlement and livelihood restoration action plans should be developed and implemented;
- to mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons’ use of and access to land, physical assets or natural resources by:
 - providing compensation for loss of assets at replacement cost⁷, prior to taking possession of acquired assets; and
 - ensuring that compensation, resettlement and livelihood restoration activities are planned and implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;
- to improve or, at a minimum, restore the livelihoods, income earning capacity and standards of living of displaced persons, including those who have no legally recognisable rights or claims to the land (present in the project affected area at the time of the cut off date), to pre-project levels and support them during the transition period;
- to make special provisions for assisting disadvantaged or vulnerable individuals or groups (present in the project affected area at the time of the cut off date) that may be more adversely affected by displacement than others and who may be limited in their ability to claim or take advantage of livelihood assistance and related development benefits;
- to establish a grievance mechanism to receive and address in a timely fashion specific concerns about compensation and relocation that are raised by displaced persons, including a recourse mechanism designed to resolve disputes in an impartial manner.
- to monitor the land acquisition, resettlement and livelihood restoration process and to involve key stakeholders such as the affected communities.

The above list is only a summary of the main requirements and is qualified by reference to the full text of the applicable policy⁸.

⁷ This is usually calculated as the market value of the assets plus the transaction costs related to restoring such assets.

⁸ <http://www.ebrd.com/what-we-do/strategies-and-policies/approval-of-new-governance-policies.html>

3.3 Gaps between National Legislation and EBRD requirements

The Law on Housing and Building Maintenance is largely aligned with EBRD requirements; however some key gaps in relation to issues relevant for this Project exist. This RF has been developed with a view of overcoming the gaps and fully complying with EBRD requirements.

The key gaps to be addressed by the Project are as follows:

- The resettlement plan which is to be developed in accordance with the law is not required to contain all the elements of an EBRD required RAP.
- There is no requirement to carry out a socio-economic baseline assessment (survey) or to define and announce a cut off date for eligibility of affected persons under national legislation, as required by EBRD.
- The law does not require the establishment of a project specific grievance mechanism to receive and address concerns about compensation and relocation raised by affected people, as required by EBRD.
- Monitoring which is to be performed by the relevant local self government under the law does not comply with monitoring requirements of EBRD.

Regardless of the legal status of the isolated household, in accordance with the EBRD policy, the minimum requirement is for the household members to receive a replacement property for continued use, with similar or improved characteristics and assistance to resettle and restore their livelihood (if affected). Under the EBRD policy, the construction company “Ratko Mitrovic” will at a minimum be entitled to compensation for the affected structures, at full replacement cost.

4 Key Compensation and Assistance Principles

Key principles committed upon by JSC Serbia Train in respect of compensation, resettlement and livelihood restoration, which will be complied with in the development and implementation of Resettlement / Compensation Action Plan(s), are:

- Alternative project designs will be explored to avoid or at least minimise the need for demolishing structures that belong to the construction company “Ratko Mitrovic”;
- The construction site will be organised in a way to allow safe access for any residents of the informal settlement to their homes. If safe access cannot be provided, all remaining households will be resettled in line with national legislation and EBRD requirements, which will be specified in a Resettlement Action Plan, developed based on this RF.
- In the development of RAPs, persons who have no recognisable legal right or claim to the land they occupy will be recorded by the census; the date of the census shall be the cut-off date for eligibility for this category of affected people;
- In the development of RAPs, a socio-economic survey of affected people/households will be implemented, to assess individual impacts, provide baseline information and design appropriate resettlement / livelihood restoration measures;

- Meaningful consultations will be carried out throughout the development and implementation of the Resettlement / Compensation Action Plan(s);
- Compensation for all affected assets will be provided at full replacement cost;
- Compensation will be provided prior to accessing acquired land and assets;
- Persons who have no recognizable legal right or formal claim to the land they occupy will be offered a choice of options for adequate housing with security of tenure;
- In addition to compensation/replacement housing, affected persons will be provided with resettlement assistance and livelihood restoration assistance;
- Specific assistance will be provided to vulnerable groups identified through the socio-economic survey and monitoring;
- All compensation, resettlement and livelihood restoration 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 prompt response;
- Monitoring and reporting of all compensation, resettlement and livelihood restoration activities will be regularly carried out.

5 Eligibility

In accordance with EBRD requirements, all affected people, including those with no legal right to the land they occupy at the time of the cut off date, are eligible for compensation for their affected assets (excluding land) and assistance to resettle and/or improve or restore their livelihoods.

All directly affected people/entities, have been recorded during the due diligence carried out by consultants in May/June 2017. This includes the isolated household (of three inhabitants) and the construction company “Ratko Mitrovic”. Both will be eligible for compensation and assistance as presented in the Entitlements Matrix (see Table 1 below).

Households living in the informal settlement next to the TPS Zemun compound, have been recorded by the City of Belgrade and NGO Vizija, implementing the resettlement activities with UNHCR funding. NGO Vizija recorded 60 households living in the settlement which are entitled to resettlement under their programme, of which 45 have been resettled already and 10 are currently being resettled. As the eligibility list was expanded to include households who are not internally displaced from Kosovo, another 7 households will be resettled by the end of 2017.

It is expected that 4 households who were originally recorded and eligible, will not be resettled as part of this programme as they did not cooperate with NGO Vizija representatives and have not actively searched for homes which was their obligation. Another 2, 3 household have moved into the informal settlement after the cut off date and will not be resettled under the UNHCR programme. The City of Belgrade has confirmed that they will provide support in resettling households remaining in the settlement after the completion of the UNHCR resettlement programme.

6 Entitlements of Affected People / Entities

The table below provides a brief overview of the essential entitlements of people/entities potentially affected by the Project, in accordance with national legislation and EBRD's PR 5. Their detailed entitlements will be defined in the Resettlement / Compensation Action Plans to be developed by JSC Serbia Train when the necessary information on potential impacts becomes available.

Table 1: Entitlements of project affected people / entities

TYPE OF LOSS / IMPACT	CATEGORY OF AFFECTED PERSON / ENTITY	NUMBER OF PAPs	ENTITLEMENTS
Permanent loss of use of residential structure	The isolated household in TPS Zemun compound	1 household / 3 individuals	A choice of options for resettlement into adequate housing for use, with security of tenure AND Assistance to support the affected household in restoring their standard of living and/or sources of livelihood.
Permanent loss of informal unused business structures (if all company facilities and operations are not previously moved to another location)	Construction company "Ratko Mitrovic"	2 structures	Cash compensation for the business structures at full replacement cost (construction cost).
Temporary difficult or unsafe access to homes during construction	Any remaining residents of the informal settlement next to TPS Zemun compound	Unknown at present	Information about planned construction works and measures for mitigation; construction signs and warnings Construction measures to ensure safe access to homes (works in stages to allow alternative access, use of overpasses, etc.)
Permanent loss of informal residential structures (if the residents are not provided with safe and uninterrupted access to homes).	Any remaining residents of the informal settlement next to TPS Zemun compound	Unknown at present (believed to be 6, 7 households)	A choice of options for resettlement into adequate housing for use, with security of tenure AND Assistance to support affected vulnerable individuals / households in overcoming adverse impacts caused by land acquisition and improving their standard of living and/or sources of livelihood.

7 Compensation and Assistance

The isolated household will be offered resettlement into adequate housing from the stock of service apartments available to JSC Serbia Train. As defined by the EBRD policy, adequate housing will be comparable to the household's current accommodation and will have access to

basic infrastructure and services, such as water, electricity, sanitation and health care. The use of new accommodation will be legally defined in a contract between the household and JSC Serbia Train. The company will also organise the move of the household to new accommodation (transport of furniture and belongings) and assist the household members to register their residence in the new location if needed, so that they may have access to all services including health care. According to information available at the time of developing the RF, the household's source of livelihood is not expected to be impacted by the move, as their source of income are pensions of the household members. However, this will be confirmed during the development of a RAP, through a socio economic interview. Any additional assistance that the household may need during or after the move will also be defined in the RAP, depending on the results of the interview.

If the construction company "Ratko Mitrovic" is not relocated in agreement with the government before construction, it will be offered compensation for the two structures which are expected to be affected by the Project. Compensation will be calculated at full replacement cost, which in this particular case corresponds to the construction value of the structures, i.e. the cost of materials, labour, transport, etc. needed for the construction of structures of the same size and quality, as assessed by a licensed appraiser. The two structures are presently unused and in poor condition and therefore demolishing them will not impact the company's operations or lead to any economic losses. As stated by representatives of the company, during the due diligence carried out for the Project by consultants in May/June 2017, any equipment or materials in the structures can be moved to other facilities owned by the company within the TPS Zemun compound.

A preliminary meeting was held between JSC Serbia Train and the management of the company "Ratko Mitrovic", at the time of developing this RF, where JSC Serbia Train offered to bear the costs of demolition of the two informal structures (which is legally the obligation of the construction company "Ratko Mitrovic"), as part of the Project construction works, and then offset the expense against the compensation that the company will be entitled to. In principle, the company has agreed with this offer and an agreement to that effect will be signed by both parties. Before the beginning of construction works, when the area where the structures are located will be needed for the Project, circumstances may change (as presented in section 2.2), for example the construction company may move all of its operations to another location and a different agreement may be made in relation to compensation. When the final details become available, a Compensation Action Plan will be developed based on the principles presented in this RF, as required under the EBRD Policy and national legislation.

If it becomes necessary to resettle any remaining residents of the informal settlement next to the TPS Zemun compound, a Resettlement Action Plan will be developed based on this RF. As required under national legislation and the EBRD policy, households will be offered a choice of options for resettlement into adequate housing for use, with security of tenure. The most common models of housing used for similar resettlements in Serbia are social apartments and village housing (similar to the model being implemented under the UNHCR project).

All affected households will also be entitled to the following assistance:

- Assistance with obtaining personal documents (ID cards and birth certificates)

- Assistance with enrolling children into school
- Assistance with access to health
- Assistance with employment and livelihood restoration measures, through several models used for other resettlements such as employment opportunities in City communal enterprises, particularly in the City Solid Waste Disposal Company, the City Cemeteries and the City Parks, employment opportunities within municipal public work programmes and offering adult education and vocational training opportunities.
- Assistance with access to social welfare

8 Institutional Responsibility

JSC Serbia Train has the overall responsibility for the implementation of this RF and the development and implementation of Resettlement / Compensation Action Plans. The resettlement of the isolated household and the compensation for the construction company “Ratko Mitrovic” will be addressed by JSC Serbia Train directly. If necessary, the company may cooperate with any municipal or City agencies /services to assist the isolated household after their move.

To address the resettlement of any remaining residents of the informal settlement, JSC Serbia will closely cooperate with the authority legally responsible (City of Belgrade or an authority delegated by the Republic of Serbia), to ensure that, in addition to Serbian legislation, EBRD requirements are also met. Details will be defined in the RAP.

9 Timeframe for the Development of Resettlement / Compensation Action Plans

The exact timing of activities was not known at the time of developing the RF, however a provisional schedule of activities in relation to the development of Resettlement / Compensation Action Plans is provided in Table 2 below.

Table 2: Resettlement / Compensation Planning

Affected people/entity	Information which is needed	Expected date by which information will be available	Action for JSC Serbia Train
Isolated household	What is the legal status of occupancy of the household? What resettlement options are being proposed under national legislation?	End of 2017	Development and submission of RAP to EBRD in the first quarter of 2018. Implementation of the RAP by September 2018.
Residents of the informal settlement who have not been resettled, if safe access cannot be provided to	Are there households that have not been resettled as part of the resettlement programme of UNHCR? Can the contractor ensure safe	First quarter of 2018	Report by contractor on all measures which will be undertaken at different stages of construction to ensure safe and uninterrupted access to homes, provided to JSC Serbia Train and EBRD.

their homes during construction	access for households to their homes during construction? If such access is not provided, a Resettlement Action Plan must be developed in line with national legislation and PR 5 and implemented.		JSC Serbia Train report on community meeting held with remaining residents to present the construction activities and mitigation measures, as well as feedback received from the households provided to EBRD. If resettlement becomes necessary, development and submission of RAP to EBRD, followed by its implementation.
Construction company “Ratko Mitrovic”	Has the company relocated all of its facilities and equipment from the TPS Zemun compound?	End of 2020	If necessary, development and submission of compensation plan to EBRD prior to demolition (first quarter of 2021)

10 Disclosure of Information and Consultations

A Project Stakeholder Plan has been developed which outlines the steps that JSC Serbia Train will take to ensure that those who may be affected by the Project receive all necessary information and are consulted about measures that the company plans to take to mitigate impacts.

As can be seen in Table 2 above, the first Resettlement Action Plan that is to be developed will address the resettlement of the isolated household located in the TPS Zemun compound. Individual meetings will be held with household members to collect socio economic information and based on the outcome, define the compensation and assistance measures which will be offered to the household. Household members will also be informed about the grievance mechanism and other issues of importance such as the timing of resettlement. Individual meetings will continue throughout implementation, until the household has been resettled, all foreseen assistance has been provided and the household has re-established its standard of living.

Individual meetings with representatives of the construction company “Ratko Mitrovic” will also continue, to address the issues of land ownership transfer (as presented in section 2.2) and demolishing of and compensation for affected structures. The contact details of persons responsible for addressing this issue in JSC Serbia Train have already been shared with the construction company. A Compensation Action Plan will be developed based on agreements reached with the construction company and meetings will continue until the plan has been successfully implemented.

JSC Serbia Train will continue to have regular (weekly) meetings with the City of Belgrade Secretariat for Social Welfare (and NGO Vizija, as necessary), to follow progress of resettlement of the informal settlement adjacent to TPS Zemun. As specified in the Project SEP, JSC Serbia Train will organise a meeting with any households not resettled before Project construction begins, to inform them how their access to homes will be secured, as well as on the potential construction related health and safety risks and mitigation measures. If a RAP needs to be developed at a later stage, for any households not resettled who lose safe access to their homes, regular meetings will be held during the development and implementation of the RAP.

This Resettlement Framework will be publicly available on the website of EBRD and JSC Serbia Train, in Serbian and in English. The individual Resettlement / Compensation Action Plans will be made available to those affected.

11 Grievance Mechanism

JSC Serbia Train has established a grievance mechanism presented in the Project Stakeholder Engagement Plan. The same grievance mechanism will be used to address land acquisition related impacts and will be presented to affected people during the development of Resettlement / Compensation Action Plans.

In short, the grievance mechanism is as follows:

- Any person or organisation may send comments, complaints and/or requests for information in person or via post, telephone or email using the contact information provided below;
- All grievances will be registered and responded to within 15 days, either verbally or in writing, in accordance with the preferred method of communication specified by the complainant;
- Individuals who submit their comments or grievances have the right to request that their name be kept confidential;
- At all times, complainants are also able to seek legal remedies in accordance with the laws and regulations of the Republic of Serbia.

Contact details for submitting comments and concerns are as follows:

Attention: Mašan Radojević
Sector for Rolling Stock Maintenance
JSC Serbia Train
Postal Address: Nemanjina 6, 11000 Belgrade
Telephone: +381 11 3616 790
E-mail address: masan.radojevic@srbrail.rs

12 Monitoring and Reporting

JSC Serbia Train will regularly monitor the implementation of this RF and subsequently the individual Resettlement / Compensation Action Plans and will check that physical progress has been made in execution of the required actions.

Monitoring indicators will be defined in each of the individual Resettlement / Compensation Action Plans. A key issue which will be monitored prior to and during construction is whether safe and uninterrupted access to homes has been provided for households not resettled from the informal settlement. If such access cannot / is not secured, to comply with EBRD's PR 5, JSC Serbia Train will develop and implement a Resettlement Action Plan, in cooperation with the authorities in charge of resettlement.

For each of the three resettlement components, JSC Serbia Train will report to EBRD on progress, as per the following schedule:

- Quarterly progress reports – before resettlement / provision of compensation and in the first six months upon resettlement / provision of compensation.
- Mid term progress report – six months upon resettlement / provision of compensation.
- Final progress report – twelve months upon resettlement / provision of compensation.

Independent monitoring will be carried out by qualified specialists every 6 months, with reports containing recommendations for corrective measures, submitted to JSC Serbia Train and EBRD.

13 Implementation Costs

At the time of developing the RF there were not enough elements to calculate the potential costs of resettlement and compensation for two components (isolated household and the structures belonging to the company “Ratko Mitrovic”). This will be included in individual Resettlement / Compensation Action Plans, which will be developed and implemented by JSC Serbia Train.

The costs of resettlement of any residents of the informal settlement, if it becomes necessary, will be borne by the public authority in charge of resettlement. Based on the costs of resettlement carried out by NGO Vizija, the resettlement of one household is approx. 15,000 EUR (including implementation costs) and if a maximum of 7 households need to be resettled, the total cost would be approx. 105,000 EUR.

ANNEX 1 – Photo of isolated house in TPS Zemun



ANNEX 2 – Photo of two structures owned by the company “Ratko Mitrovic”



ANNEX 3 – Photos of houses demolished after resettlement in the informal settlement



