



**REPORT**

**Bajgora Wind Project**  
**Environmental and Social Impact Assessment**  
*Land Acquisition and Livelihood Restoration Framework*

Submitted to:

**SOWI Kosovo L.L.C.**

Submitted by:

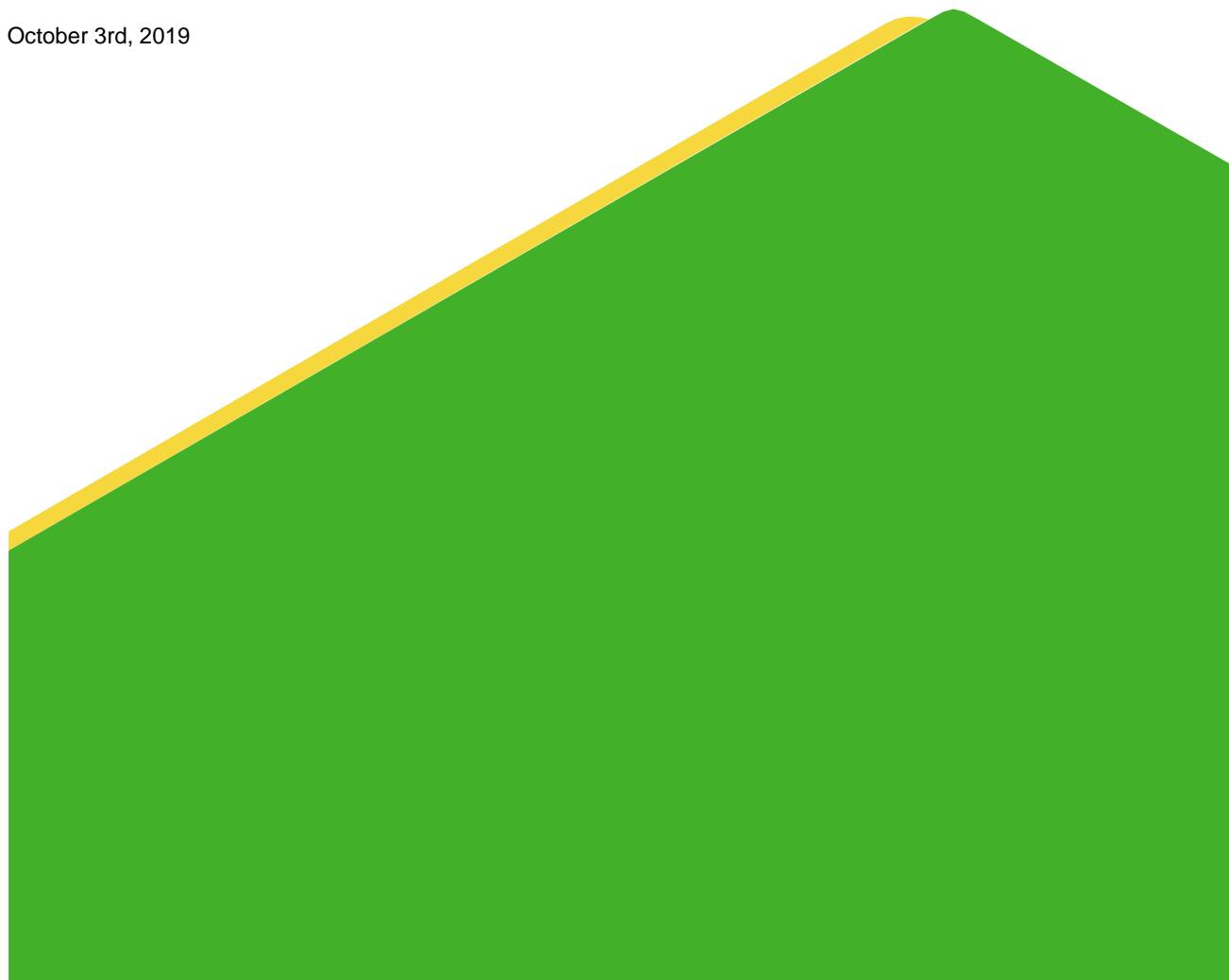
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## ABBREVIATIONS

Abbreviation	Description
AP	Action Plan
CAI	Census and Asset Inventory
CBK	Central Bank of Kosovo
CLO	Community Liaison Officer
DCM	Decision Council of Ministers
EBRD	European Bank for Reconstruction and Development
EPFI	Equator Principles Financial Institution
ESIA	Environmental and Social Impact Assessment
ESM	Environmental and Social Management
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
ESP	Environmental and Social Policy
EU	European Union
FGD	Focus Group Discussions
GM	Grievance Mechanism
GPS	Global Positioning System
HH	Household
ID	Identification Document
IFC	International Financial Corporate
KAS	Kosovo Agency of Statistics
KCA	Kosovo Cadastral Central Agency
KII	Key Informant Interview
KLCIS	Kosovo Land Cadastre Information System
KOSTT	Transmission System and Market Operator
LA	Land Acquisition

Abbreviation	Description
<b>LALRF</b>	Land Acquisition and Livelihood Restoration Framework
<b>LALRP</b>	Land Acquisition and Livelihood Restoration Plan
<b>LGU</b>	Local Government Unit
<b>LRP</b>	Livelihood Restoration Plan
<b>MCO</b>	Municipal Cadastral Office
<b>MESP</b>	Ministry of Environmental and Spatial Planning
<b>MF</b>	Ministria e Financave (Ministry of Finance)
<b>MoD</b>	Minute of Disagreement
<b>MV</b>	Medium Voltage
<b>NGO</b>	Non-Government Organisation
<b>OHL</b>	Overhead Line
<b>PAP</b>	Project Affected Person
<b>PR</b>	Performance Requirement
<b>QAQC</b>	Quality Control and Quality Assurance
<b>RFP</b>	Resettlement Policy Framework
<b>SALnumbers</b>	Suitability of Agricultural Lands
<b>SEP</b>	Stakeholder Engagement Plan
<b>SOWI</b>	SOWI Kosovo L.L.C.
<b>SPV</b>	Special Purpose Vehicle
<b>SS</b>	Sub-station
<b>SSES</b>	Sample Socio - Economic Survey
<b>VG</b>	Vulnerable Group
<b>UNMIK</b>	United Nations Mission in Kosovo
<b>WF</b>	Wind Farm
<b>WfWI</b>	Women for Women International
<b>WTG</b>	Wind Turbine Generator

## DEFINITIONS

<b>Census and Socio-Economic Survey</b>	<p>The census is a process for compiling a 100% sample of individuals, households and businesses (formal or informal) which will be physically and/or economically displaced by a project.</p> <p>The socio-economic survey is used to determine and analyse the socio-economic conditions of individuals, households and businesses (formal or informal) which will be physically and economically displaced by a project (<i>see definition of physical and economic displacement below</i>).</p>
<b>Cut-off Date</b>	The date after which anyone who moves into the project area is no longer entitled to compensation and/or assistance.
<b>Economic Displacement</b>	Economic displacement refers to loss of assets, resources, and access to assets lead to a loss of income or means of livelihood, as a result of land acquisition or restrictions on land use due to project related requirements. People or enterprises may be economically displaced with or without experiencing physical displacement (EBRD, 2014c).
<b>Physical Displacement</b>	Relocation or loss of shelter due to land acquisition as a result of project related activities or requirements (EBRD, 2014c).
<b>Entitlement</b>	Compensation and assistance which affected people have the right to receive during resettlement ( <i>see definition of resettlement below</i> ). Entitlements are defined for each individual project, and are listed in the form of an Entitlements Matrix, i.e. a table containing information on who is entitled to what type of compensation and/or assistance.
<b>Livelihood</b>	“The full range of means that individuals, families and communities utilise to make a living, such as wages from employment; cash income earned through an enterprise or through sale of produce, goods, handicrafts or services; rental income from land or premises; income from a harvest or proceeds of animal husbandry, a share of a harvest (such as various sharecropping arrangements) or livestock production; self-produced goods or produce used for exchange or barter; self-consumed goods or produce; food, materials, fuel and goods for personal or household use or trade derived from natural or common resources; pensions and various types of government allowances” (EBRD, 2014c; International Finance Corporation, 2012a).
<b>Livelihood Restoration</b>	Livelihood restoration are the measures implemented to restore and improve the effects of economic displacement on people. Livelihood restoration and improvement are characterised by restored or

	improved income levels, household food security, standard of housing, security of tenure, household health and nutrition, income sources, access to infrastructure and services, access to markets, yields, food consumption and diet, resilience to natural or economic shocks (International Finance Corporation, 2019).
<b>Vulnerable Groups</b>	Vulnerable or 'at-risk' groups includes people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more adversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. Vulnerable groups in the context of displacement also include people living below the poverty line, the landless, the elderly, women- and children-headed households, ethnic minorities, natural resource dependent communities or other displaced persons who may not be protected through national land compensation or land titling legislation (EBRD, 2014c).
<b>Willing buyer / Willing seller conditions</b>	Indicates a free market transaction performed through a voluntary agreement between a willing, knowledgeable and unpressured buyer and a willing, knowledgeable and unpressured seller, without jeopardising individual interest of the owners and right to property.

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## 1.0 INTRODUCTION

This document constitutes the Land Acquisition and Livelihood Restoration Framework (LALRF) for the Bajgora Wind Project.

### 1.1 Project background and context

The Bajgora Wind Project (the Project) consists in the development of three adjacent wind power projects, with a total capacity of 105MW, in a mountainous area near Mitrovica, northern Kosovo. Electricity will be exported through a 19km 110kV transmission line to Vushtrri, to be developed by the Project and then transferred to KOSTT, the state-owned transmission company. The European Bank for Reconstruction and Development (EBRD) is considering providing finance for the Project together with other lenders.

The purpose of the Bajgora Wind Project is to ensure climate-friendly, sustainable, and low-risk electricity generation using wind energy. This project constitutes a major contribution to the production of electrical energy in the Republic of Kosovo. The project also serves the Kosovan and European objectives of increasing the use of renewable energies, help to reduce electricity imports and dependence on brown coal. These aspects contribute to the achievement of EU and global environmental objectives.

This project is implemented in terms of the Kosovo national laws, sub-laws and articles. As this project is being considered for financing by the EBRD, the project will also be required to comply with the EBRD's Performance Requirements (PRs) as set out in the 2014 Environmental and Social Policy (2014 ESP).<sup>1</sup>

The project is located the Selac site, in the northern part of the Republic of Kosovo, 15 km northeast of the city of Mitrovica at altitudes ranging from 1315 to 1790 m above sea level. Please refer to **Figure 1** for the broad location of the Bajgora Wind Project.



**Figure 1: Location of Project site in respect to Kosovo**

The early works of the project have been initiated. In this regard, the site installation and road construction works were carried out from April to July 2019. The anticipated project completion date is scheduled for mid-

<sup>1</sup> The revised EBRD 2019 Environmental and Social Policy, will only come into effect on 1 January 2020.

November 2020 (acceptance of wind turbines), with completion of the reinstatement of the work areas planned for late June 2021. Please refer to APPENDIX A for the work schedule of the Bajgora Wind Project.

The ESIA disclosure is the next step in this ESIA process. The disclosure period starts on 4 October 2019 and will last for 60 days, until December 4 2019.

## 1.2 Objective and accountability of the land acquisition and compensation framework

The objective of this LALRF for the Bajgora Wind Project is to spell out the approach towards the development of the of the detailed Land Acquisition and Livelihood Restoration Plan (LALRP).

SOWI is accountable for this LALRF and the development of the LALRP. SOWI is also responsible for the implementation of the LALRP.

## 2.0 PROJECT DESCRIPTION AND PROJECT IMPACTS

For the purposes of this LALRF, the Bajgora Wind Project is split into two components, each with its own ancillary infrastructure. These components are:

- The wind farm (WF) component, where the wind turbine generators (WTG) are installed.
- The overhead line (OHL) component connecting the wind farm with the Kosovo power grid at the Vushtrri substation.

These two components are described in more detail below.

### 2.1 Wind Farm and its ancillary facilities

#### 2.1.1 Location

The WF component of the Bajgora Wind Project is located northeast of the area of Mitrovica at an altitude of between 500 to 1800 m above mean sea level. The nearest settlements to the planned wind farm are the villages of Bajgorë to the south, Zhiti to the north, Kaqandoll to the east and Zaberrxhe to the west. The neighbouring communes bordering the Commune of Mitrovica are Vushtrri to the south, Zubin Potok to the west, Zvecan to the north-west, Leposaviq to the north and Podujeva to the east.

#### 2.1.2 Technical description of the wind farm and its ancillary facilities

The WF consists of 27 WTGs. The generation capacity is 3.83 MW per WTG, providing for 104.22 MW for the wind farm as a whole. The wind farm uses the GE 3.8-137 WTG. This WTG has a hub height of m 110m and a rotor diameter of 137 metres. s

The individual wind turbines are connected to one common in-park sub-station via 30 kV underground cable systems (including data lines and wind farm internal cabling). The Wind Farm is divided into three sub-areas, each of which contain 9 WTGs. The WTGs are numbered consecutively from WTG 1 to WTG 27. The sub-areas are Selac 1 (WTG 1 to WTG 9), Selac 2 (WTG 10 to WTG 18) and Selac 3 (WTG 19 to WTG 27) respectively (refer to **Figure 2**, **Figure 3**, **Figure 4** and **Figure 5** for the locations of the WTGs).

The ancillary facilities for the wind farm include the following:

- Equipment and material laydown areas.
- Various plant (concrete, crushing, mixing and so forth).
- Crane pads.
- Foundations.

- MV cable collation system.
- Internal roads.
- Storage areas
- Deposit (rock and soil) areas.

### 2.1.3 Required land take and associated impacts for the wind farm and its ancillary facilities

The land take for the WF has been voluntary and based on willing seller / willing buyer conditions. This voluntary nature of the land acquisition is confirmed by a statement from SOWI. Under the signature of the Managing Director of SOWI Kosovo, the land acquired for the construction of the WF, has been attained through a completely free and voluntary agreement between the landowners and SOWI Kosovo L.L.C, without jeopardising individual interest of the owners, and right to property. In the case that landowners refused the purchase and that negotiations failed, SOWI did not have the possibility of undergoing an expropriate process to perform the land acquisition. The implication is that EBRD PR 5 does not apply in this regard. Please refer to APPENDIX B for the SOWI declaration. The following land has been acquired to date for the WF:

**Table 1: Land acquired for the WF**

Project component	Total land acquired (m <sup>2</sup> )	Duration	Type of impact
Access roads	446,698	Permanent	Easement
Crane pads	348,068	Mixed Permanent and temporary	Purchase and lease
WTG foundations	8,255	Permanent	Purchase

The land for the ancillary facilities and for the rehabilitation/expansion of existing roads for Project transport purposes still has to be acquired. The number of plots and owners affected are still uncertain. SOWI will acquire this land under the willing-buyer/willing-seller approach. Based on the calculations performed so far, it is expected that 65,200m<sup>2</sup> will be required for storage areas and 205,000m<sup>2</sup> for deposit areas. The extension of the land necessary for road rehabilitation/expansion has yet to be determined.



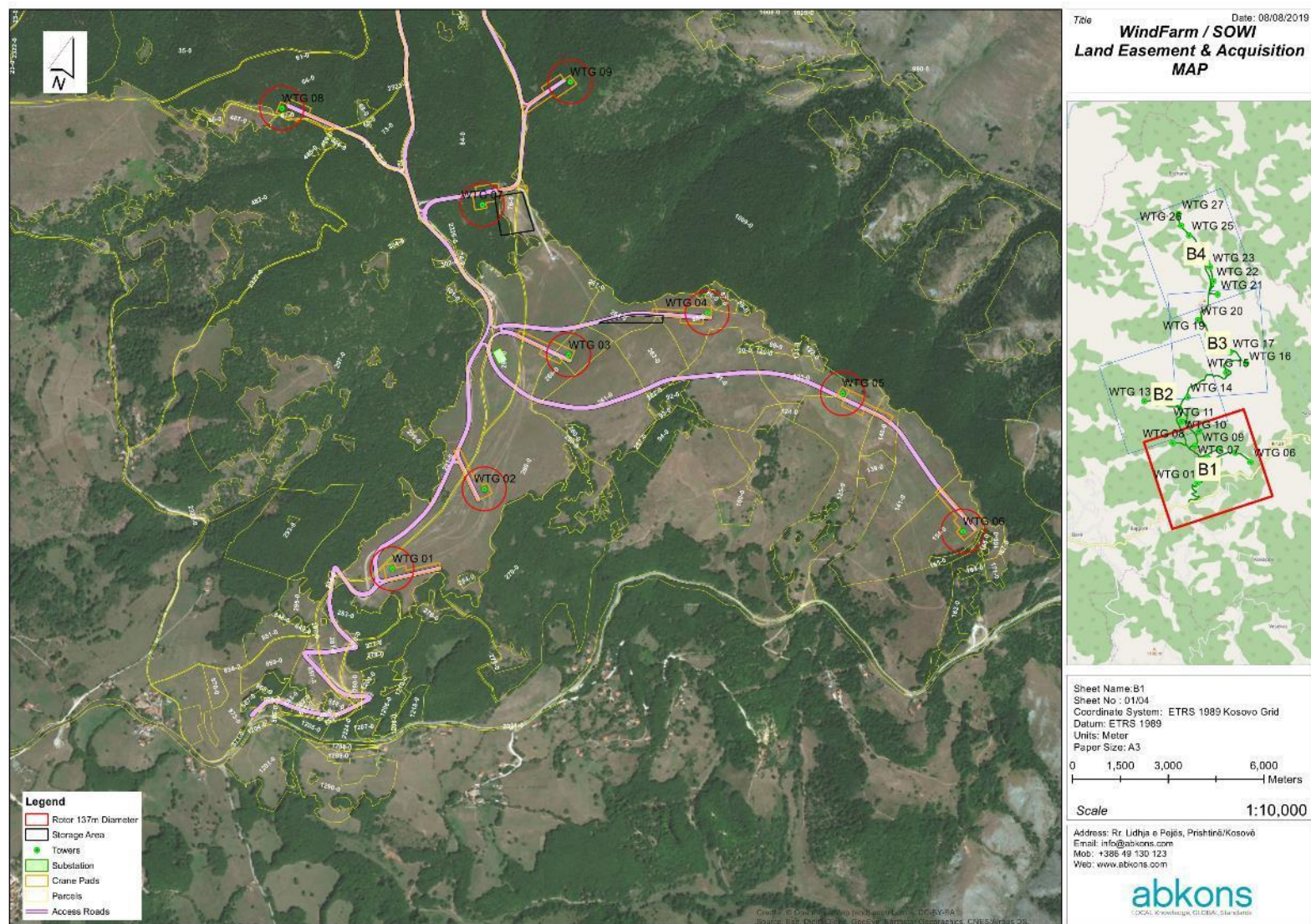


Figure 2: Wind Farm – WTG 1 to WTG 9



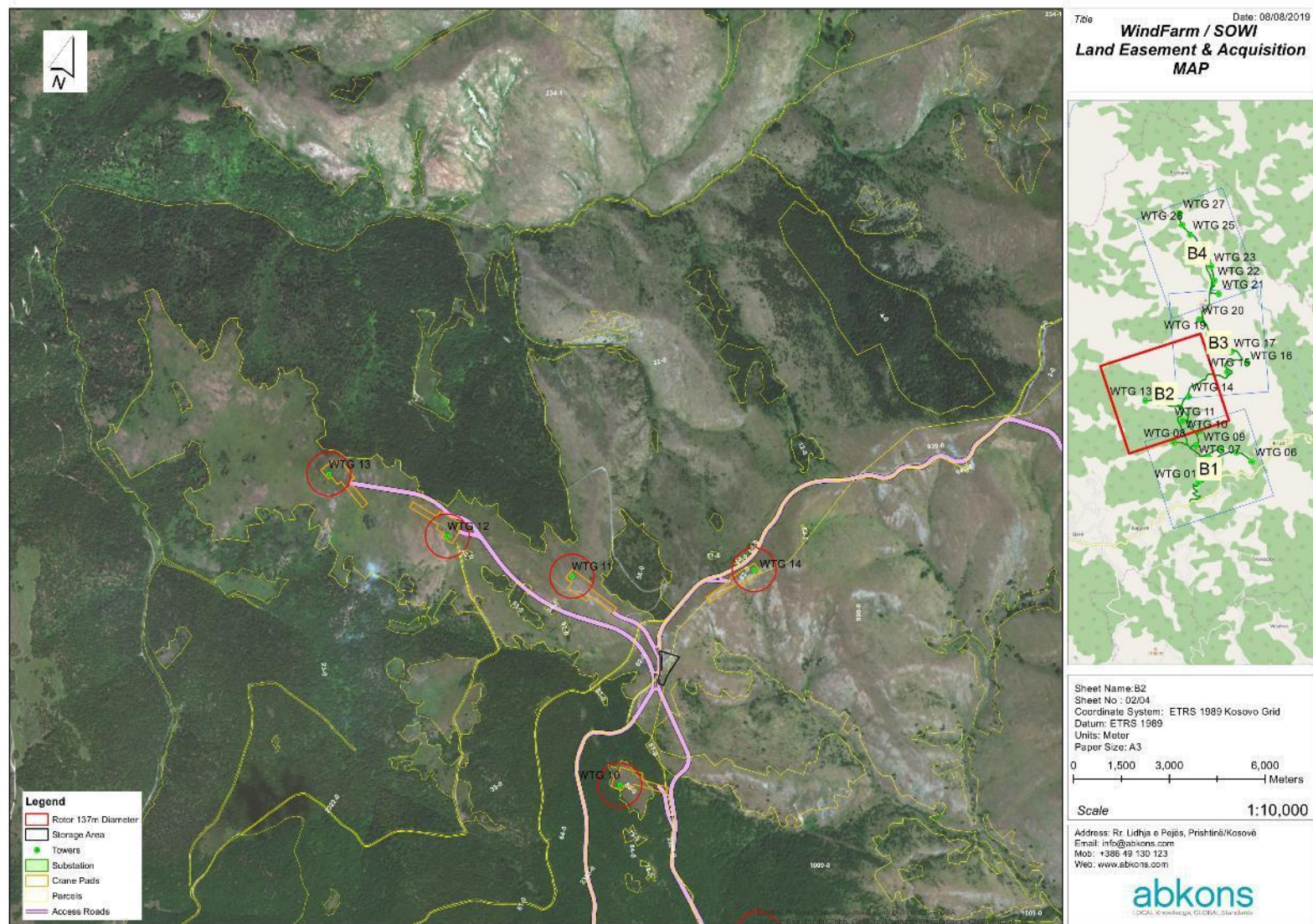


Figure 3: Wind Farm – WTG 10 to WTG 14



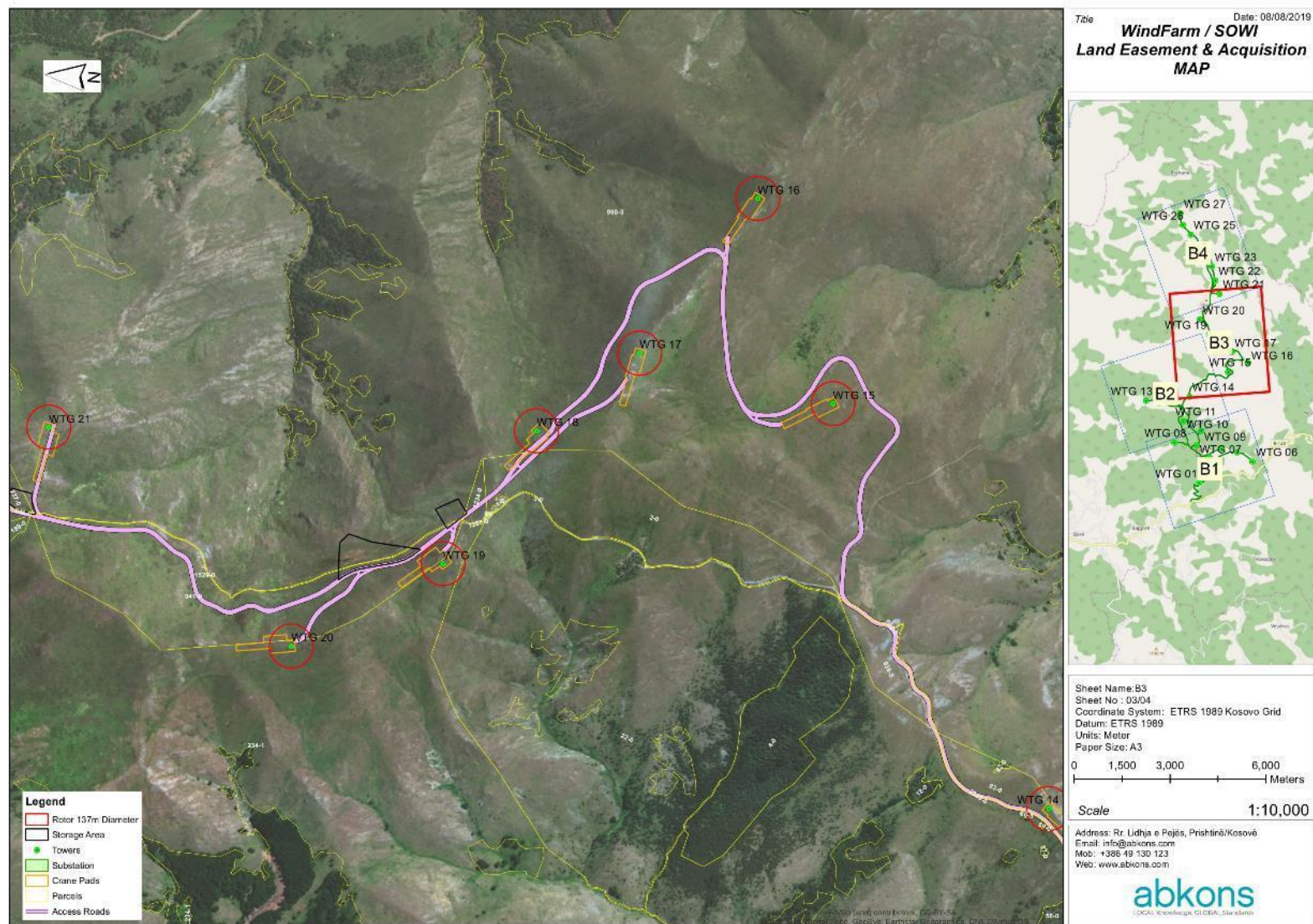


Figure 4: Wind Farm – WTG 1 to WTG 21



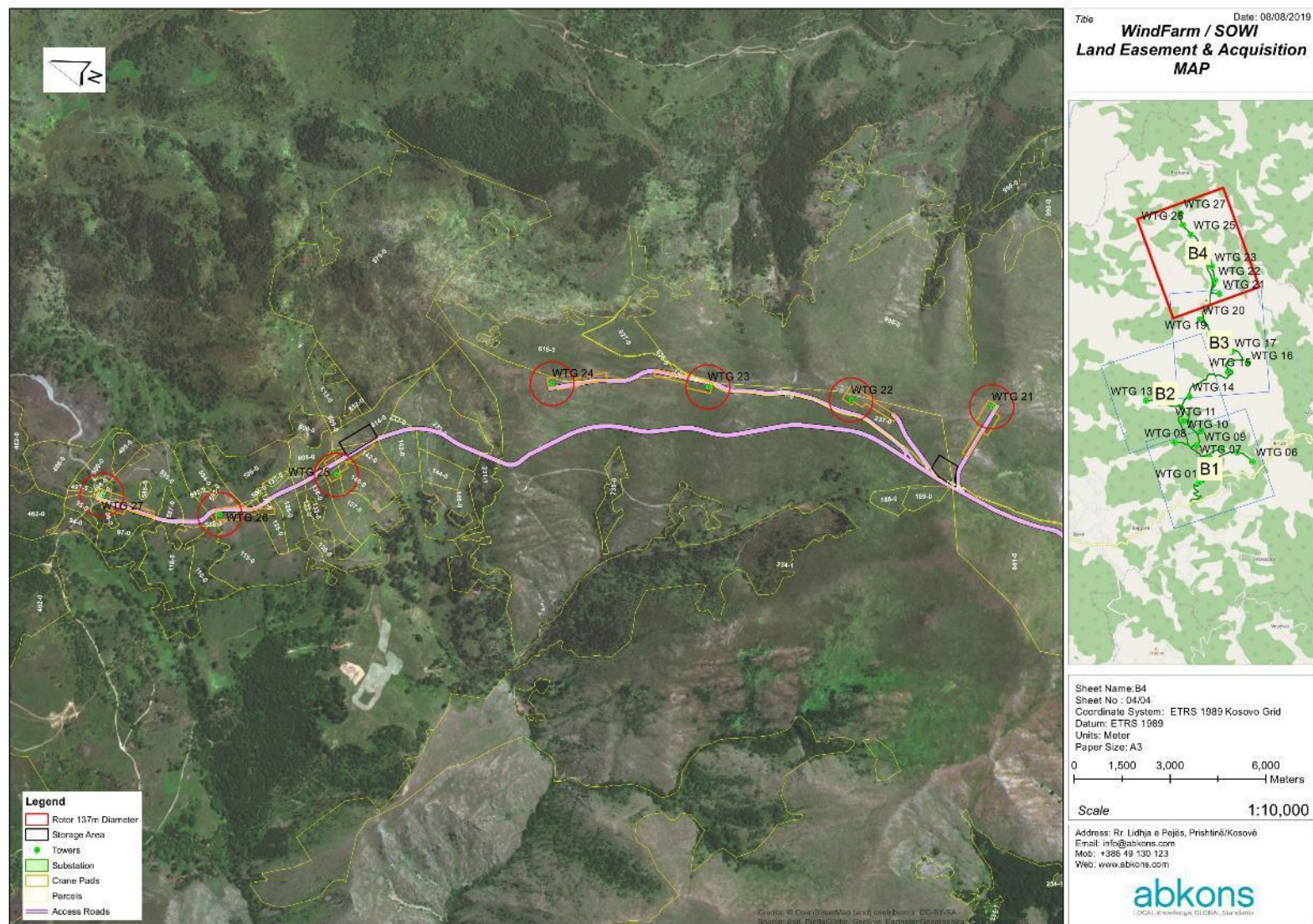


Figure 5: Wind Farm – WTG 21 to WTG 27

## 2.2 Overhead line and its ancillary facilities

### 2.2.1 Route

The grid connection from the wind farm site to the 110 kV KOSTT distribution network is carried out via a 110kV overhead line of ca 19.6 km in length and 15 m of width. The overhead line links the Selac sub-station with the Vushtrri sub-station. Please refer to **Figure 6, Figure 7, Figure 8, Figure 9, Figure 10 and Figure 11** for the anticipated overhead line route.

### 2.2.2 Technical description of the overhead line and its ancillary facilities

The main aspects of the overhead line component are:

- The Selac 33/110 kV sub-station.
- The 110 kV overhead line connecting the Selac sub-station with the Vushtrri sub-station 1.
- The extension and adaptation of the Vushtrri 1 sub-station.

The grid connection point is located in the existing Vushtrri 1 sub-station and the metering point shall be located in the Selac sub-station.<sup>2</sup>

The ancillary facilities, needed during the construction activities, include the following:

- Work areas on the transport route.
- Deposit areas.
- Alternative access road.
- Measurement masts (already in operation).
- Other infrastructure (temporary concrete plant, temporary storage areas, and so forth.)

### 2.2.3 Required land take and associated impacts for the overhead line component and its ancillary facilities

It is foreseen that the pylons overhead line component will require 10,100 m<sup>2</sup> of land. The land acquisition process will be performed by KOSST jointly with the Ministry of Environment and Spatial Planning in line with the Kosovo Expropriation Law, as further described below. PR 5 requirements will apply for this process and SOWI will be responsible that they are met through the implementation of this Framework and the LALRP.

In addition land will have to be acquired for the construction of access roads to the OHL pylons; it is expected that approx. 1,600 m<sup>2</sup> will have to be acquired. The land acquisition process for these areas will be performed by SOWI through voluntary agreements already used for the acquisition of the WF areas and described in section 2.1.3.

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<sup>2</sup> "New Transmission Assets" as defined in the Grid Connection Agreement.



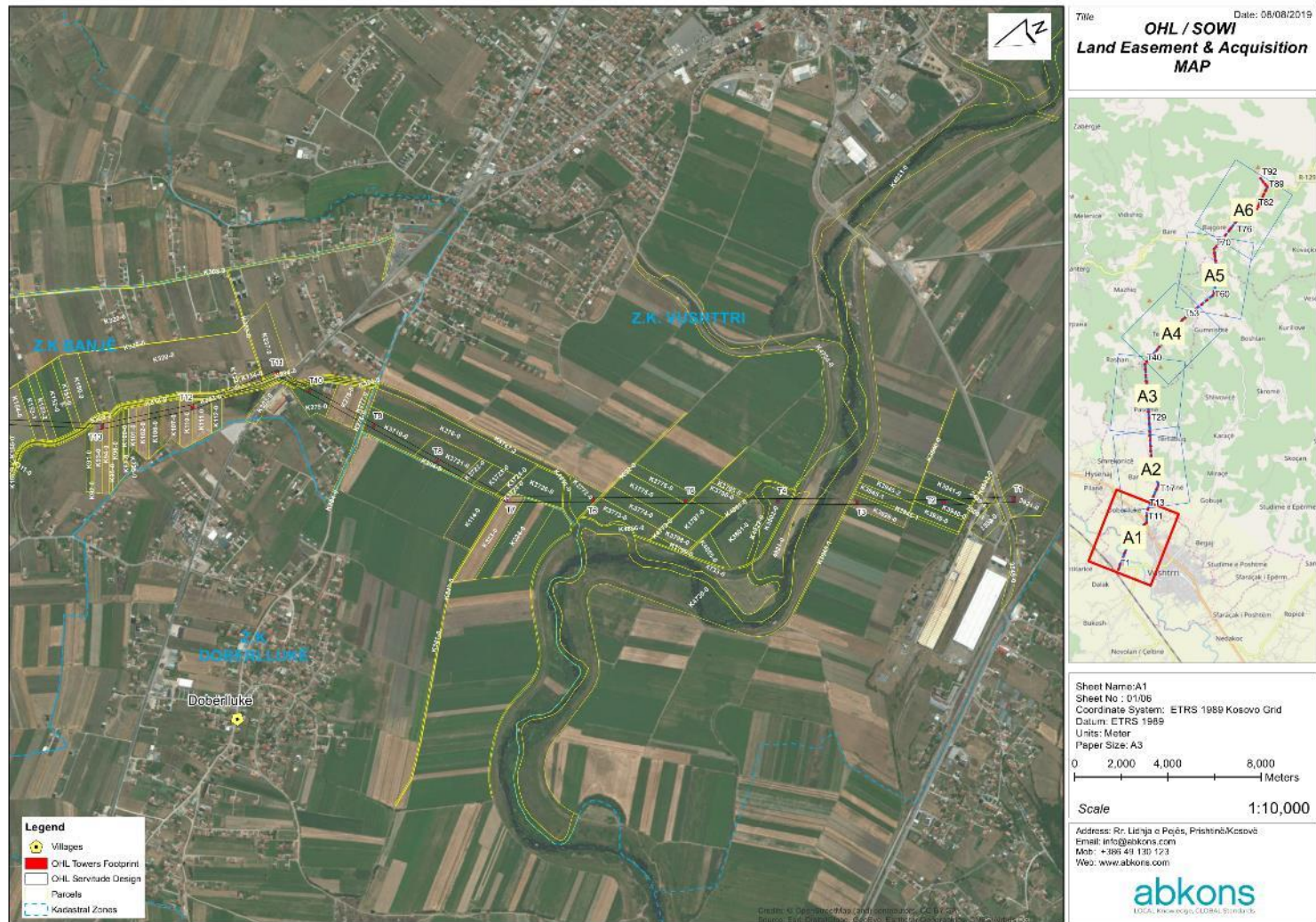


Figure 6: Bajgora wind project overhead line (part 1)



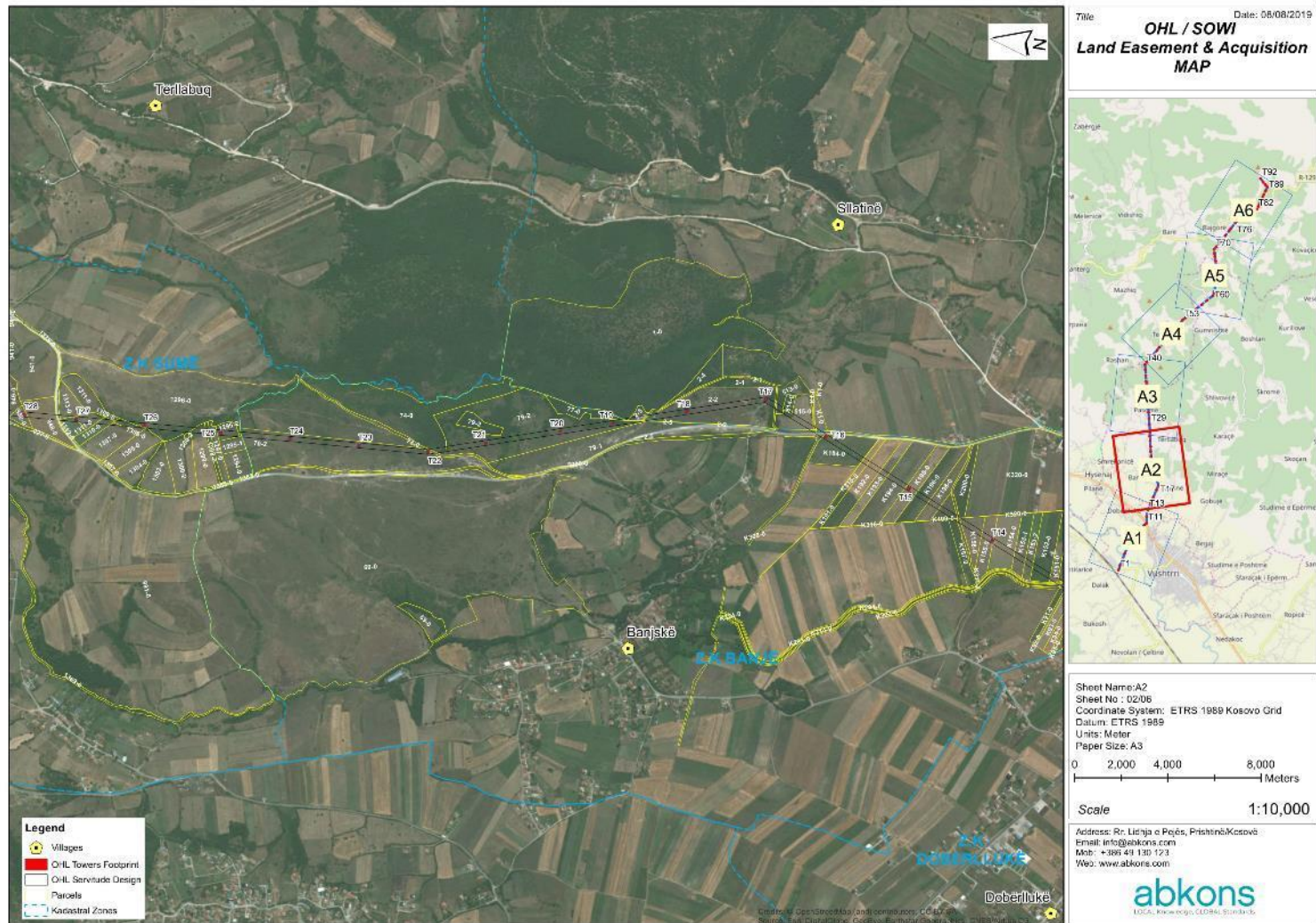


Figure 7: Bajgora wind project overhead line (part 2)

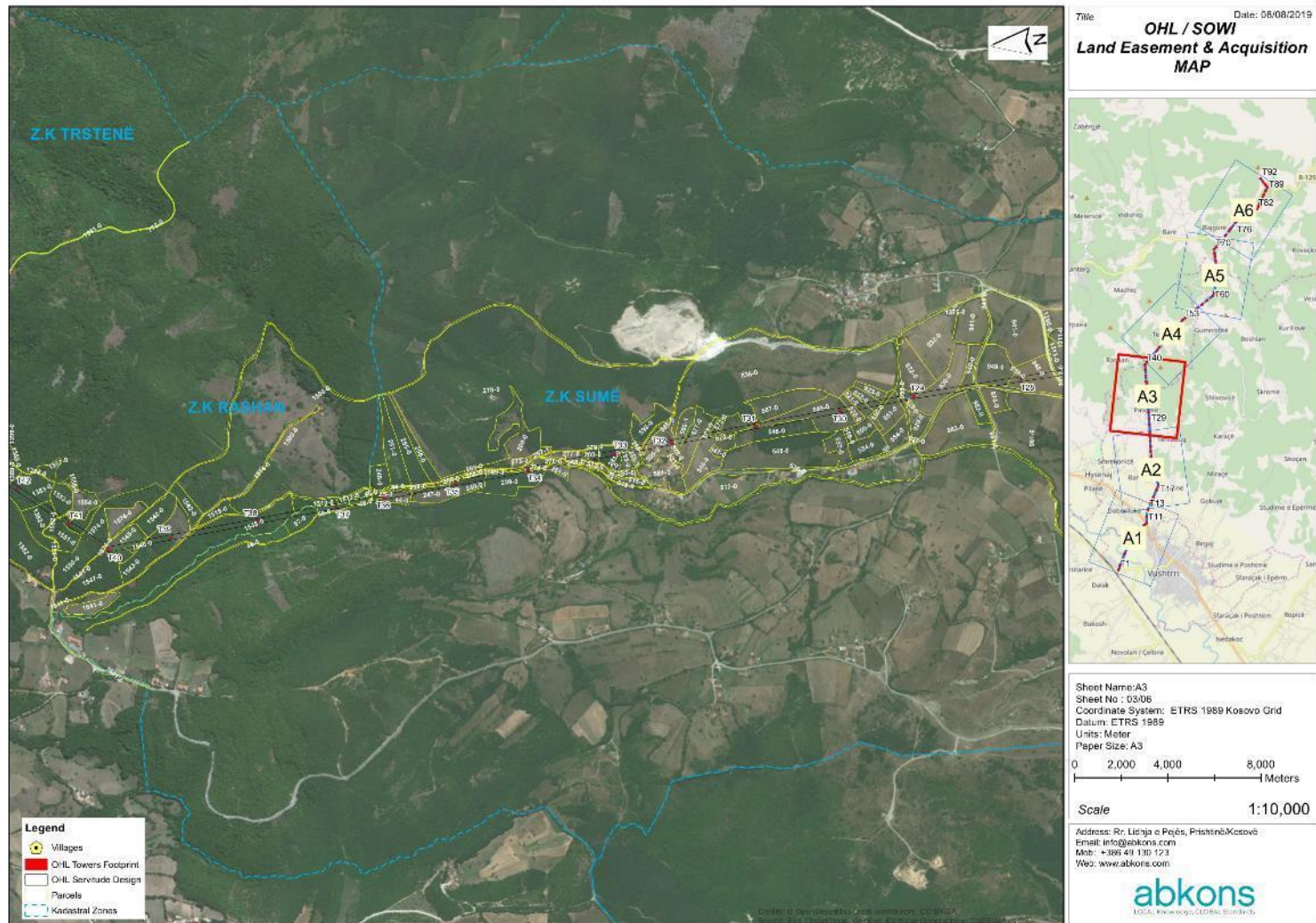


Figure 8: Bajgora wind project overhead line (part 3)



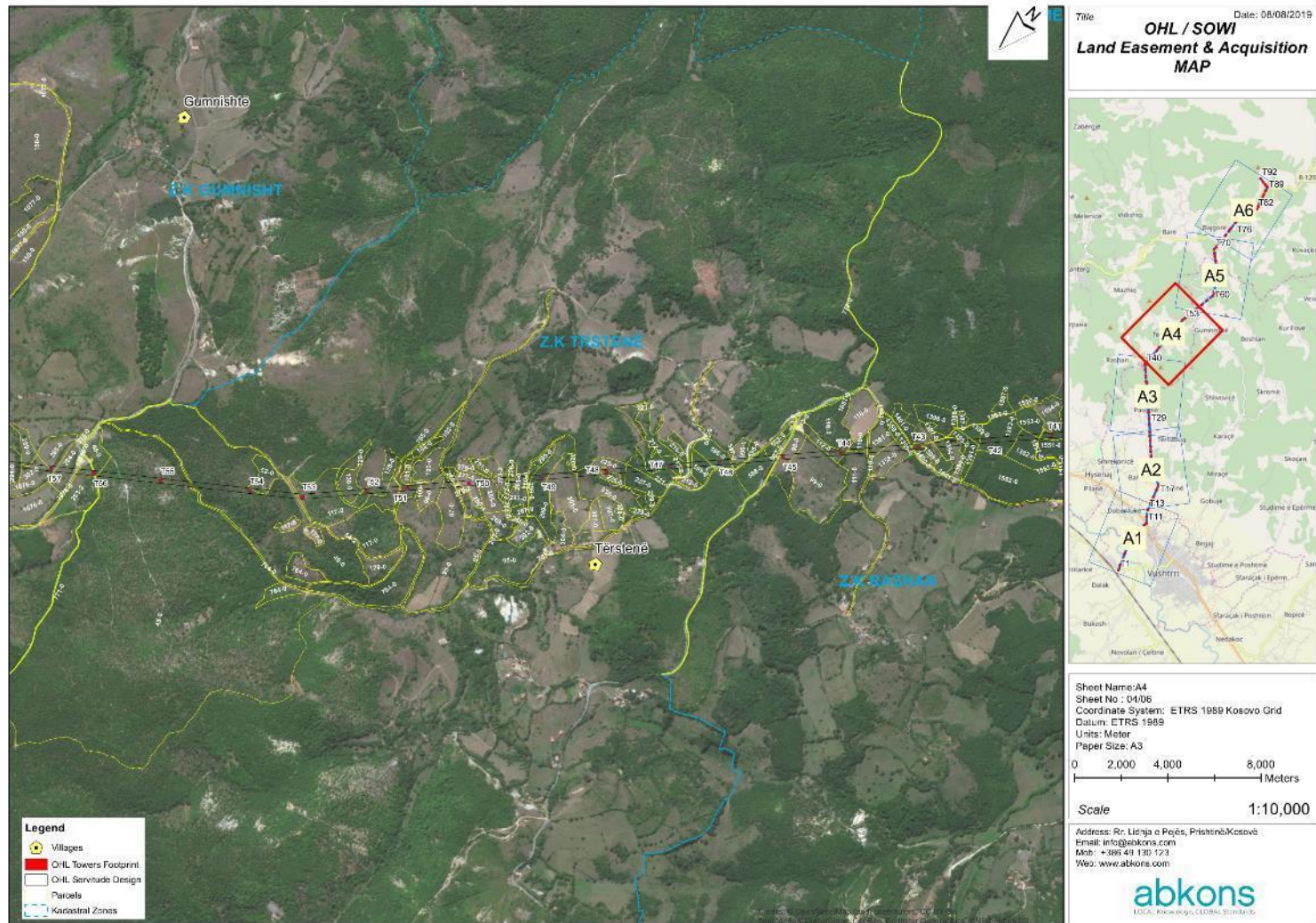


Figure 9: Bajgora wind project overhead line (part 4)



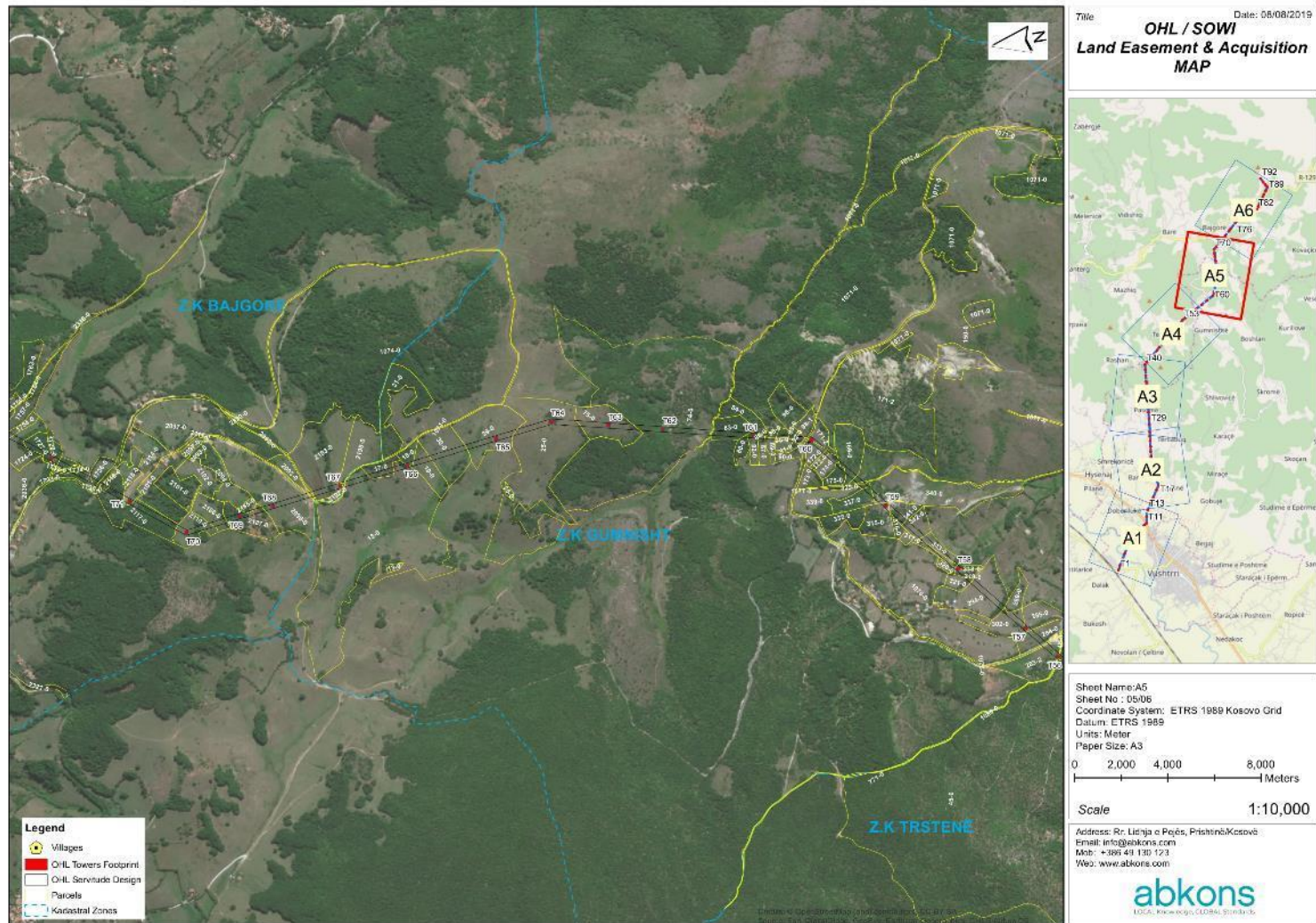


Figure 10: Bajgora wind project overhead line (part 5)





### 3.0 LEGAL AND INSTITUTIONAL FRAMEWORK RELATED TO LAND ACQUISITION

The land acquisition will be in compliance with the Kosovo National Legislation and with EBRD's PR 5 and others as applicable. The LALRF will also consider other international requirements such as those of the Equator Principles Financial Institutions (EPFI) and the IFC.

#### 3.1 Kosovo regulatory framework

##### 3.1.1 The Constitution of Kosovo

The Constitution of the Republic of Kosovo, which entered into force on June 15, 2008, represents the highest state act. The Constitution establishes the basic principles of the functioning of the State of Kosovo and the main principles for the protection of fundamental human rights. All other or regulations should be in accordance with it.

The Constitution of the Republic of Kosovo guarantees property rights as a fundamental right. The right to own and exploit property is an important factor for the economic empowerment of the country and its inhabitants.

Property rights are enshrined in Article 46 of the Constitution. Article 46 stipulates that

- 1) The right to property is guaranteed.
- 2) Use of the property is regulated by law, in accordance with the public interest.
- 3) No one shall be arbitrarily deprived of property.
- 4) The Republic of Kosovo or the public authority of the Republic of Kosovo may expropriate the property if such expropriation is legally authorised, is necessary or appropriate for the achievement of public purpose or public interest support, and is followed by the provision of immediate compensation and adequate for the person or persons whose property is expropriated.
- 5) Disputes arising from the act of the Republic of Kosovo or the public authority of the Republic of Kosovo for which they are alleged to constitute expropriation shall be resolved by the competent court.
- 6) The law protects intellectual property.

As defined by the Constitution, apart from guaranteeing property rights, the Constitution of the Republic has foreseen the taking or limitation of these rights for purposes of general interest through legal proceedings and of these provisions the Constitution gives special importance to two aspects;

The Government of Kosovo has, to a large extent, aligned local, national, and international standards. While the right to property is an inalienable and undeniable right, for purposes of general interest there exist the legal means for limiting property rights and obtaining property for these purposes.

##### 3.1.2 Law 03 / L-205 on completion and amending the Law 03 / L-139 for the restriction of property rights and acquisition of properties for public interest purposes in the Republic of Kosovo.

The legal basis for an involuntary acquisition of immovable property, for purposes of general interest, is the law on expropriation. This law defines the rules and conditions under which the Government of Kosovo, or even the municipality, may expropriation immovable property.

In almost the same terms as the Constitution, the Declaration on Protection of Human and Citizen Rights also states in the Article 17, Right to Property that "The property represents a saint and inviolable right and cannot be denied to anyone except for a legitimate public need and with a fair prior indemnity."

### 3.1.3 Law No. 03/L-139 on Expropriation of Immovable Property

Law No. 03/L-139 on Expropriation of Immovable Property forms the legal basis for an involuntary acquisition of immovable property for purposes of general interest. This law defines the rules and conditions under which the Government of Kosovo, or even the municipality, may expropriate immovable property.

Accordingly, there are two competent authorities to decide on expropriation:

- **Municipality**, for all municipal and local level projects related to the achievement of public goals, in accordance with Article 2.4
- **The Government of Kosovo**, in accordance with Article 3.

According to the expropriation law procedures, the expropriation process goes through the following main stages.

- Preparatory works.
- The start of the expropriation procedure.
- Issuing the preliminary decision.
- The final decision on expropriation.
- Determination of the real compensation value.
- Cut of date.

Please refer to APPENDIX E, where these stages are discussed in more detail/

### 3.1.4 Law No. 04/-L-013 on Cadastre and Cadastre Changes

This law regulates the cadastre of immovable property, state and cadastral surveys, geodetic and cadastral works as well as the acquisition, registration, preservation, maintenance and utilisation of cadastral data. Each commune of the country has a Municipal Cadastral Office. The 10 articles that are of importance to the project are as follows:

- Article 7- General provisions on the cadastre content
- Article 8 - Division of Parcels
- Article 9 - Buildings Division
- Article 10 - Division of Buildings Parts
- Article 11 - Division of Conveyors
- Article 12 - Field Surveys for Cadastre Registration
- Article 13 - General Provisions on Registration in the Cadastre
- Article 14 - Registration of the Parcel
- Article 15 - Registration of Buildings and Parts of the Building
- Article 16 - Registration of Conveyor

Please refer to APPENDIX F for more information on these articles.

### 3.1.5 Civil Code of the Republic of Kosovo (2008)

The civil code establishes the legal rights related to immovable property. These rights include ownership, servitude, usufruct rights, leaving in use, and so forth.

### 3.1.6 Relevant sub-legal acts

#### 3.1.6.1 Administrative Instruction No. 02/2015:

The purpose of this Administrative Instruction is to determine the methods, rules, and criteria to be used for the calculation of compensation for the expropriated immovable property and the expropriation damages. These methods, rules, and criteria focus on the stakeholders, particularly owners that will be affected by the expropriation process.

During the valuation of the immovable property affected by expropriation process, The Immovable Property Valuation Office uses one or more of the valuation methods outlined below in accordance with the criteria set forth in the Administrative Guideline: Table 2 provides a summary of the compensation valuation methods.

**Table 2: Compensation valuation methods as per Administrative Instruction no. 02/2015**

Comparative sales method	Cost method	Income method
<p>Comparative selling method is the primary method for the evaluation of immovable properties, if there is sufficient data within a certain period of the transactions that occurred in a certain region, where the expropriation is foreseen to occur for the public interest, as well as data for the market study.</p> <p>The Office for Valuation of Immovable Property is obliged to obtain the necessary data from the entities listed under Article 16, paragraph 3 of this Administrative Instruction. Where transaction indicators are missing, or there is reliable data that these indicators are abusive and non-realistic in the region where the expropriation is foreseen, information is required from immovable property agencies, lawyers, notary offices, surveys or interviews with citizens and construction companies.</p> <p>During the process of valuation of the immovable property, only</p>	<p>For buildings, parts of buildings or accessory parts for which the market information or transaction indicators are limited or not existent. The valuation is done through the use of a costing method, using as a basis the price or the substitution cost, taking it from three construction companies which will provide for the cost of the value of buildings or accessory parts.</p> <p>The substitution cost may be expressed as a value for the entire premises or per square metre. Depreciation which includes physical deteriorations, functional and economic ageing of objects is deducted from the substitution cost of the building.</p> <p>The remaining durability of the objects is considered in the determination of depreciation of building, parts of buildings or accessory parts. In order to determine the overall property value, costs of buildings or</p>	<p>The valuation method based on the income is used for the property which has typically been leased or it means regular property income (the profit /income it can generate).</p> <p>The income method is used for the compensation of increased or decreased costs of income from one property unit due to expropriation. Income based valuation capitalises income which is received by the owner in order to achieve the market value.</p> <p>Capitalisation is achieved by dividing property income with the appropriate market rate or by multiplying income with a permanent capitalisation factor.</p> <p>The net capitalisation or gross capitalisation may be used. If the relevant costs for the achievement of the net income cannot be determined, then the gross income is used for the determination of compensation.</p>



Comparative sales method	Cost method	Income method
transactions or indicators or other realistic data are taken into account, which has occurred during the three-year period, which precedes the date of the approval of decision for authorisation of the discharge of preparatory works or the date of submission of initial expropriation request.	accessory parts, the value of land is added, if such a value exists.	The necessary information relating to rents, maintenance, operational costs and other necessary data are obtained from the Office of Valuation of Immovable Property, from entities listed under Article 16, paragraph 2 and 3 of the Administrative Instruction: Municipal Cadastral Offices; Courts; Kosovo Property Agency; Kosovo Cadastre Agency; Property Tax Department in the Ministry of Finance; Ministries; Every state institution or other public authority which have the property under administration as an object of reconsideration may provide information.

### **3.1.6.2 Administrative Instruction Ministry of Environment and Spatial Planning (MESp) no. 18/2015:**

This Administrative Instruction aims to regulate the procedure for the registration of expropriated property and the registration of the expropriation of immovable property in the Kosovo Land Cadastre Information System (KLCIS) according to the final decision based on the technical study of expropriated immovable property, where expropriating bodies are Public Institutions, in accordance with Article 12 of Law no. 03 / L-139 on the Expropriation of Immovable Property. The expropriation authority is obliged to apply for the registration of the expropriated properties, on behalf of the expropriator with completed documentation.

The competent institution for the registration of property rights in the Republic of Kosovo is the Municipal Cadastral Office where the immovable property is located, This Cadastral Office is obliged to register the property rights of the immovable based on the final decision and the entire technical study accepted by the expropriator. Municipal Cadastral Offices also record all rights of use or management of immovable properties that are leased or leasehold for 99 years. The transfer of immovable property rights shall take place after a final decision of the expropriated property and will be registered in the name of the expropriation body.

The Municipal Cadastral Offices are responsible for the review of the submitted documents for registration of the expropriated properties. The documentation required for the registration of the expropriated properties as follows:

- The final decision of expropriation.
- Study of expropriation.
- The register for the creation of the properties which all parcels presented and included in the expropriation. The register must contain the situation before expropriation and the state after the expropriation.

- The map of properties involved in the expropriation process in accordance with the register for the creation of the properties.
- All textual data to be submitted in a csv or excel format, whereas graphical data submitted with the study of the expropriation must be in digital form as well in the coordinate system Kosovaref01.
- A list of coordinates of the boundary points for the expropriated units in the coordinate system Kosovaref01. (in the case that data is in the old Gauss Krueger system, the data should be transformed into the Kosovaref01 coordinate system).

Parties dissatisfied with the registration of the expropriated immovable properties and registered in the Municipal Cadastral Offices has the right to file a complaint to the Kosovo Cadastral Agency, within 30 days of the implementation of the final decision.

## 3.2 Kosovo national institutional framework

This section gives a summary of the institutional parties that have a role in the land acquisition process. According to the Kosovo Expropriation Law, the responsible institution is the administrative body. Based on this law, administrative decision-making on this issue is taken at two levels, Municipal and Central. The municipal level is competent for the implementation of expropriation procedures for issues related to municipal projects, while the aspects relating to the energy sector, as in the case of the project, is within the mandate of the Kosovo Government through the Ministry of Environment and Spatial Planning (MESP), which acts as the expropriation authority on behalf of the Government.

### 3.2.1 The Ministry of Environment and Spatial Planning

The role of the MESP is regulated by the UNMIK Regulations no. 2002/5 and 2005/15. The regulations, and responsibilities relate to the establishment and implementation of legislation on general management in the field of environment, water, spatial planning and housing construction.

The MESP has a key role in resettlement activities for energy projects. Through the Department of Expropriation, MESP is responsible for performing expropriation activities.

The Department of Expropriation also has the mandate to communicate with affected stakeholders and affected municipalities to ensure that the process is carried out properly.

### 3.2.2 The Ministry of Finance

The Ministry of Finance of the Republic of Kosovo is the Ministry that deals with the financial aspects at the national level, including the management of the expenditures of the state budget and reserves for the functioning of the state institutions and the financing of government projects. Among the most important departments of this Ministry engaged in the implementation of the Law on Expropriation and Compensation of Property is the Office for the Evaluation of Immovable Property which functions within the Department of Taxation.

The Real Estate Evaluation Commission within the Ministry of Finance is the only competent public authority for the assessment of any immovable property subject to expropriation by any expropriating body (municipality or government). This assessment office values assets as per Administrative Instruction No. 02/2015 for: "Approval of Methods and Technical Evaluation Criteria for Estimating Amount of Compensation for Expropriated Immovable Property and Expropriating Damage", approved by the Ministry of Finance in 2015.

According to this Administrative Instruction, compensation is based on the value of the property market, including accessory parts and its fruits, plus any apparent direct damage caused by the expropriation.

### 3.2.3 Local government units

The Municipalities of Vushtrri and Mitrovica have a mandate to ensure good communication with affected communities. The aim is to provide information to the public regarding the project activities; compensation packages or similar issues. The municipalities have the mandate to monitor and enforce the restrictions arising from other laws and regulations regulating the area of special economic interest.

### 3.2.4 National and Local Cadastral Agency

The Cadastral Central Agency (KCA), under the responsibility of MESP, is the highest authority of the cadastre, geodesy, and cartography aspects in Kosovo. KCA is responsible for the overall administration of the computerised immovable property rights register in Kosovo. The KCA is the central authority responsible for the for the maintenance of the cadastral database, property registers, cartography, and GIS. It is also the central authority for geospatial data infrastructure.

### 3.2.5 Transmission System and Market Operator J.SC (KOSTT)

KOSTT is a public company with 100% state shares and is the leader of Transmission System and Market Operator of Kosovo Electricity. According to the law on Electricity No. 05/L-085 adopted in 2016, shareholder rights are exercised through the Parliament of the Republic of Kosovo. KOSTT operates on the basis of two licences issued by the Energy Regulatory Office; the Transmission System Operator licence and the Electricity Market Operator licence. Main activities performed by KOSTT are:

- Planning, operation, maintenance, and development of the Electricity Transmission System.
- Efficient, economic, and coordinated transmission system operation including cross-border flows.
- Balancing the system.
- Ensuring non-discriminatory access for users of the transmission system.
- Promoting effective competition for the production and supply of electricity.
- The request body for the expropriation of the properties due to the construction of new power lines.
- The owner of the power lines.

As previously mentioned, within the context of this project, KOSTT is the beneficiary of the expropriation process performed by the MESP for the OHL component of the Project.

## 3.3 National Legal Framework for Land Acquisition and Expropriation

SOWI prepared a Study on Land Compensation Values in compliance with EBRD PR 5 to determine appropriate compensation values for land and crops. In the case of the WF, no expropriation took place, as it was based on a voluntary willing-buyer/willing-seller approach, undertaken by SOWI. Although the process to acquire the ancillary facilities is still ongoing, it will also be a voluntary willing-buyer/willing-seller process.

The overhead line land valuation process has not been completed. The land required for the overhead line will be expropriated.

## 3.4 Land valuation

This section provides a brief summary of the process followed in the valuation of land, on the basis on which the compensation values for land, crops, pasture, forest and related aspect were calculated for the purposes of the WF. A similar process will be followed for the OHL land valuation process.

Please refer to APPENDIX G for details on the land valuation aspects, approaches and considerations.

### 3.4.1 Choice of valuation method

There are three methods of land valuation, namely comparative selling, cost and income methods.<sup>3</sup> The cost method was used for the valuation of assets and other infrastructure. The income method was used for the valuation of the agricultural (including pasture and forest) land. The income based valuation “capitalises” income which is received by the owner in order to determine the market value.

The comparative selling method bases the valuation of land on the market value of the property, where sufficient market information is available over a period of at least 5 years along the affected corridor. Although this is typically the prime method to determine land value, it was not used for the purposes of the WF as the available data was insufficient.

### 3.4.2 Land valuation steps

The following steps were taken in the land evaluation process:

- The land evaluation process was initiated with the collection of cadastre data from the Kosovo Cadastre Agency to assist with the calculation of compensation for affected parcels.
- After this, an inventory assessment was undertaken to source information on the agricultural crops, soil and climatic conditions as well as information on the main planted crops, state of land, topography, soil type and fertility, soil category, and so forth. This information was used to assist with the land valuation process.
- The net crop value was calculated based on cost of production, average sale prices and yields. A structured approach was followed in this determination, considering official agricultural economic and production statistics, averaged yield information provided by the respective communities, linked to soil quality. In addition, the average maximum yield in three out of ten years were considered the potential production value of specific types of arable land. The derived potential yield of crops was then correlated with the University of Pristina, based on their long-term experimental observations in similar conditions.
- A field survey was conducted. The purpose was to source information on the vegetation, crops structure, agricultural technology used species and category of perennial crops, soil properties, presence of rocks, soil depth, soil erosion, slope, drainage and irrigation, level of intensification, agricultural infrastructure (irrigation, mechanisation.).

The above information was used to calculate of land, forest and pasture values as required by the Administrative Instruction MOF - no. 02/2015. Over and above the land evaluation process, the information sourced here will also contribute to the development of the livelihood restoration plan.

### 3.4.3 Aspects considered in the land valuation process

The land valuation process considered numerous aspects and variables. In this regard:

- It was considered if the land was private or municipal/public land and if the land was required permanently, on a rental basis or by an easement. Each of these factors influenced the valuation process.
- Land was categorised according to a variety of aspects (soil quality, topography, irrigation and so forth) This information was used to determine the suitability of agricultural lands (SAL), soil capability and categorise the agricultural land in terms of land where there are no or only slight limitations that restrict their use and land which have very severe agricultural limitations.

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<sup>3</sup> Article 4 of the Administrative Instruction MOF - no. 02/2015



- The land valuation process considered if land was required permanently, in the form of an easement or as orphan land.<sup>4</sup> The permanent acquisition of land granted SOWI a full right to construct and operate the anticipated facilities. In the case of an easement, SOWI will not own the land contained within the easement but will acquire rights for its use by agreement with the original landowners. In the case of orphan land, the same valuation principles applied to the orphan land as to the main affected part of the land. For example, the valuation and rights of the orphaned land will be the same as the permanently acquired land, if part of the land is orphaned permanently. The same principle holds for temporarily occupied land if the part of the land is orphaned temporarily.
- The use of the specified land was also considered as part of the land valuation process. Two broad categories of land use was considered, namely agricultural use and land for forest and pasture purposes.
  - In the case of agricultural use the valuation considered the land value as well as the replacement value of the crop. The valuation of the crop was based on the full replacement value of the annual and perennial crops. In the case of an easement on land, the value of that land can be considered diminished by up to 30% of the land value.<sup>5</sup>
  - The direct value of forests are closely related to forest category and age class, the volume and value of the wood., access to infrastructure and transport as well as the level of investment in the forest. According to the Law No 8991 (23.01.2003), Article 63<sup>6</sup>, SOWI must pay for any damages caused in forest areas by investing in forestation in other bare areas by planting three times more trees than what is felled. Typically, the value of forest land amounts to 50% of the potential agricultural land value of a similar area. The value of pasture or meadows land is typically equivalent to the price of high quality agriculture land.

### 3.5 European Bank for Reconstruction and Development Performance Requirements

Projects financed by the EBRD must be designed, constructed and operated in compliance with good international practices relating to sustainable development. The EBRD developed an Environment and Social Policy in 2014<sup>7</sup>. The policy details the Bank's commitment to promoting "environmentally sound and sustainable development" in all its activities. Within In this policy the EBRD developed ten PRs that covers the key areas of environmental and social aspects (EBRD, 2014a).

The EBRD PRs are as follows:

- PR 1: Assessment of Environmental and Social Impact Assessment.
- PR 2: Labour and Working Conditions.
- PR 3: Resource Efficiency and Pollution Prevention and Control.
- PR 4: Health and Safety.
- PR 5: Land Acquisition, Involuntary Resettlement and Economic Displacement.
- PR 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources.
- PR 7: Indigenous Peoples (not applicable to the \_Project).

<sup>4</sup> Separated sections of the land might be too small to make cultivation economically worthwhile.

<sup>5</sup> "On the approval of technical valuation methods and criteria for calculation of the compensation amount for the immovable property expropriated, and damages relating to expropriation".

<sup>6</sup> "For Territory Planning-amended".

<sup>7</sup> Being updated in 2019.

- PR 8: Cultural Heritage.
- PR 9: Financial Intermediaries (not applicable to the \_Project).
- PR 10: Information Disclosure and Stakeholder Engagement.

As the Bajgora Wind Project is funded by the EBRD, it must comply with PRs in respect of this LALRF. Please refer to APPENDIX H for more information on the EBRD sustainability focus and the scope of PR 5 and PR 10, respectively.

## 3.6 Standards of other international finance institutions

Large infrastructure and industrial projects are often funded by International Finance Institutions (IFIs). International lenders work in partnership with their clients to identify, assess and manage environmental and social risks and impacts in a structured way, on an ongoing basis. Such collaboration promotes sustainable environmental and social performance and can lead to improved financial, environmental, and social outcomes. A brief description of the IFC and Equator Principles, as IFIs, are provided in this section.

### 3.6.1 International Finance Corporation

Like the EBRD, the IFC is committed to sustainable development. The IFC, a member of the World Bank Group and a sister organisation to the World Bank, developed a Sustainability Framework that promotes sound environmental and social practices, encourages transparency and accountability, and contributes to positive development impacts.

The IFC Sustainability Framework made provision for Performance Standards on Environmental and Social Sustainability, which was approved on January 1, 2012. (International Finance Corporation, 2012c) These performance standards (PS) are listed below:

- PS 1: Assessment and Management of Environmental and Social Risks and Impacts.
- PS 2: Labour and Working Conditions.
- PS 3: Resource Efficiency and Pollution Prevention.
- PS 4: Community Health, Safety and Security.
- PS 5: Land Acquisition and Involuntary Resettlement.
- PS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources.
- PS 7: Indigenous Peoples.
- PS 8: Cultural Heritage.

As with PR 5 and PR 10 of the EBRD, the IFC's PS 1 and PS 5 also have application to this LALRF.

### 3.6.2 Equator Principles

The EPFIs have adopted the Equator Principles in order to ensure that the projects they finance and advise on are developed in a manner that is socially responsible and reflects sound environmental management practices. The Equator Principles serves as a common baseline and framework in implementing the Equator Principles in their internal environmental and social policies, procedures, and standards for financing projects.

The Equator Principles categorise projects into categories A<sup>8</sup>, B<sup>9</sup> and C<sup>10</sup>. Depending on the project category. Various environmental and social aspects are required, including the need for environmental and social

<sup>8</sup> Projects with potential significant adverse environmental and social risks and impacts that are diverse, irreversible, or unprecedented.

management systems (ESMS) and plans, informed stakeholder consultation and participation, grievance mechanisms, independent environmental and social review and public reporting and transparency (Equator Principles, 2013).

### 3.7 Gap analysis

The expropriation law, apart from the advantages it has for achieving the purpose of obtaining possession /ownership of immovable property for public interest purposes, also has several weaknesses, which the requesting authority should bear in mind:

- The deadlines for reaching the goal are strict and affect the delay in achieving the goal due to possible complaints of the parties in the process.
- Procedures under expropriation law are not in full compliance with international standards for the acquisition of immovable property by IFC, EBRD and World Bank.
- The procedures under expropriation law consider only the aspect of economic compensation for the parties and do not consider other aspects of impact and limitation.
- The procedures under this law do not consider the maintenance of the living and economic standard of the parties to the proceedings and do not deal with the restoration.
- Compensation realised according to the expropriation procedures regarding the compensation of the real value of the expropriated property is not the only compensation that can be paid because the party retains the right to comment through the court also for any damages caused as a result of the property restrictions and damages caused by the devaluation of the remaining property.
- The procedures under the expropriation law do not have any internal grievance mechanism that would be available to the affected parties.

According to the international standards, project proponents must offer displaced persons and communities' compensation for loss of assets at full replacement cost and other assistance to help them improve or at least restore their standards of living or livelihoods. This represents a gap between the national legislation and the required international standards. The national legislation in force includes the requirement to compensate immovable properties at market value and does not consider other economic and social issues. According to the legislation in force, affected parties in the process, do not appear as active parties in the procedure, while according to international standards the affected parties play important roles in all phases of the procedure until the final agreements are reached and resettlement has taken place in the new location.

Procedures under the applicable laws do not deal with risk assessment and do not address the maintenance of life and its restoration after the expropriation procedures are completed, while this aspect is one of the key aspects required by international standards.

For this reason, in Kosovo and other countries, the procedures of the expropriation law are applied mainly in cases where the requesting body is a governmental body of the Republic of Kosovo, whether central or local, an expropriation body or a contractor thereof, and applies in particular to infrastructure projects related to road construction and other projects that partially or completely affect the immovable property of the parties to the proceedings.

A gap analysis was done of the Kosovo legal, sub-law and regulatory process in comparison to the EBRD requirements. A number of gaps were identified. Please see Table 3 for the results of this analysis.

<sup>9</sup> Projects with a few limited adverse environmental and social risks and impacts, generally site-specific, largely reversible, and readily addressed through mitigation measures.

<sup>10</sup> Projects with minimal or no adverse environmental and social risks and impacts.

**Table 3: Gap analysis**

Issue	Provisions of Kosovo Law on Expropriation of Immovable Property	EBRD requirement	Measure undertaken to bridge gap
Avoiding or minimising displacement.	No provisions for avoiding or minimising displacement.	Consideration of feasible alternative project designs to avoid or at least minimise physical and/or economic displacement, while balancing environmental, social, and financial costs and benefits.	The project will enable the consideration of micro realignments in order to avoid land acquisition where possible, in line with the Key Land Acquisition / Compensation Principles set out in this LALRF.
Resettlement planning and implementation.	Requires only an expropriation study as the baseline census, no explicit requirement related to socio-economic surveys or the development of resettlement plans.	A census and a socio-economic baseline assessment must be carried out to identify the persons who will be displaced and determine who will be eligible for compensation and assistance, and a resettlement action plan must be prepared and implemented.	A socio-economic survey and has been performed. A census and asset inventory will be performed as described in Section 4.2.2.1 of the LALRF. The outcomes of these activities will be provided in the LALRP.
Negotiated settlements.	Does not require or encourage negotiated settlements.	Encourage negotiated settlements to help avoid expropriation and eliminate the need to use governmental authority to remove people forcibly.	Land acquisition will be performed through expropriation by a Public entity in line with Kosovo law, hence negotiation cannot be performed by SOWI in advance to avoid expropriation.
Eligibility and formality.	Expropriation is undertaken only for immovable property and building structures on private immovable property. The process is applicable only for structures that are legalised or may be legalised under applicable laws in Kosovo on the date of issuance of the final	The lack of documentation of ownership does not disqualify from the eligibility for assistance any contender or pretender holders of property, regardless of their formal status.	Immovable property will be compensated by SOWI regardless of formality status. However, there are no buildings present on the project footprint.

Issue	Provisions of Kosovo Law on Expropriation of Immovable Property	EBRD requirement	Measure undertaken to bridge gap
	decision on expropriation.		
Informal land users and entitlements.	Informal land users are not recognised. No provisions for entitlement to this category of persons.	The compensation to be provided for improvements to the land and loss of assets other than land and resettlement assistance provided to informal land users at full replacement cost.	Informal land users affected by the loss of assets and of crops, forest, pasture will receive compensation in line with indications of entitlement matrix presented in Chapter 6.0 of the LALRF. Informal land users will be identified through the Census and Asset Inventory.
Provision of compensation at replacement value.	Compensation is paid on the basis of the market value of the property.	The compensation to be provided at full replacement cost, usually calculated as the market value of the assets plus the transaction. Costs related to restoring such assets (registration and transfer taxes).	People affected by permanent loss of land plots will receive compensation at full replacement value, in line with indications of entitlement matrix presented in Chapter 11.0 of the LALRF.
Livelihood restoration.	<p>No specific guidelines in cases where livelihood restoration is needed.</p> <p>No provisions regarding the consultation regarding the restoration of livelihoods or monitoring.</p> <p>Sub-law, Administrative Instruction MOF-No 02/2015 [1] covers the loss of income and increased costs for the expropriated property and considers them as damage (article 14).</p> <p>Loss of income until restoration of the business at some other location is compensated based on the 6 months revenue and is paid during 6 months</p>	<p>Livelihood restoration measures should be implemented to ensure that affected people restore or, if possible, improve their pre-project standards of living, livelihood and employment activities.</p> <p>The measures can be based on land, resources, wages and/or business activities. Compensation will be provided before displacement or imposition of access restrictions.</p> <p>Consultation with affected people is essential to understanding their views on how their livelihoods could be restored.</p>	Livelihood restoration measures, compensation and monitoring practices will be implemented by SOWI and are provided for in Chapter 8.0 of the LALRF.

Issue	Provisions of Kosovo Law on Expropriation of Immovable Property	EBRD requirement	Measure undertaken to bridge gap
	period. Wages to the affected workers are paid during 6 months period.		
Cut-off date.	Sets out provisions on cut-off date, but does not require such date to be well-documented and disseminated throughout the project area.	Individuals who move into the project affected area after the cut-off date will not be eligible for compensation and other types of assistance.  Information regarding the cut-off date will be well-documented and disseminated throughout the project area.	The cut-off-date of the Census and Asset Inventory will be disclosed and disseminated publicly by SOWI in the media and public meetings in the concerned affected communities, in line with the Key Land Acquisition / Compensation Principles set out in this LALRF.
Vulnerable individuals and groups.	No special measures relating to vulnerable groups.	Particular attention to be paid to vulnerable groups.	Vulnerable persons will be identified during the survey and the Census and Asset Inventory. Appropriate measures, in case the presence of VGs is confirmed, have been incorporated in the present LALRF in Section 7.0 and will be implemented by SOWI.
Grievance mechanism.	Owners or interest holders are entitled to file complaints in various stages of the process and submit written comments to the expropriating authority during the consultation process, but no requirement for project-specific grievance mechanism.	A project-specific grievance mechanism must be established as early as possible in the process, to receive and address in a timely fashion specific concerns about compensation and relocation that are raised by displaced persons and/or members of host communities.	A grievance mechanism has been set up and is described in Chapter 12.0 of the LALRF, it will be implemented by the SOWI.
Consultations and information provision.	The Expropriation Authority conducts the following information disclosure: notifies the property holder of the submitted application for	Information contained in the LALRF (and other disclosure documents such as the SEP) should be publicly disclosed to ensure that affected	The LALRF will be publicly disclosed in October 2019, as further described in the SEP. During the disclosure period, specific engagement activities will be performed by SOWI to

Issue	Provisions of Kosovo Law on Expropriation of Immovable Property	EBRD requirement	Measure undertaken to bridge gap
	<p>expropriation, publishes the Decision on approving the Application, holds a public hearing in the Municipality where the properties are located, notifies the affected owners/ interest holders of their right to file a complaint with the competent court on challenging the Decision, publishes the Final Decision on accepting or rejecting the application.</p> <p>There are no provisions for owners who are absent from the property during the expropriation process, i.e. there are no measures for ensuring the rights of such owners to be timely and properly informed of any administrative action taken against their property and to effective legal remedies.</p> <p>There are no provisions on information disclosure or consultations with other stakeholders, not identified in the Application for Expropriation (e.g. informal users).</p>	<p>people understand the compensation procedures and know what to expect at various stages of the project. Consultations with all PAPs will continue throughout the project life cycle in line with the LALRP, i.e. they will be undertaken during implementation of compensation and monitoring and evaluation of compensation payment.</p>	<p>inform stakeholder about outcomes of the ESIA and about LALR process that will be followed.</p> <p>With regard to any absent property owners, SOWI has committed itself to use reasonable efforts to identify and locate any absent property owners to ensure adequate and timely information provision and consultations in line with the LALRF.</p>
Monitoring of resettlement implementation.	No provisions made.	Arrangements for resettlement monitoring must be defined by the resettlement plan.	Monitoring will be carried out by SOWI as defined in the LALRF at Chapter 11.0

## 4.0 STATUS OF LAND TAKE/ ACQUISITION PROCESS

Permanently acquired land includes land required for installations of 27 (twenty-seven) Wind Turbines, 72 (seventy-two) OHL pylons, 1 (one) Selac Sub-station, as main facilities, but also requirements for all permanent access roads and deposit areas<sup>11</sup>. The following table presents key numeral indicators describing the quantitative permanent land impact.

**Table 4: Permanent land requirement**

Facility	Land Requirement	Surface (m <sup>2</sup> )
Rotor 137 m – diameter <sup>12</sup>	Acquisition	398,003
Rotor 19.8 m – diameter	Acquisition	8,313
Access roads	Acquisition	113,692
Access roads (alternative)	Acquisition	15,713
Existing roads rehabilitation/expansion	Acquisition	To be defined
Overhead line pylon footprints	Acquisition	8,539
Overhead line Selac sub-station	Acquisition	1,400
Overhead line access roads <sup>13</sup>	Acquisition	To be defined

Servitude, or long-term restriction, of land is specifically for power line facility, including overhead and internal cabling. The following table presents key numeral indicators describing the quantitative servitude land impact.

**Table 5: Servitude Land Requirement**

Facility	Land requirement	Surface (m <sup>2</sup> )
Overhead line servitude corridor	Servitude	278,814
Wind farm internal cabling	Servitude	18,215

Short term restrictions in land use may be caused by all facilities, wind farm and overhead line including other facilities. Land acquisition for short term restrictions is obtained through rent (lease). There are no defined surfaces for this land required for rent, but it is important to note that the land acquisition process for the WF will be a voluntary willing-buyer/willing-seller situation. For the overhead line it will be subject to PR 5

<sup>11</sup> Disposal /deposit areas are usually defined in the main design phase and the contractors are then responsible for sourcing the land based on willing buyer/seller principles.

<sup>12</sup> Rotor 137 m Diameter and Rotor 19.8 Diameter surface are calculated separately but in fact these areas are overlaid since the small (19.8 m diameter) rotor area is inside the big (137 m diameter) rotor area. This case is addressed by acquiring the biggest surface and not paying twice for overlaid surfaces. If a company purchases the area covered by big Rotor, it doesn't have to purchase the area covered from a small Rotor since the second surface is included at the first one which is already purchased/acquired. This also will be applied in other cases where overlaid surfaces take place.

<sup>13</sup> The layout of OHL Access Roads is not finalised at the time of writing this LALRF and will be further elaborated in the LALRP.



**Table 6: Rented land requirement**

Facility	Land Requirement	Surface (m <sup>2</sup> )
Storage Area (wind farm)	Rent	51 971
Crane Pad (wind farm)	Rent	154 839
Storage Area for overhead line	Rent	*To be defined
Other temporary Facilities for overhead line	Rent	*To be defined

## 4.1 Process to date

### 4.1.1 Land acquisition for the WF component

#### 4.1.1.1 Scope of land acquisition for the WF

The land acquisition process for the WF itself started in 2016 and was concluded in September 2019. In total 138 plots and parcels were purchased and 34 owners participated in these transactions with SOWI, all in the Mitrovicë Municipality. Thirty-nine different contracts were signed under the willing-buyer/willing-seller approach (some owners had annexes as well under separate contracts). Please refer to APPENDIX C for the list of parcels affected by the WF.

As indicated in Section 2.1.3, the land acquisition process for the WF has been voluntary, based on a willing seller / willing buyer approach. EBRD PR 5 therefore does not apply to this aspect.

As indicated before, the land acquisition for the ancillary facilities and for existing road rehabilitation/expansion has not been completed and detailed information is not yet available. SOWI will apply the voluntary willing buyer/willing seller, approach in this regard as well.

#### 4.1.1.2 Approach to land acquisition for the WF

The wind farm component is the most essential part of the project. As such, SOWI has been actively engaged since its inception phase, to establish contact, make the stakeholders aware of the project and consult on, issues aspect and so forth. The consultation took place from December 2016 to February 2017.

Due to the nature of the land acquisition process, the specific location of the various components of the WF component were not always clear at the initial consultation stage. This scenario was due to the voluntary nature of the land acquisition process, as the location of the wind farm components would depend on the willingness of landowners to make their land available.

The SOWI land acquisition team selected a Community Liaison Officer (CLO) to act as the liaison between the community stakeholders and the SOWI. The CLO is a resident of the area, enjoying the confidence and respect of the participants. With the nomination of the CLO and the establishment of the land acquisition team, SOWI began the process of engaging with residents and stakeholders in the area.

The main responsibility of CLO was to organise the consultation process and provide information to interested stakeholders on the process of land acquisition and communicate daily with residents on any problems, requests or complaints the latter might have. Information shared included the details of the project, information on SOWI, what would be build and how it would be done. The need for the land and the activities that would follow were also explained.

These meetings and associated consultation was open to any resident or stakeholder of the area that could participate or was interested in the project. In general, the consultation was characterised by good interaction with the residents of the area. At times, some residents were sceptical, as many companies had previously attempted to develop projects in the area, without successfully finalising the projects.

SOWI initiated the process through public notifications and discussions with residents and stakeholders based on the preliminary project. After that, SOWI and the land acquisition team initiated the process of contacting the residents who were willing to make their land available or land take.

SOWI perused the ownership certificates provided by the relevant stakeholders, which contained data regarding the land categories. SOWI also considered the information received from the Agriculture Directory in the Commune regarding the categories of land. Considering all information received, SOWI prepared a database of all the affected parcels. SOWI was ready to proceed with a financial offer for each affected parcel.

While SOWI was preparing to have discussions with potentially affected owners, a market value assessment was conducted, considering information on land transactions in the area. This market value assessment also considering geographical, geological, environmental and land category data. Through this study SOWI determined a reference market value. This value, which was higher than those previously used in the area, was used to initiate negotiations with the owners. The CLO played an important role in this regard.

During the market value assessment process, site visits were carried out to determine the criteria for the evaluation of assets. Importantly, during these initial visits, no crops (except forests in these areas) or structures were identified.

The land acquisition team, supported by the CLO, engaged the affected resident and non-residential landowners in face-to-face meetings. The land acquisition team indicated the methodology required, what land would be affected land, and the documents needed to finalise the agreements. Given that the reference price was higher than those previously used in the area, few owners demanded a higher price. Additional negotiations took place with those owners who requested a higher price than was initially offered.

Up to now, all negotiations on land acquisition have been successful and illustrated a willing-buyer and a willing-seller outcome. On agreement of the financial offer, Albanian and English version of the contract were prepared and signed. No claims or grievances have been received up till now regarding the land negotiations and contracting process.

SOWI selected local notaries to assist with the process of signing the contracts and register the contracts with the Kosovo Cadastral Office. The SOWI contract officer team prepared contracts for all the affected land owners and these contracts are delivered to the SOWI Legal Officer for signing by respective stakeholders in a face – to face meeting in the presence of the notary. Transaction costs (cost of registration and any taxes, fees, rights, potential rights to subsidies that might be lost as a result of the change in land use) are reimbursable by the project. The purchased land was registered under SOWI's ownership. The process followed for the contractors to receive their compensation was explained and initiated.

In reference to forests owned by the Forest Agency, the interface with them has been the similar as with the landowners. The Forest Agency, was considered as a key stakeholder, carrying out all activities necessary for information, negotiation and approval of the land acquisition. For these assets, respectively for the three turbines installed on these lands, the reference price is official and set by the government. For these parcels, SOWI and the Forest Agency finalised a contract in the form of an annual lease. The same access procedure has been followed and is followed for all other facilities that the project may have, such as access roads, camps, storage sites or other units. In all cases where work has proceeded with construction, access to the land has been provided as a start and there was no case of entry to land taking place without an agreement with the landowner.

## 4.1.2 Land Acquisition for the OHL and related infrastructure

### 4.1.2.1 Scope of land acquisition for the overhead power line and related infrastructure

The responsible/final owner of the overhead line will be the Transmission System and Market Operator (KOSTT). In this regard, all the procedures of the land acquisition process are carried out by the MESP (expropriation authority) on behalf of KOSTT. SOWI's commitment in this process will be to ensure that PR5 requirements are met by addressing the gaps between the national legislation and EBRD PR 5. Please refer to Table 3.

Indications are that the overhead power line will affect a total of 325 private plots and parcels of land. Of these, 193 will be in the Vushtrri Municipality and 132 in the Mitrovicë Municipality the overhead power line by the overhead power line. Please refer to APPENDIX D for the list of parcels affected by the overhead power line.

As previously indicated, land will have to be acquired for the construction of access roads to the OHL pylons; the land acquisition process for these areas will be performed by SOWI through voluntary agreements already used for the acquisition of the WF areas and described in section 2.1.3. The process described in the following sections does therefore not apply to these areas.

#### 4.1.2.2 Categories of project affected parties

The main categories of project affected parties are classified in groups such as:

- **Owners** are defined as individuals who have formal legal ownership of land, registered in the Cadastre Agency. However, there might be cases where individuals are in fact owners, but they do not have appropriate ownership documentation available to be able to prove their ownership status and consequently sign compensation contracts.
- **Users** of land can be divided into formal and informal users. Formal users may have legal contracts allowing them to use private or public land (e.g. land lease). Informal users may be using land without the owner's permission (e.g. if the owner is abroad and is not using the land) or using public land.
- **Vulnerable individuals** or groups that may be considered more impacted than the majority of the population and might require special assistance.

#### 4.1.2.3 Approach to land acquisition for the overhead power line

The table below describes the steps followed by KOSTT and MESP and the additional measures and assistance that will be performed by SOWI to ensure compliance to PR5.

**Table 7: Expropriation activities for the overhead line and additional measures to be implemented to comply to PR5.**

Aspect.	Completed / To be Completed.	Additional Measures and Assistance performed by SOWI in Accordance with PR 5.
Request to initiate expropriation procedure.	Completed by KOSTT.	NA
Accepting a request for expropriation.	Governmental decision on Expropriation, on 26.02.2019.	NA

Aspect.	Completed / To be Completed.	Additional Measures and Assistance performed by SOWI in Accordance with PR 5.
Submission of material to the evaluation body.	Completed on 20.03.2019.	NA
Submission of the request and documents to the parties in the process.	Completed. The request for expropriation and the accompanying documents are delivered to the government level stakeholders in order to receive their opinions. Within 10 days, every party included has provided written comments to the expropriation body. All parties involved during this stage, alongside the expropriation request and accompanying documents have also received the notifications for a public hearing.	NA
Holding the public hearing.	Completed by the MESP on 10.04.2019. Public hearing including government level stakeholders and affected population is held by the expropriation body within 15 days after receiving comments from parties involved in the process.	During the public discussions, it is important to inform for all the activities that will be done. The Cut-off date, entitlements, land, and asset values etc. should be presented and disclosed. Additional public hearings will be performed by SOWI before the start of the Census and Asset Inventory, to comply with PR 5.
Issuing the preliminary decision.	Completed by the MESP on 18.04.2019. Newspaper Publication on 07.05.2019.	NA
A commission for valuating a property that will be the subject of expropriation.	To be completed. This commission should be established by the Directory of property tax in the Ministry of Finance. This commission valuates property and assets involved in the expropriation procedure. The valuation methodology is based on the Administrative Instruction No.	Before property valuation it is necessary to conduct an asset inventory for every affected parcel in order to identify every possible asset eligible to compensation. Ideally, this should be done by MF, but in reality, the compensation value of the expropriation is only for the land, and the MF does not conduct an asset inventory.  In order to meet the full replacement value



Aspect.	Completed / To be Completed.	Additional Measures and Assistance performed by SOWI in Accordance with PR 5.
	02/2015. During this process the commission will carry out the asset inventory, which will be the basis for the compensation.	requirement of PR 5, SOWI will perform a Census and Asset Inventory of the affected land parcels. The date of this census shall be the project cut-off date for compensation eligibility. In case compensation provided under national legislation falls below the full replacement value, SOWI will ensure PR 5 is met by providing compensation outlined in the Entitlements Matrix.
Issuing the final decision.	To be completed.	The expropriation final decision will clearly describe the respective rights (ownership, easement, rental, temporary access and so forth)
An announcement in the Official Newspaper of Kosovo and daily newspaper.	To be completed.	Parallel with the announcement of the final decision in an official newspaper and daily newspaper, Expropriation Body notifies every affected person/family with the final decision extracted content. Additional outreach and stakeholder engagement will be carried out by SOWI, to ensure those PAPs with limited access to formal means of communication receive the notification for the final decision. As a minimum, this notification will include a brief description of restricted rights of each specific property; the compensation value divided into sections (rent; servitude; purchase; other restrictions of property rights; crops value; other installations or structures value etc.). Requirements that are not provided by the expropriation law, will be implemented directly by SOWI in order to comply with the PR 5 and 10 (on stakeholder engagement).
Payment of compensation or setting up trust account.	To be completed.	After the final decision, every PAP listed in the final decision as eligible for compensation should provide documentation required by national legislation to the Expropriation Body in order to receive full compensation.

Aspect.	Completed / To be Completed.	Additional Measures and Assistance performed by SOWI in Accordance with PR 5.
		<p>In this situation, SOWI will assist all PAPs in specific cases where preparation of documents needed for compensation requires special expenses (notary, Municipal Cadastral Office, etc.). Supporting these categories of PAPs in receiving compensation value meets the minimum criteria cited by the PR 5, These kinds of expenses are classified as transaction costs.</p> <p>For any informal users of land, which would usually have no rights under national legislation, SOWI will provide compensation in line with the Entitlements Matrix.</p> <p>To be done by SOWI, to comply with PR 5 and PR 10.</p>
Entry in possession of expropriated property.	<p>To be completed.</p> <p>No change in ownership or access to property under the final decision can be applied for up to 20 days after the property owner compensation according to the Residential Property Valuation Act and 10 calendar days for other properties.</p>	NA

## 4.2 Planned land acquisition activities

### 4.2.1 Planned WF activities

Purchase of land for some ancillary facilities of the WF and for the rehabilitation/expansion of existing roads must still be implemented. This will be done by SOWI as part of a voluntary willing-buyer/willing-seller process.

### 4.2.2 Planned OHL activities

As previously indicated in Table 7, SOWI will implement additional efforts and measures to comply to PR5, as described in the following section.

#### 4.2.2.1 Census and asset inventory (CAI)

The CAI will be conducted from the SOWI LA team in order to comply with PR 5 stipulations. This date of this activity has not been decided yet, however it will likely be performed in Q4/2019-Q1/2020.

The commission for valuation of properties subject to expropriation does not conduct front office CAI. The commission only calculates compensation based on the methods as per Administrative Guideline 02/2015.

SOWI will ensure that a team equipped with necessary information and documents will visit every affected property to conduct the process with every PAP. At the end of the process, information and asset inventories are delivered to compensation experts in order to calculate the compensation for each affected property; asset; crop or anything else identified during the asset inventory.

#### **4.2.2.2 Additional compensation calculation**

This step will be carried out for those cases where it is identified that the compensation value as per expropriation law is lower than the compensation value that should be paid in meeting full replacement value and for all the assets that are not evaluated/compensated by the expropriation, in line with PR5.

The additional compensation will be calculated by compensation expert as per entitlement matrix and assets inventory performed by LA team of SOWI. The new compensation calculation sheet and new financial offer will be prepared as per additional compensation for all the identified PAPs/cases.

In order to avoid all the mistakes, QAQC for the additional compensation values calculated will be executed at this stage.

#### **4.2.2.3 Offer negotiation**

Once the additional compensation is calculated by compensation expert, the notification of PAPs will be carried out. The notification form will be prepared in Albanian, Serbian and English language. All the affected PAPs will be notified by the CLO and the project team for meeting and presenting the additional compensation offer that is calculated based on the asset inventory and the entitlement matrix. The financial offer will include all relevant information for compensation value as per expropriation and additional compensation calculation, time to consider the offer, additional explanations, and information's or to seek legal advice.

Two weeks after the first negotiation, PAP will be visited for the second time. CLO will accompany the LA team to be present during the signing of the Financial Offer and Letter of Intent in a face-to-face meeting with the affected PAP in a face-to-face meeting. If the PAP refuses to sign the financial offer, a Minute of Disagreement (MoD) will be signed by the representative of the project, CLO, and PAP. Despite endeavours of the project, if PAP will not agree with the financial offer, Minutes of Disagreement will be signed, the procedure of negotiation will be considered unsuccessful. In this case, the case will go for an evaluation to the grievance management team and the offer remains open until a final decision will be taken.

The project will pay special attention to all vulnerable groups.

#### **4.2.2.4 Preparing PAP for contract**

Once the Financial Offer and Letter of Intent is signed by PAP, the CLO will provide full support for PAPs in providing all the legal required missing documents for signing contracts for additional compensation, either for the found of expropriation, such as: Ownership Certificate, Property Immoveable Card, Compensation Map, ID, Bank Account Statement and so forth. Because the PAP has to be present when the deed is signed by the notary, a local notary will be selected to support PAPs in delivering the required documents and signing the contract.

#### **4.2.2.5 Contract preparation and signing for additional compensation**

After the completion of the legal required documents, folders for each PAP will be created. At this stage, the process will go forward with contract preparation. Contract officer teams will prepare the new contracts for additional compensation for all the identified cases/PAPs (residential and migrants) and delivered to the CLO for signing by PAPs in the presence of the notary. QAQC on documents provided will be carried out in order to avoid any mistake which can raise the misunderstanding from PAPs. CLO will organise face-to-face meeting and signing contracts.

All the transaction costs and notary expenditures will be reimbursable by SOWI. After the contract is signed and notarised, one copy will be delivered to PAP and the other copy will be delivered to SOWI in order to go forward with the payment execution.

#### **4.2.2.6 Support Post Expropriation**

In order to meet PR5 standards, some additional activities are required to be carried out. As per legal requirements based on Law No. 03/L-139 “On the expropriation of immovable properties” Article 16 “Payment of Compensation” cites: “Compensation Value of expropriated properties defined by a final decision should be paid completely within 2 (two) years from the date of entry in the enforcement of the decision. If the compensation is not paid within this period, the affected PAP may file a complaint to a competent court to request issuance of an order for revocation or annulment of this decision”. SOWI will assist claimants in case compensation has not been paid in the stipulated time frame by helping them prepare the necessary documentation. This activity will be focused on all the expropriated PAPs as per DCM on Expropriation approved.

Some of the main activities which should be carried out at this stage are as follows:

- Follow up the registering of the DCM in KCA and received the legal documents from KCA (Easement Certificate/Property Immovable Card/Cadastral Map etc.)
- Support PAPs in completing the legal required documents of ownership
- Support and assist KOSTT as necessary, in preparing, delivering, signing, and paying the compensation as per DCM on Expropriation approved.
- Receive, manage, and provide solutions for claims and grievances received from PAPs as outlined in the Grievance Mechanism.

#### **4.2.2.7 Land entry and staking out**

After the completion of LA, land entry and staking out process will take place. Every single PAP (Land Owner of the private parcel and land user of private or public parcel, both formal and informal, eligible for compensation in line with the Entitlements Matrix, will be informed by direct contact in front office or by phone (in specific cases where it was impossible to direct contact) prior to the beginning of construction phase. This notification will be given at least 2 (two) weeks in advance of construction start in respective parcel. This will give the land owner the right time to vacate the land in order to allow the construction activities to take place.

Also, during land entry, the owner will be informed about the land use limitations during the project implementation and restrictions on the easement zone. During the land entry protocol, the LA team will sign Land Entry Form/Notification and will receive every PAP concern regarding construction, compensation, Health and Safety issues etc. These concerns will be delivered to the Grievance Mechanism (GM) and addressed by competent section of GM.

After finishing the land entry protocol, the stake out period begins. The stake out team will be composed by topography expert and compensation expert will have all the data's regarding the compensation of each parcel and its affected area. If there are any negative differences between the given compensation value and accurate compensation resulting during a stake out (surface, the number of trees or structures etc.), these will immediately be addressed for additional compensation. If the differences between the given compensation value and accurate compensation resulting during stake out are positive, the project company will not demand the return of this difference from PAP. The same approach will be followed and in the cases of new owners (unidentified) and land users. During Staking out process, the mixed team will mark the working areas where the project will be implemented.



The Stake - Out Protocol will be concluded with a form containing information of the affected area, crops compensated, additional compensation if needed and will be signed by the project company representative and by PAP or his legal representative.

Vulnerable Groups may be eligible for additional assistance in line with the Entitlements Matrix.

#### **4.2.2.8 Land exit agreement and hand back**

Upon completion of construction and reinstatement in occupied land, the CLO will carry out an exit inspection with the previous land owner of all land that was used during the construction period.

The aim of this inspection is to ensure that the land has been left in a suitable state whereby previous agricultural activities may be resumed on the land, subject to reuse restrictions mentioned previously.

- A land exit agreement will be signed to include the land information and will be signed by the project responsible person and the affected landowner or land user, and by SOWI as a witness. This agreement will confirm that the affected landowner or land user is satisfied with the quality of the reinstatement of the land. Any claim arising from a potentially unsatisfactory reinstatement will be managed through the grievance management mechanism outlined in Chapter 14.
- During the exit inspection the landowner/user will also be provided with all required information in respect of permissible and restricted activities on the land, both in writing and verbally, and contact details of the team responsible for the monitoring of the project during operations.
- The contents of the Easement Expropriation Declaration/Agreement signed will be re-explained to the landowner as well as all the restrictions on the land.

## **5.0 KEY LALRF PRINCIPLES**

Land acquisition and rights of access to property are key aspects for this LALRF. SOWI will ensure full compliance to the all EBRD PR 5 requirements and bridge the gaps between the Kosovo legislation and the EBRD PR 5 requirements, as identified in Section 3.7.

SOWI is committed to the following principles (EBRD, 2014c)

- Land acquisition will be carried out in compliance with this Framework and the LARLP which will be developed for the project.
- Maximum efforts will be made to ensure voluntary land related settlements with stakeholders in the OHL corridor in order to avoid expropriation.
- All affected persons will be informed, consulted and encouraged to participate in the entire land acquisition process, in accordance with the information disclosure and consultation requirements defined in Section 9.3 of this LALRF.
- A detailed land acquisition plan will be developed for the Bajgora Wind Project. For the outstanding land acquisition of ancillary components of the WF, a strictly voluntary willing-buyer/willing-seller approach will be followed. For the acquisition of the overhead line components, the EBRD PR 5 requirements will be followed.
- The land acquisition plan will include a census and socio-economic survey to identify affected land users as well as vulnerable persons and households and assess the magnitude of impacts resulting from project related land acquisition.
- The cut-off date will be the end date of the completion of the census and assets inventory which will be published by SOWI in a local newspaper notifying all owners and users of the commencement of

expropriation process, the cut-off date and contact persons who can be approached by affected persons for further information. The cut-off date shall also be published on bulletin boards in local communities and municipalities, as well as at consultative meetings with supporting explanation.

- Persons who have settled in the project area after the cut-off date will not be eligible for compensation, but they will be notified of this in a timely manner and they will be requested to leave the area and to dismantle potential structures before the project implementation. Materials from their dismantled structures will not be seized and they will not be fined and imposed any sanctions.
- All persons from the categories listed in the Entitlements Matrix (Section 6.0 of this document) will be provided compensation and assistance. Compensation will always be provided before expropriation beneficiary gains access to the land.
- Standards of living and livelihood of affected persons will be improved or at least restored to the pre-displacement levels in the shortest period. The need for assistance for livelihood restoration will be identified (on the basis of the socio-economic survey), and such assistance may include assistance in identification and access to other livelihood activities, assistance in access to training, skills development, employment opportunities, support in development of agricultural activities, etc.
- Assistance to vulnerable persons and households shall be provided in accordance with specific needs and requirements of such persons and households.
- Land acquisition implementation will be monitored and evaluated as defined in Chapter 11.0 of this Framework.
- An efficient grievance mechanism will be set up for complaints in the manner described in Chapter 12.0 of this Framework.

## 6.0 COMPENSATION ENTITLEMENTS (ENTITLEMENTS MATRIX)

The entitlement matrix in Table 8 sets out the compensation principles for eligible groups of persons in the project area. This matrix will be further tailored to the project once the census and socio-economic and asset inventory have been completed. Any unidentified impact shall be mitigated in accordance with the principles and objectives of this Framework. In addition to entitlements listed below, SOWI will implement a livelihood restoration programme to ensure that livelihoods of PAPs are improved or, at a minimum, restored, as indicated in section 8.0.

**Table 8: Entitlement matrix**

Type of impact	Category of PAP	Entitlement
<b>PERMANENT LOSSES</b>		
Permanent loss of land (including loss of access to privately owned land or public land / resources) due to overhead line facilities.	Owner of land.	Cash compensation at full replacement cost.
	Formal user of land (tenant).	Information about land acquisition at least three months in advance of land possession entry, to enable the tenant to find other land for lease.
	Informal user of land.	Assistance to identify replacement land / resources for use, prior to land possession entry.
Permanent loss of assets due to overhead	Owner of land.	Cash compensation at full replacement cost.

Type of impact	Category of PAP	Entitlement
line facilities.	Formal user of land (tenant)..	Cash compensation at full replacement cost..
	Informal user of land.	Cash compensation at full replacement cost.
Permanent loss of crops due to overhead line facilities.	Owner of land	<ul style="list-style-type: none"> <li>■ Right to harvest the crop or, if harvesting is not possible, compensation for the annual crop at project annual crop rate (equivalent to full replacement value).</li> <li>■ Right to pick any fruits, vegetables, etc., and compensation for perennial crops/ orchards at project perennial crop rate (equivalent to full replacement value).</li> </ul>
	Formal user of land (tenant)..	<ul style="list-style-type: none"> <li>■ Right to harvest the crop or, if harvesting is not possible, compensation for the annual crop at project annual crop rate (equivalent to full replacement value).</li> <li>■ Right to pick any fruits, vegetables, etc., and compensation for perennial crops/ orchards at project perennial crop rate (equivalent to full replacement value).</li> </ul>
	Informal user of land.	<ul style="list-style-type: none"> <li>■ Right to harvest the crop or, if harvesting is not possible, compensation for the annual crop at project annual crop rate (equivalent to full replacement value).</li> <li>■ Right to pick any fruits, vegetables, etc., and compensation for perennial crops/ orchards at project perennial crop rate (equivalent to full replacement value).</li> </ul>
Permanent loss of pasture due to overhead line facilities.	Owner of land.	<ul style="list-style-type: none"> <li>■ Compensation for the annual pasture at project annual pasture rate (equivalent to full replacement value).</li> </ul>
	Formal user of land (tenant).	<ul style="list-style-type: none"> <li>■ Compensation for the annual pasture at project annual pasture rate (equivalent to full replacement value).</li> </ul>
	Informal user of land.	Compensation for the annual pasture at project annual pasture rate (equivalent to full replacement value).

Type of impact	Category of PAP	Entitlement
Permanent loss of forest due to overhead line facilities.	Owner of land.	Compensation for the annual forest at project annual forest rate (equivalent to full replacement value).
	Formal user of land (tenant).	Compensation for the annual forest at project annual forest rate (equivalent to full replacement value).
	Informal user of land.	Compensation for the annual forest at project annual forest rate (equivalent to full replacement value).
<b>TEMPORARY LOSSES</b>		
Temporary loss of land due to overhead line construction activities.	Owner of land.	<ul style="list-style-type: none"> <li>■ Compensation for land rental at project land rental rate (15% of the project land acquisition rate for construction period; and at 10% of the land acquisition rate for any additional time needed for the construction).</li> </ul> AND <ul style="list-style-type: none"> <li>■ Restoration of affected land and infrastructure to pre-project conditions,</li> </ul> AND <ul style="list-style-type: none"> <li>■ Cash compensation for any lost/damaged assets (e.g. structures, fences, sheds) at replacement cost.</li> </ul>
	Formal user of land (tenant).	<ul style="list-style-type: none"> <li>■ Compensation for land rental at project land rental rate (15% of the project land acquisition rate for construction period; and at 10% of the land acquisition rate for any additional time needed for the construction),</li> </ul> AND <ul style="list-style-type: none"> <li>■ Restoration of affected land and infrastructure to pre-project conditions,</li> </ul> AND <ul style="list-style-type: none"> <li>■ Cash compensation for any lost/damaged assets (e.g. structures, fences, sheds) at replacement cost.</li> </ul>
	Informal user of land.	Assistance to identify replacement land / resources for use, prior to land possession entry.
Temporary loss of tenants and loss of income from tenants due to overhead line construction activities.	Owner of land.	Cash compensation for lost net income (or estimated informal income and / or loss of livelihood) during the disruption period.



Type of impact	Category of PAP	Entitlement
<b>RESTRICTIONS DUE TO EASEMENT</b>		
Long-term easement in restriction zone (private and public land).	Owner of land.	<ul style="list-style-type: none"> <li>■ In agricultural land 30% of the land value.</li> <li>■ In pasture land value of pasture land for servitude vary from 2,25 to 2,34 EUR/m<sup>2</sup>, for Commune Mitrovicë and Vushtrri.</li> <li>■ Mountain/Forest value of mountain / forest and other land for servitude vary from 1,87 to 1,95 EUR/m<sup>2</sup>, for Commune Mitrovicë and Vushtrri.</li> </ul>
	Formal user of land (tenant).	<ul style="list-style-type: none"> <li>■ In agricultural land: 30% of the land value.</li> <li>■ In pasture land: value of pasture land for servitude vary from 2,25 to 2,34 EUR/m<sup>2</sup>, for Commune Mitrovicë and Vushtrri.</li> <li>■ Mountain/Forest: value of mountain / forest and other land for servitude vary from 1,87 to 1,95 EUR/m<sup>2</sup>, for Commune Mitrovicë and Vushtrri.</li> </ul>
	Informal user of land.	Assistance to identify replacement land / resources for use, prior to land possession entry.
<b>VULNERABLE GROUPS</b>		
All types of impacts, including permanent losses, temporary losses and restrictions due to easement.	All PAPs that fall under the category of vulnerable (regardless if land owner, formal user of land or informal user of land)	Assistance to identify their needs in relation to land acquisition as well as to find a way how to satisfy the identified needs, as further indicated in section 7.0

## 7.0 ASSISTANCE TO VULNERABLE PERSONS

In order to better understand issues of vulnerability and to finalise vulnerability criteria in the project context, a census and socio-economic and asset survey will be carried out for the project.

Categories of vulnerable persons may include:

- Poor or unemployed persons
- Persons with a disability or chronic illness
- Refugees and internally displaced persons

- Elderly persons and pensioners
- Households whose heads are women
- Ethnic minorities
- Landless persons or persons without the right of use under the national legislation

Individual meetings will be held with each vulnerable person in order to explain criteria that will be taken into account for assistance and entitlements and to identify their needs in relation to land acquisition as well as to find a way how to satisfy the identified needs. Vulnerable people will be consulted on the type of assistance they need, and will be provided with assistance suitable to their needs.

Such assistance may include:

- Direct visits to the homes of vulnerable persons/households (in particular for elderly people and people with chronic illnesses)
- Assistance to exercise the right to receive vulnerable people benefits provided under national legislation as applicable
- Assistance during the payment process, i.e. ensuring that compensation documents and payment process are well understood (in particular for elderly people)
- Assistance in legalisation or property, as appropriate, for landless persons or persons without the right to use in accordance with the national legislation
- Assistance in identifying and buying new property
- Assistance in moving (special transport measures for persons with physical disabilities, etc.)
- Assistance during the post-payment period (e.g. assistance in finding training courses to enhance employability and giving priority in employment, where possible, in particular for poor and/or unemployed people; assistance in securing the compensation money and reduce risks of misuse or robbery).

## 8.0 LIVELIHOOD RESTORATION

The EBRD PR 5 stipulates that when a project causes temporary or permanent loss of income or livelihood<sup>14</sup> through (e.g. interruption or elimination of a person's access to his/her employment or productive assets) the project will provide the following in compensation efforts:

- Livelihood assistance (for example, credit facilities, training, or job opportunities) to restore, and where possible, improve the affected people's income-earning capacity, production levels and standard of living, and;
- Transitional support to economically displaced persons, as necessary, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels and standards of living.

The following section outlines SOWI's plan to ensure project affected people are able to restore and where possible improve their livelihood through a livelihood restoration programme.

<sup>14</sup> The term "livelihood" refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering (International Finance Corporation, 2012b).

## 8.1 Objectives of livelihood assistance

The objectives of the livelihood assistance process are indicated in **Figure 12** below.



**Figure 12: Objectives of livelihood assistance**

The aim of the livelihood assistance process is to ensure realistic livelihood restoration and associated improvements.

### 8.1.1 Rehabilitation and reinstatement of temporary leased land

In order to achieve this objective SOWI shall establish a structured Environmental and Social Management (ESM) team which will coordinate with the land acquisition team. This team will be composed of social and environmental experts who will monitor and address situations related, but not limited to, the rehabilitation and reinstatement of land. The contractor's environmental and social implementation plans will be reviewed and monitored by the ESM team. These plans include procedures to:

- Ensure the productivity and crop yield of affected land can be restored to pre-project status in a way that will ensure long-term sustainability.
- Avoid adverse post construction impacts that could impact on neighbouring land. These impacts may include, but are not limited to, improper functioning of restored irrigation systems that can cause flooding, run-off drainage and so forth on the adjacent land.

### 8.1.2 Effectively monitoring those PAPs subject to permanent land take

PAPs impacted by permanent land take represents a special category because their livelihood and sources of income might be irreversibly impacted depending on the size of permanent land taken. In order to comply with the PR 5 requirements, SOWI shall undertake various programmes in supporting this category to achieve pre-project or improved levels of livelihood; the possibilities of replaceable land; remaining land for agricultural use, etc.

### 8.1.3 Linking PAPs with the benefits and opportunities offered by livelihood assistance programmes

The livelihood assistance and transitional support programmes must focus on those PAPs requiring such support. These programmes must ensure a direct link between the mentioned support programmes, and those targeted to benefit from it. Such an approach will ensure that the support measures are applied where most needed.

### 8.1.4 Provision of transition support to vulnerable PAPs Considered Vulnerable

Vulnerable households and vulnerable people might face more challenging project related impacts compared to non-vulnerable PAPs. In order to mitigate these impacts, a series of measures related to this category are indicated in the livelihood restoration plan.

## 8.2 Livelihood restoration options

Compensation entitlements have been designed to fairly compensate project land easement and acquisition impacts. These impacts include related temporary and permanent loss or disruption of income and access to production assets by PAPs.

These entitlements will not necessarily ensure the restoration of living standards of all project affected households. Complementary livelihoods assistance and transitional support measures will therefore be delivered to ensure that all affected people, particularly those facing exceptional or disproportionate challenge as a result of project land acquisition, are able to restore their income stream to pre-project levels and where possible improve them.

These options will be further discussed with PAPs throughout future engagement and consultation activities, to ensure that they are considered adequate.

## 8.3 Eligibility for livelihood restoration

The livelihood restoration programme has a strong focus on the identification of potential project impacts and implementing measures to avoid or mitigate these impacts. In addition, the LRP will also determine the eligibility criteria for PAPs to benefit from these programmes.

Depending on potential project impacts, Eligibility for livelihood assistance might be divided into three categories:

- **Category A:** Severe risk areas where PAPs might face the permanent loss of a considerable proportion of productive land (over 25% of total land owned). These cases will be targeted with a high degree of inputs and PAPs more closely monitored to ensure livelihoods are restored and food security is not threatened.
- **Category B:** Moderate risk areas where PAPs are affected to a lesser degree than category A (fewer than 25% of total land owned) or PAPs face easement restrictions in land use.
- **Category C:** Low-risk areas where PAPs face short term land restrictions for project purposes.

### 8.3.1 Transitional support

EBRD definitions on vulnerable households and categories are given in Chapter 8. In order to better understand issues of vulnerability and to finalise vulnerability criteria in the project context, consultations will be undertaken with project affected people and key informants, particularly in Severe Risk Areas as part of the census and socio-economic and asset survey.

Information will also be gathered to better understand the forms of social support for vulnerable groups which currently exist within Kosovo through local and regional government and non-profit groups, and the criteria used for eligibility.

Transitional support to these categories of PAPs might follow the assistance mentioned in Chapter 8 such as:

- Specialised legal or logistical support during land acquisition process (ensure special accommodation for physically disabled or chronically ill PAPs by bringing notary at their shelter; free legal advice and assistance for mentally disabled PAPs for the appointment of a legal guardian; translator for ethnic minorities, etc.)
- Awareness of potential benefits for vulnerable people provided by government or other institutions (when they are unaware or unable to benefit from them);



- Continuous assistance during a period of transition when there is a high risk to a household for experiencing hardship as a result of the wind farm project.

### 8.3.2 Local employment

Since employment is reported as one of the main issues in the project affected area, SOWI and its contractors shall ensure possibilities for local employment. All recruitment and employment will be undertaken in accordance with the conditions of the applicable Kosovo employment law. Project requirements for labour force will focus on local resources depending on skills and necessary qualifications. Local refers to the communities within the municipalities where the project is located. Local employment mainly will be focused more on the construction phase since the maintenance and operation might require qualified workforce. For recruiting local workforce, the below steps shall be considered:

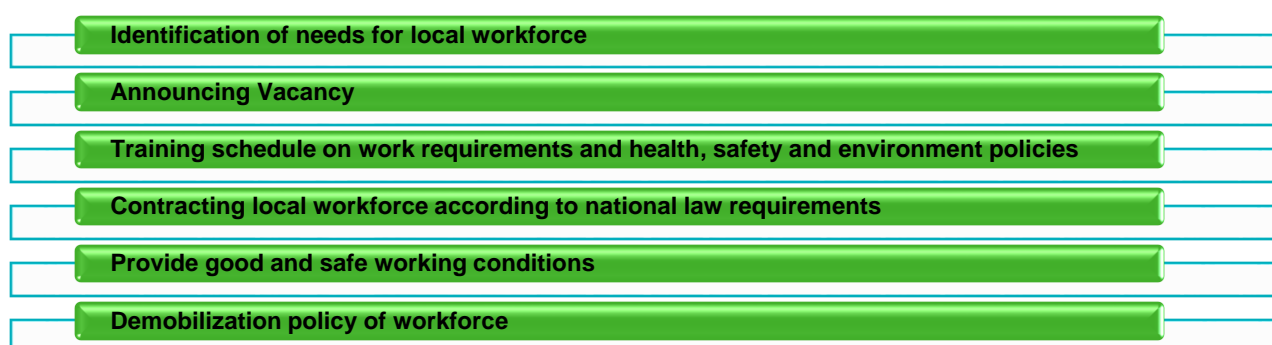


Figure 13: Recruitment of local workforce

### 8.3.3 Agricultural projects

The loss of agricultural land assets and the ability to develop alternative sustainable production systems to replace the losses is the primary challenge. Besides being one of the most important sectors of the economy, agriculture also provides a social safety net for many poor and elderly people that depend on farming for their livelihoods. While the main partner in the development of agriculture options would be the PAPs themselves, the Department of agriculture at the communes would be the ideal counterparts both to provide additional support and technical assistance as well as to receive additional capacity. Some of these aspects include:

**Initiatives** which support and strength agricultural productivity: improve agricultural practices, improved inputs, irrigation, and drainage. This initiative should include all categories explained above. The affected project areas lie in a hilly/ mountainous area, characterised by low quality land. The high cost of irrigation and the absence of any recent investments from the Kosovo Government have led to the degradation of all the existing irrigation schemes in the area over the last decade. Main activities for irrigation shall include:

- Irrigation infrastructure improvements.
- Assisting in individual irrigation solutions for project affected people, when communitarian solutions are not feasible.
- Ensuring an improved standard of irrigation service in the area of impact.
- Monitoring the irrigation operation and maintenance.
- Support for the irrigation organisations with technical assistance.
- Increase in the number of additional hectares under irrigation.

**Reinstatement Monitoring Activities;** SOWI will not purchase the land required on a temporary basis for construction related facilities, but will enter into rental agreements with those landowners for the duration of the construction. On completion of the construction process, SOWI conclude the rental agreements and rehabilitate that land to its previous condition. Where such land is agricultural, SOWI will rehabilitate the land to a level that restores the agricultural potential of the land to preconstruction levels.

Upon completion of construction and reinstatement of temporarily occupied land, SOWI and the construction contractors will carry out an exit inspection with the previous land owner/user of all land that was used during the construction period. During the exit inspection the landowner/user will also be provided with all required information in respect of permissible and restricted activities on the land plot, both in writing and verbally, and contact details of the team responsible for the monitoring of the project during operations.

**Partnership approach;** where SOWI would work with established organisations who are already delivering quality agricultural and business-based assistance programmes in the project impact area, to expand their programme and eligibility criteria to accommodate interested PAPs.

**Micro Credit and small business development;** in many cases there are few formal financial services such as savings and loans which are available to PAPs. International experience has shown these services have proven to be a good instrument in enabling individuals to build assets and increase incomes, thus providing an income generating potential. In coordination with a proven microfinance institution (NGO, an international organisation, a private company or government organisation), or the development of local capacities, the SOWI's goal is to scale up access to these financial services for the PAPs with the initial capital contribution based on the entitlement for impacted assets and productions. In principle, any income generating activity with a credible business plan could be considered for financing, in accordance with the business plan.

## 9.0 DISCLOSURE OF INFORMATION AND PUBLIC CONSULTATIONS

### 9.1 Stakeholder engagement

#### 9.1.1 Stakeholder engagement principles

The requirements for disclosure of Project relevant information and public consultations have been set out in the Stakeholder Engagement Plan (SEP) prepared by SOWI for the purpose of enhancing stakeholder engagement throughout the life cycle of the Project, and carrying out stakeholder engagement in line with local legislation and EBRD's requirements.

The main principles that will guide the stakeholder engagement approach are indicated in Table 9

**Table 9: Stakeholder engagement principles**

<b>Proactive</b>	<ul style="list-style-type: none"> <li>• In order to avoid any potential risks that might arise in dealing with stakeholders.</li> </ul>
<b>Transparent</b>	<ul style="list-style-type: none"> <li>• Engaging with stakeholders in an open process, with transparent purpose, goals, accountabilities, expectations and constraints</li> </ul>
<b>Timely</b>	<ul style="list-style-type: none"> <li>• Stakeholder engagement in early phases of the Project decision-making in order to allow sufficient time for meaningful dialogue, consultation and modifications.</li> </ul>
<b>Inclusive</b>	<ul style="list-style-type: none"> <li>• Ensure inclusiveness of engagement with stakeholders in representation of views, including vulnerable groups.</li> </ul>
<b>Accessible</b>	<ul style="list-style-type: none"> <li>• Disseminate information in ways and location that make it easy for stakeholders to access.</li> </ul>
<b>Free</b>	<ul style="list-style-type: none"> <li>• Engagement with stakeholders free of any kind of manipulation, intimidation and coercion.</li> </ul>

## 9.2 Disclosure of information and consultations held to date

### 9.2.1 Background

Since the start of the project development, SOWI has undertaken engagement with relevant government authorities and agencies at the national, municipal, and local level, and with the communities within the project area. There was a threefold focus for the stakeholder engagement process. This focus was:

- Overall engagement with authorities and agencies regarding the Project as a whole.
- Stakeholder engagement with those stakeholders influencing or being impacted by the wind farm component.
- Stakeholder engagement with those stakeholders influencing or being impacted by the overhead line component.

Abkons sh.p.k., an independent consultancy, was contracted by SOWI to conduct stakeholder engagement and social baseline data collection for the project. The stakeholder engagement process was conducted based on the methodology, tools and techniques established in an initial SEP, developed in December 2017; the current SEP represents an update of the initial SEP of 2017. The SEP provides details of the stakeholder engagement activities that took place for the project.

In terms of public consultations for the OHL expropriation, The *Expropriation Law of Kosovo* contains provisions on disclosure of information and public consultations with persons whose property has been identified for expropriation:

- Before filing proposal for expropriation, the expropriation beneficiary is required to invite owners of affected properties in a public hearing to inform about property acquisition;

- Affected owners will be informed that the proposal for expropriation has been filed;
- Before issuing a decision on expropriation, the responsible municipal administration is required to hear the affected person regarding circumstances that pertain to expropriation.

Institutions involved in expropriation procedures shall be responsible for disclosure of information and consultations. Thus, before initiating the expropriation procedure, the expropriation beneficiary will issue a public notification in a daily newspaper in Kosovo inviting specific owners to engage negotiations on settlements, while in practice the public notification is commonly also announced on the website of the expropriation beneficiary. After posing the public notification, all interested persons can obtain relevant information about potential agreement they can conclude instead of expropriation, expropriation procedure, types and modalities of compensation and other issues that pertain to their legal rights from the responsible official or public relation officer of the expropriation beneficiary.

### 9.2.2 Overall stakeholder engagement process to date

The overall stakeholder engagement process was implemented from November 2017 to April 2019 for the overall, wind farm and overhead line components.

In addition, a field survey was undertaken to gather social baseline data. The survey engaged the community through the Sample Socio-Economic Survey<sup>15</sup> (SSES) questionnaire format. The method used for the field survey and the outcomes obtained are described in the relevant social baseline section of the ESIA report. This survey took place from January 2018 to May 2019.<sup>16</sup>

Stakeholders at local, municipal, provincial, and central government were consulted. The stakeholder engagement approach was a combination of:

- One-to-one meetings with national level stakeholder, in particular authorities such as government institution and ministries;
- Meetings at the local level, particularly with heads of settlements involved during the field survey, NGOs<sup>17</sup> and other local organisations that have significant knowledge of the communities and the aspects concerning them;
- Public meetings in the settlements to provide Project affected people with an opportunity to ask questions and give input on the proposed Project as well to gather issues of concern and to identify potential impacts;
- FGDs and interviews with specific issue-based groupings or individuals, including vulnerable stakeholders to discuss the impact of this Project on their daily life and activities;
- The social survey process with households in the respective villages and communities, as part of the collection of social baseline data.

The stakeholder engagement events were tailor-made to the target audience. As such, all the meetings were held in local premises and in the working and living environment of the respective stakeholders. This inclusive and transparent approach made it possible for stakeholders to be proactive and freely express their views and

<sup>15</sup> The SSES is an approach that determines all income sources and associated the data from the affected people (direct and indirect) and serves to analyse the anticipated economic impact during the construction and post-construction phases. The socioeconomic sample study is needed to collect quantitative (supported by qualitative) information from household-level income streams and livelihood status, and social data in order to analyse the social profile of the project area from a social development perspective.

<sup>16</sup> The survey for the wind farm component was undertaken from January to February 2018, while the survey regarding the OHL component was undertaken in the period April to May 2019.

<sup>17</sup> NGOs represent an important source of local knowledge and are sounding boards for Project design and mitigation; for this reason, in order to seek and to achieve a proactive and open relationship with them, a considerable list of organisations was identified and invited through electronic invitation.



opinions. Specific stakeholder engagement activities conducted for the WF and OHL components are in APPENDIX I.

### 9.2.3 Information sharing and disclosure process

A diverse combination of project related information and materials were made available to the various stakeholders as part of the information sharing and disclosure process. This information included

- a) Official and electronic invitations to stakeholders.
- b) Poster/banners/flyer in order to make public aware of the stakeholder engagement process.
- c) Project description and presentation of the project phases.
- d) Proposed project timeline.
- e) The purpose of the stakeholder engagement purpose and details on the grievance mechanism.
- f) A summary of the potential environmental and social impacts and potential avoidance or mitigation measures during the project life cycle.
- g) Information to affected stakeholders on the process of land acquisition, where applicable.
- h) Using a feedback questionnaire which is a technique to determine stakeholder perceptions regarding the process, information and approaches used during the stakeholder engagement process.

## 9.3 Planned Disclosure of Information and stakeholder engagement

The planned disclosure of information and stakeholder engagement throughout the project lifecycle is detailed in the SEP. Land acquisition – specific consultation will entail the activities summarised below.

This Framework will be posted on the website of SOWI and KOSTT.

After development of the land acquisition plan specified in the Framework, the draft Plan will be posted on the above websites while printed copies thereof will be made available at the addresses of these institutions. Ten days after their posting, an open-door day will be organised in the Municipalities of Mitrovica and Vushtrri in order to discuss the draft Plan with affected persons. Meetings will focus on providing information and involvement of individuals and households affected by construction activities in the consultation process. Participants will be in a position to voice their opinion and provide comments in relation to the Project, as well as to propose specific solutions for issues that arise. All issues which are raised at the meetings (both resolved and unresolved) will be recorded. In addition, the public will have two weeks after the date of the meeting to submit written comments with respect to planned activities. All warranted comments and proposals will receive appropriate attention.

On the date of posting the Draft, a notification will be posted on bulletin boards of relevant Local communities indicating: i) where the draft document can be accessed, (ii) the date of the open-door day for community consultation, (iii) the contact details of the responsible person to whom any questions or comments can be submitted in writing, as well as the deadline for submission of comments. Within 7 days after the open-door day, comments received in writing and during consultations will be considered and integrated in the text. The final Plan will be posted on the websites of the Directorate and Institute of Construction.

## 10.0 IMPLEMENTATION OF THIS LAND ACQUISITION AND LIVELIHOOD RESTORATION FRAMEWORK

The implementation of the LALRF and of the LALRP will fall under the responsibility of SOWI, that will appoint a Community Liaison Officer in charge of the overall process. In addition to support the CLO, a LALRP

Operational Team will be formed. This is an operational group, focussing on implementing the various actions required for the LALRP (land acquisition, including compensation) as well as the livelihood restoration actions. This team will be coordinated by the CLO, who will report back to SOWI Management on progress, issues emerging or operational challenges. This group will work closely with PAP representatives in the various areas and communities they work.

The responsibilities to ensure effective implementation and compliance to the EBRD PR 5 is indicated in Table 10.

**Table 10: Responsibilities for Implementation**

Task	Responsible entity	Responsible entity and additional activities to comply with PR5
Cary out the land acquisition process for the overhead line.	MESP	SOWI to ensure that the process is in compliance with PR5
Own and operate the overhead line component of the project.	KOSTT	
Information disclosure to all project affected People and communities.	MESP	SOWI to perform additional disclosure activities to comply with PR5 and PR 10.
Census and Asset Inventory		SOWI, in order to comply with PR5
Valuation of property.	Ministry of Finance (Office of Valuation of Property)	SOWI to perform additional compensation calculation in compliance with PR5 and entitlement matrix
Direct communication with and visits to owners / occupants.	The Ministry as the expropriation beneficiary and the involved Municipalities as the expropriation authorities.	SOWI to assist to comply with PR5 and PR10.
Payment / provision of compensation packages.	MESP	SOWI to provide additional compensation if necessary according to entitlement matrix and PR5.
Provision of assistance to	MESP in cooperation with the Municipal departments responsible	SOWI to assist to comply with PR5

Task	Responsible entity	Responsible entity and additional activities to comply with PR5
vulnerable persons / households.	for social care, displaced persons and refugees, and other ministries.	
Livelihood restoration	SOWI	SOWI, in order to comply with PR5
Monitoring and reporting.	SOWI	SOWI, in order to comply with PR5
Grievance management.	KOSTT for the OHL during the operation phase.	SOWI for the WF and in coordination with KOSTT for the OHL, once operational.

## 10.1 Indicative timetable for plan implementation

Tasks	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Week 10	Week 11	Week 12	Week 13	Week 14	Week 15	Week 16	Week 17	Week 18	Week 19	Week 20
Factual Situation and agreement between KOSTT-MESP-SOWI and BOP contractor																				
Preparation and approval of Guidelines for Land Acquisition and Compensation Implementation of Grievance Mechanism																				
Disclosure of LARF and of planned activities																				
Census and Asset inventory																				
Gap Analysis between the Expropriation data and data collected through Census Asset and Inventory																				
Integration of land acquisition process in line with PR5 requirements																				
Payment of compensation																				
Monitoring and reporting																				

## 10.2 Indicative budget for framework implementation

SOWI has allocated financial resources for the implementation of the present framework. Budgets to date are preliminary due to uncertainties on the overall process and on the economic implications it will have. Based on these aspects, to date SOWI has secured the following budgets:

- Census and Asset Inventory: €100.000
- Community Liaison Officer for land acquisition process: €60.000/year for 3 years = €180.000

Additional resources will likely be necessary to implement planned activities described in section 4.2 and to additionally compensate, if necessary, PAP according to the entitlement matrix. The budget for these activities however cannot be estimated in this phase. To secure budget for all these activities and for construction activities more in general, SOWI has executed a bank guarantee with a value of €1,000,000. A more detailed budget will be presented in the LALRP, once the census and asset inventory has been carried out and the entitlements matrix has been finalized.

## 11.0 MONITORING, AUDITING AND REPORTING

### 11.1 Monitoring

#### 11.1.1 Project monitoring

SOWI will be responsible for monitoring, maintaining and regularly updating a land acquisition database on the owners/users of affected properties.

SOWI will prepare and submit to EBRD Annual Environmental and Social Reports including the progress achieved in the implementation of this LALRF and the subsequent Plan. In addition, SOWI will facilitate the development of a Completion Audit at the end of the land acquisition process by an independent expert. Monitoring indicators

Indicators to be considered during the monitoring process are indicated in Table 11.

**Table 11: Monitoring indicators**

No	Indicator	Means of verification	Time of verification
1)	The number of households affected.	Data collected during the survey process. The data will include the gender of owner or user, head of household, family members and so forth.	Before and after implementation of LALRP.
2)	Size and quantity of land (plots/parcels) or asset (structures) affected.	Data collected during the survey process.	Before and after LALRP implementation.
3)	Nature of compensation for all the affected peoples by the project.	Data collected during the compensation calculation.	Before and after construction.
4)	The number of properties affected.	Data collected during the survey process.	Before construction.



No	Indicator	Means of verification	Time of verification
5)	Measures for improving livelihood standards of PAPs.	Data from onsite implementation and monitoring process.	After the implementation of the LALRP.
6)	The number of community integration programmes applied for?	Data received by SOWI and during the survey process.	Before and after implementation of the LALRP.
7)	The number of incidents during project implementation.	Data received during the on the site monitoring process.	After the implementation of the LALRP.
8)	The number of conflicts between inhabitants.	Data received during the site monitoring process.	After the implementation of the LALRP.
9)	The number of conflicts between inhabitants and workers before and during the implementation process.	Data received during the site monitoring process.	After the implementation of the LALRP.
10)	The number of vulnerable peoples faced with decreasing living standards.	Data received during the socio-economic survey and the site monitoring process.	Before and after implementation of the LALRP.
11)	The number of grievances registered through grievance mechanism.	Data received from SOWI.	After the implementation of the LALRP.
12)	The number of grievance cases addressed.	Data received from SOWI.	After the implementation of the LALRP.
13)	Percentage of closed grievances where PAPs indicate their satisfaction with the grievance process.	Survey of PAPs.	Quarterly.
14)	The number of persons engaged during the implementation of the project, focused on women.	Data received from SOWI.	After the implementation of the LALRP.
15)	Number of NGOs involved during the implementation process.	Data received from SOWI.	After the implementation of the LALRP.

No	Indicator	Means of verification	Time of verification
16)	The number of beneficiaries from the livelihood improvement programmes, focused on women.	Data received from SOWI.	After the implementation of the LALRP.
17)	The number of contracts signed.	Data received from SOWI.	After the implementation of the LALRP.
18)	The number of people having received cash compensation in the period.	Data management system.	Monthly.
19)	Percentage of PAPs reporting satisfaction with the land acquisition process.	Survey of compensated households to assess the level of satisfaction with the land acquisition process.	Post LA.
20)	The number of parcels reinstated and handed back.	Data management system.	Monthly.

## 11.2 Audit

### 11.2.1 Land acquisition completion audit

Based on good international practices, the scope of the work of the land acquisition completion audit will include the following tasks:

- General:
  - Assess overall compliance with LALRP commitments.
  - Interview affected PAPs to measure the extent to which the standards of living and livelihoods of project affected people are being restored or enhanced.
  - To gather the opinions of the PAPs on compensation, delivery, claims, and grievances.
- Compensation process:
  - Review if PAPs have received the entitlements and compensation in time (as set out in the LALRP) and, if not, why and whether delays are justifiable.
  - Assess whether compensation was at replacement value.
- Livelihood restoration:
  - Assess on a case-by-case basis if the livelihoods of affected PAPs are restored.
  - Verify if the required measures are being implemented.
- Monitoring and Evaluation:

- Review and evaluate if internal monitoring and reporting procedures are in compliance with the LALRP.
- Review internal monitoring records and identify discrepancies, problems, potentially disadvantaged groups and affected PAPs.
- Grievances:
  - Review the grievance records to identify grievances and the required actions required.
  - Assess if the grievance mechanism contributed to the effectiveness of the compensation and land reinstatement process.
  - Review the grievance management process and identify failures, for further attention.
- Vulnerable people:
  - Evaluation of the performance of the actions and policies followed in addressing vulnerable cases
  - Evaluate if the actions followed are in compliance with the LALRP.
- Implementation:
  - Assess whether sufficient resources are available for implementing the project.
  - Determine if training and capacity building activities are still required.
  - Compare actual progress with the initial schedule.
  - Review any situations of fraud, corruption or extortion and the way they have been managed.

Compliance audit and monitoring will take place at least twice a year during the active phase of the and acquisition and compensation processes. The completion audit will take place upon completion of the land acquisition process.

The external auditor will focus on field visits, meeting and interviewing PAPs and gathering key information as per the auditor's agenda and audit scope of work. For every auditor's mission, an independent report will be provided to SOWI.

### 11.2.2 Livelihood restoration plan completion audit

SOWI will procure the services of an external compliance auditor to review whether the LALRP has been fully implemented and is in compliance with EBRD PR 5). The overall goal of the completion audit is to verify that the implementation of the land acquisition plan has been effective in restoring the standard of living and livelihoods of the PAPs.

The completion audit has the following objectives:

- Assess the effectiveness of measures to avoid and minimise displacement impacts. This will be done by comparing actual project impacts on land and people versus measures documented in the LALRP.
- Verify that all entitlements and commitments described in the LALRP have been delivered to affected PAPs.
- Define if the LALRP measures have been effective in restoring or enhancing the living standards and livelihood of the affected PAPs.
- Control and verify if any claims or grievances have not been addressed.

- Identify the required corrective actions in meeting LALRP commitments.

The focus of the completion audit is on livelihood restoration. The methods of evaluation will include quantitative surveys, the results of which will be compared to baseline data, to determine progress. The quantitative survey will be done for a sample of affected PAPs. Particular attention will be paid to assessing the impact that land acquisition had on the circumstances of vulnerable PAPs.

The completion audit report will present the conclusions on livelihood restoration as well as the corrective measures required to complete the rehabilitation of PAPs. It will be carried out two years after the completion of the land acquisition and compensation (including reinstatement and hand back) process.

## 12.0 GRIEVANCE MECHANISM

This grievance mechanism elaborated in detail in the SEP outlines SOWI's approach to receiving, assessing, resolving, and monitoring grievances from stakeholders and stakeholder groups about project activities<sup>18</sup> and project implementation (including land acquisition and livelihood restoration processes). The grievance mechanism ensures that complaints and grievances are addressed in good faith and through a transparent and impartial process, but one which is culturally acceptable. SOWI will establish a Project grievance mechanism to be aware of and respond to stakeholders' concerns and to facilitate a resolution for stakeholder grievances. The grievance mechanism will address concerns promptly and effectively, using an understandable and transparent process that is culturally appropriate and readily accessible to all segments of the affected parties, at no cost and without retribution.

### 12.1 Key principles:

The grievance mechanism complies with the following key principles:

- Address grievances, concerns, and complaints promptly, effectively and transparently, in a manner that is culturally appropriate and readily accessible to all segments of the affected communities, considering the confidentiality and legal requirements;
- Handle grievances, concerns, and complaints discretely, objectively, sensitively, and responsive in order to address the stakeholders' needs and concerns;
- Does not prevent or impede access to judicial or administrative remedies;
- Informs the affected communities about the grievance mechanism and reports regularly to the public on its implementation;
- Publish the grievance mechanism using appropriate and easily accessible channels of communication;
- Develop training and implements procedures which will ensure that all SOWI employees and its contractors comply with the grievance mechanism.

Grievances are defined as a claim raised by an individual or group whose livelihood, health and safety, cultural norms and heritage are considered having been adversely affected (harmed) by a project activity which, if not addressed effectively, may pose a risk to SOWI's operations (through stakeholder actions such as access road blockages) and the livelihood, well-being or quality of life of the claimant (s) (EBRD, 2014a).

As the project is composed of two main components that will have their own facilities (as per the designs), SOWI will manage the grievance mechanism in the wind farm area for all the project phases (including preconstruction, construction and operation), while in the overhead line section SOWI will be responsible

<sup>18</sup> Including contractors' and subcontractors' activities.

during the construction phase in cooperation with the overhead line contractor. KOSTT will be managing all the grievances during the operational phase.

During the operation phase, SOWI and KOSTT will liaise periodically to ensure that grievances regarding the wind farm and the overhead line are resolved efficiently. If a grievance regarding the overhead line is sent to SOWI, SOWI will forward it to KOSTT and will follow-up to ensure that it is addressed in line with the principles of its grievance mechanism. Likewise, SOWI will require KOSTT to forward any grievances received that have to do with the wind farm operation, to ensure it is resolved properly. If during the operation phase, it is noticed that stakeholders have difficulties in understanding who to submit grievances to, additional engagement activities will be performed to ensure clarity on this issue.

As indicated in Section 12.0, the CLO will act as the operational manager for the grievance mechanism, reporting to the Stakeholder Engagement Coordinator who will be responsible for implementing and coordinating SOWI's grievance mechanism.

Contractors and subcontractors will not implement a separate grievance mechanism but will direct complainants to use the grievance mechanism set up by SOWI.

The grievance mechanism that SOWI will develop will be led by principles and guidelines of EBRD requirements to ensure grievances are managed and resolved accordingly.

In order to ensure that the grievance mechanism is inclusive and culturally appropriate, stakeholders have several methods of communication to submit a grievance:

Verbally: Stakeholders can contact the SOWI office on the following contact numbers:

Phone: +381 38 60 99 60

In writing: Stakeholders can submit by completing a grievance form which will be available at the country office, and/or local office, or more conveniently, they can be submitting their concern by email or in writing at the SOWI address:

Str. Mujo Ulqinaku No. 10

10000 Prishtina, Kosovo

Email: [info@sowikosovo.com](mailto:info@sowikosovo.com)

Using the available online grievance form (in English, Albanian and Serbian) that can be found at:

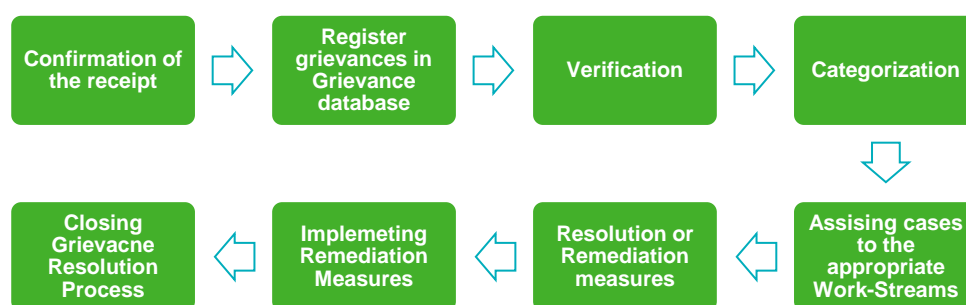
<http://sowikosovo.com>

The concerned person shall indicate in his/her communication if he/she wishes his/her name to be kept confidential.

## 12.2 Grievance mechanism flow

The graphic below gives a short description of the sequence of steps of the grievance mechanism:





**Figure 14: Grievance mechanism flowchart**

The grievance management will be performed according to the following steps:

#### **Confirmation of receipt**

For grievances received in the field, the CLO will verbally acknowledge the receipt of the grievance. For grievances received through email, post and fax, the CLO will issue an acknowledgement receipt form within 7 days of receiving a grievance. When possible, the Grievance Coordinator will make a follow-up call to the stakeholder to understand the grievance process to be followed.

**Register grievances in Grievance database:** The CLO will register all grievances. Each case will receive a unique registration number in the grievance database to enable tracking.

**Verification:** The CLO will verify if the grievance is related to the project. If the grievance is not related to the project or the construction activities, the Grievance Coordinator will send a rejection letter to the stakeholder indicating this point. The Grievance Coordinator will also verify the severity of the grievance or complaint and register the grievance or complaint appropriately.

**Categorising:** The CLO will categorise each grievance according to the:

- work-stream responsible for resolving the grievance;
- type of aggrieved party (individual, group, NGO);
- type of grievance;
- frequency of the grievance;
- severity and consequence of the grievance.

**Assigning cases to the appropriate Work-Streams:** The CLO will send the grievance to the relevant Work-Stream Managers (or contractor) for investigation and resolution. The Work-Stream Managers will be informed of the applicable time frames for resolving the type of grievance and the format of the official response required.

**Resolution or Remediation measure:** When a resolution or remediation measure to a grievance has been reached by the relevant Work-Stream, the Work-stream Manager will send the details of the remediation measure to the CLO to be recorded in the database.

The CLO will alternatively:

- immediately discuss the proposed resolution/remediation with the stakeholder and agree to the timing of the remediation process;
- send a rejection letter in case the grievance has been assessed as unjustified, not related to the project or its contractors or has been rejected for any other sound reason, explaining the grounds for rejection;

- if the case is complex and the resolution will take longer than anticipated, inform the stakeholder of the reasons for the delay, and indicate when the resolution is expected.

**Implementing Remediation Measures:** The implementation of remediation measures will start immediately after the stakeholder has been consulted about the planned remediation measure and broad agreed reached that the measures are appropriate.

**Closing Grievance Resolution Process:** When the stakeholder has accepted the proposed resolution and is satisfied with the remediation measure implemented, the CLO will have the stakeholder sign a grievance close out form. The Grievance will be marked as resolved/closed in the grievance database.

## 12.3 Grievance mechanism time frames

The time frames in the table below shall be followed in the administration of the grievance process. In the case that SOWI is not able to follow the timeframe indicated below, due to practical reasons, the complainant will have to be duly informed on possible delays.

**Table 12: Grievance time frames**

Action	Time frame	Responsible
Acknowledge Grievance	Within 7 days	CLO
Register grievance	7 days	CLO
Issue grievance rejection or resolution letter	10 days	CLO
Issue grievance resolution letter	On agreement of grievance remediation action	CLO
Issue grievance closure letter	On completion grievance remediation implementation	CLO

## 12.4 External resolution process

Being in compliance with international requirements, SOWI will need to implement a third party grievance mechanism which is subject to recognised national regulatory and/or cultural requirements, specific types of community and public concerns. Where possible grievances will be addressed and resolved directly by SOWI, according to the flow described above (Tier 1).

If wider consultation is necessary or if the resolution found is not considered satisfactory by the complainant, grievances will be forwarded to a third party. The external resolution process (ERP), is known as Tier 2 grievance management process and shall be supported by SOWI with the involvement of external expert party (third party), the complainant and SOWI. The composition of the ERP is decided on a case-by-case basis depending on the nature of the grievance requiring the involvement of external advisers and endorsement of SOWI management.

This third party should be neutral, well-respected, and agreed upon by both SOWI and the affected parties. These may include public defenders, legal advisers, local or international NGOs, or technical experts. In cases where further arbitration is necessary, appropriate government involvement will be requested.

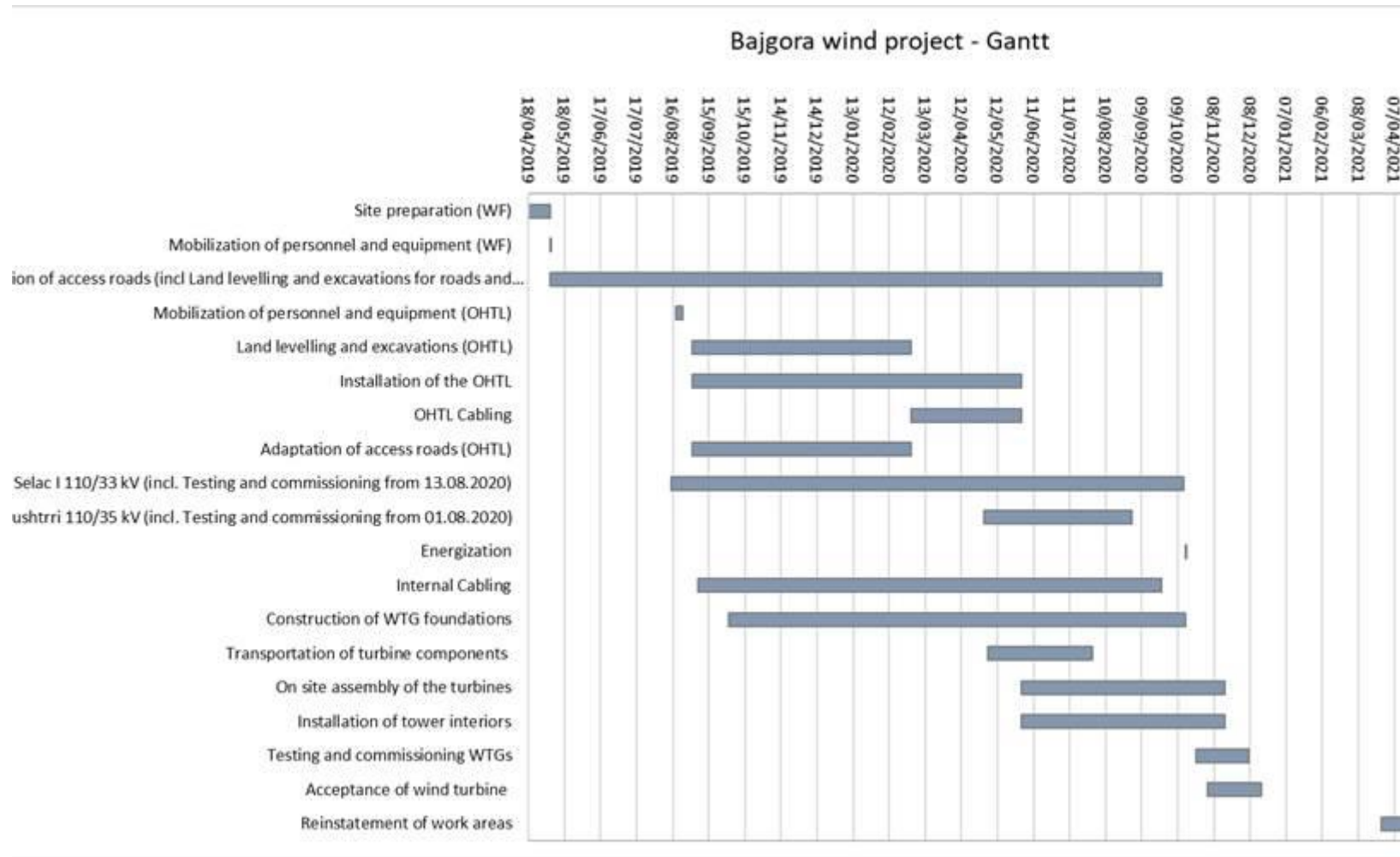
At all times, complainants may seek other legal remedies in accordance with the legal framework of Kosovo, including formal judicial appeal.

A separate grievance mechanism is available for workers.

**APPENDIX A**

**Work Schedule**  
**Bajgora Wind Project**

The Gant Chart below (**Figure 15**) indicates the work schedule for the Bajgora Wind Project.



**Figure 15: Work Schedule - Bajgora Wind Project**



**APPENDIX B**

**SOWI Declaration**  
**Voluntary Nature of the Land**  
**Acquired for the Construction of**  
**the Wind Farm**



www.sowikosovo.com

26.09.2019

SOWI Kosovo L.L.C.  
Mujo Ulqinaku 12  
10000 Pristina, Kosovo

### Declaration

Sowi Kosovo L.L.C, a company duly incorporated under the laws of the Republic of Kosovo, with Unique Identification number: 810850249, represented by Mr. Ilir Grapci (Managing Director) which intends to develop, build, and commission a wind park of 105 MW capacity, distributed over 27 turbines, with its location in the region of Selac, Municipality of Mitrovica,

*Is to state and declares*

that as a part of the land provision process of the Project Locality, a participatory approach between the Land Owners of the area and Sowi Kosovo was applied. The land acquired for the construction of the wind park, has been attained through a completely free, and voluntary agreement between the landowners and Sowi Kosovo L.L.C, without jeopardizing individual interest of the owners, and right to property.

Ilir Grapci

(Managing Director of Sowi Kosovo)



**APPENDIX C**

**List of Parcels Affected by the  
Wind Farm and Map**

Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208001-279-0	01	1		SELAC I			X
71208001-281-0	01	1		SELAC I			X
71208001-294-0	01	1		SELAC I			X
71208001-290-1	01	1		SELAC I			X
71208001-290-3	01	1		SELAC I			
71208001-290-4	01	1		SELAC I			
71208001-290-5	01	1		SELAC I			
71208001-290-25	01	1		SELAC I			
71208001-291-13	01	1		SELAC I		X	X
71208001-291-1	01	1		SELAC I			
71208001-291-2	01	1		SELAC I			
71208001-291-3	01	1		SELAC I			

Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208001-291-4	01	1		SELAC I			
71208001-291-5	01	1		SELAC I			
71208001-291-6	01	1		SELAC I			
71208001-291-7	01	1		SELAC I			X
71208001-291-8	01	1		SELAC I			
71208001-291-9	01	1		SELAC I			
71208001-280-0	01	1		SELAC I			X
71208001-283-0	01	1		SELAC I			X
71208001-873-0	01	1		SELAC I			X
71208001-867-0	01	1		SELAC I			X
71208001-869-0	01	1		SELAC I			X
71208001-851-0	01	1		SELAC I			X
71208001-856-2	01	1		SELAC I			X



Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208001-865-0	01	1		SELAC I			X
71208001-860-0	01	1		SELAC I			X
71208001-861-0	01	1		SELAC I			X
71208001-859-0	01	1		SELAC I			X
71208001-863-0	01	1		SELAC I			X
71208001-858-0	01	1		SELAC I			X
71208001-857-0	01	1		SELAC I			X
71208001-1209-0	01	1		SELAC I			X
71208001-1210-0	01	1		SELAC I			X
71208001-1206-1 (1206-2)	01	0,9		SELAC I			X
71208001-277-0	01	0		SELAC I			c&f
71208001-278-0	01	1		SELAC I			X
71208001-2324-0	01	1		SELAC I		X	X
71208001-265-0	<b>03</b>	0,9		SELAC I	X	X	X

Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208001-266-0	03	0,9		SELAC I		X	X
71208001-261-1 (261-2)	03	0,9		SELAC I		X	X
71208001-263-1 (263-2)	04	0,9		SELAC I			X
71208001-297-0	04	1		SELAC I			X
71208001-302-0	04	1		SELAC I			X
71208001-73-0	04	1		SELAC I/ SELAC II			X
71208001-74-0	04	0		SELAC I/ SELAC II			c&f
71208001-2342-0	<b>04</b>	0,9		SELAC I	X	X	X
71208001-86-0	04	1		SELAC I		X	
71208001-87-0	04	1		SELAC I		X	
71208001-264-0	04	1		SELAC I			X
71208001-91-0	05	1		SELAC I		X	X
71208001-92-0	05	1		SELAC I			

Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208001-89-0	05	1		SELAC I			
71208001-2341-0	05	1		SELAC I		X	X
71208001-123-0	<b>05</b>	0,9		SELAC I	X	X	X
71208001-120-0	05	1		SELAC I			
71208001-76-0	07	1		SELAC I		X	X
71208001-154-0	<b>06</b>	0,9		SELAC I	X	X	X
71208001-155-0	06	1		SELAC I		X	
71208001-165-0	06	1		SELAC I		X	
71208001-166-0	06	1		SELAC I		X	
71208001-162-0	06	1		SELAC I		X	
71208001-141-0	06	1		SELAC I			X
71208001-140-0	06	1		SELAC I			X
71208001-2323-0	07	1		SELAC I			X
71208001-288-0	07	1		SELAC I			

Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208001-84-0	<b>07</b>	0,9		SELAC I / SELAC II	X	X	X
71208001-487-0	07	1		SELAC I		X	
71208001-66-0	07	1		SELAC I		X	
71208001-67-0	07	1		SELAC I		X	
71208001-2326-0	07	1		SELAC I			X
71208001-64-0	<b>08</b>	0,9		SELAC I / SELAC II	X	X	X
71208001-71-0	08	1		SELAC I			X
71208001-482-0	08	0,9		SELAC I		X	
71208001-72-0	08	1		SELAC I / SELAC II			X
71208001-70-0	08	1		SELAC I			X
71208065-1009-0	<b>09</b>	0,9		SELAC I	X	X	X
71208001-81-0	10	1		SELAC II	-	-	-
71208001-80-0	<b>10</b>	1		SELAC II	X	X	X

Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208001-62-0	11	1		SELAC II			X
71208001-3-0	19	1		SELAC III			X
71208001-2322-0	12	1		SELAC II		X	
71208001-52-0	12	1		SELAC II		X	
71208001-53-0	11	0		SELAC II			X
71208001-54-0	11	1		SELAC II			X
71208001-56-0	11	0		SELAC II			c&f
71208001-23-0	13	1		SELAC II		X	X
71208001-59-0	14	1		SELAC II		X	
71208001-60-0	14	1		SELAC II		X	X
71208001-83-0	<b>14</b>	0,9		SELAC II	X	X	X
71208001-61-0	14	1		SELAC II			X
71208065-940-0	14	1		SELAC II			X
71208065-939-0	14	1		SELAC II			X

Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208001-2327-0	14	0		SELAC II			cranepad
71208001-2-0	19	1		SELAC II		X	X
71208001-22-1	19	1		SELAC II		X	X
71208065-941-0	19, 20	0,9		SELAC III		X	X
71208106-1234-0	19	0,1		SELAC II			X
71208001-1-0	19	1		SELAC II			X
71208106-1235-0	19	1		SELAC II		X	X
71208106-237-0	<b>22</b>	1		SELAC III	X	X	X
71208106-236-0	22	1		SELAC III		X	X
71208065-1-0	23	1		SELAC III		X	X
71208065-2-0	23	1		SELAC III			X
71208106-142-0	24	1		SELAC III		X	X
71208106-143-0	24	1		SELAC III			X
71208102-614-0	24	1		SELAC III			X



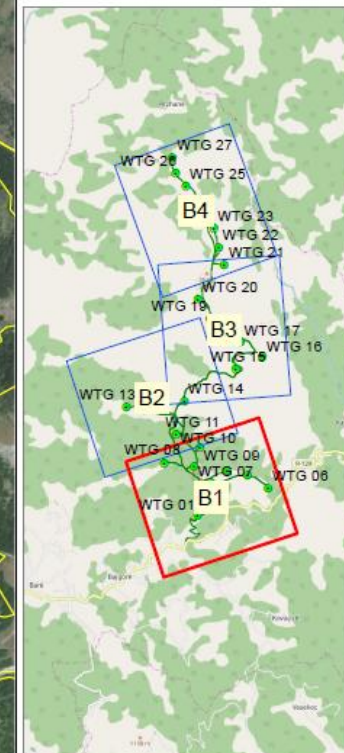
Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208102-615-0	24	1		SELAC III		X	X
71208106-233-0	24	1		SELAC III			X
71208106-140-0	25	1		SELAC III		X	X
71208106-231-1	24	1		SELAC III			X
71208106-137-0	<b>25</b>	0,9		SELAC III	X	X	X
71208102-608-0	25	1		SELAC III		X	
71208106-130-0	25	1		SELAC III			X
71208106-136-0	25	1		SELAC III			X
71208106-128-0	25	1		SELAC III			X
71208106-119-0	26	0,1		SELAC III		X	X
71208106-118-0	26	0,1		SELAC III			
71208102-588-0	26	1		SELAC III		X	
71208102-589-0	26	0,9		SELAC III		X	X
71208102-587-0	26	1		SELAC III			X

Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208102-593-0	26	1		SELAC III		X	
71208106-126-0	26	1		SELAC III			X
71208106-125-0	26	1		SELAC III			X
71208106-116-0	26	1		SELAC III		X	X
71208102-594-0	<b>26</b>	0,9		SELAC III	X	X	X
71208102-585-0	<b>27</b>	0,9		SELAC III	X	X	x
71208102-497-0	27	1		SELAC III		X	
71208102-498-0	27	1		SELAC III		X	
71208102-500-0	27	1		SELAC III		X	
71208106-96-2	27	1		SELAC III		X	X
71208106-97-2	27	1		SELAC III		X	X
71208106-95-2	27	1		SELAC III		X	
71208001-286-0	<b>01, 02</b>	1		SELAC I	X	X	X
71208001-270-0	01, 02	1		SELAC I			X

Parcel ID	WTG Nbr (30 WTG)	Contract	Parcel	Project	Site	Rotor	Road
71208001-22-2	<b>11, 12, 13,</b>	0,9		SELAC II	X	X	X
71208065-990-0	<b>14, 15, 16, 17, 18, 19, 21, 22, 23</b>	0,9		SELAC II / SELAC III	X	X	X
71208106-234-1	<b>19, 20, 22, 23, 24</b>	1		SELAC III	X	X	X
71208065-1529-0	21	1		SELAC III			X

Title **WindFarm / SOWI**  
**Land Easement & Acquisition**  
**MAP**

Date: 08/08/2019



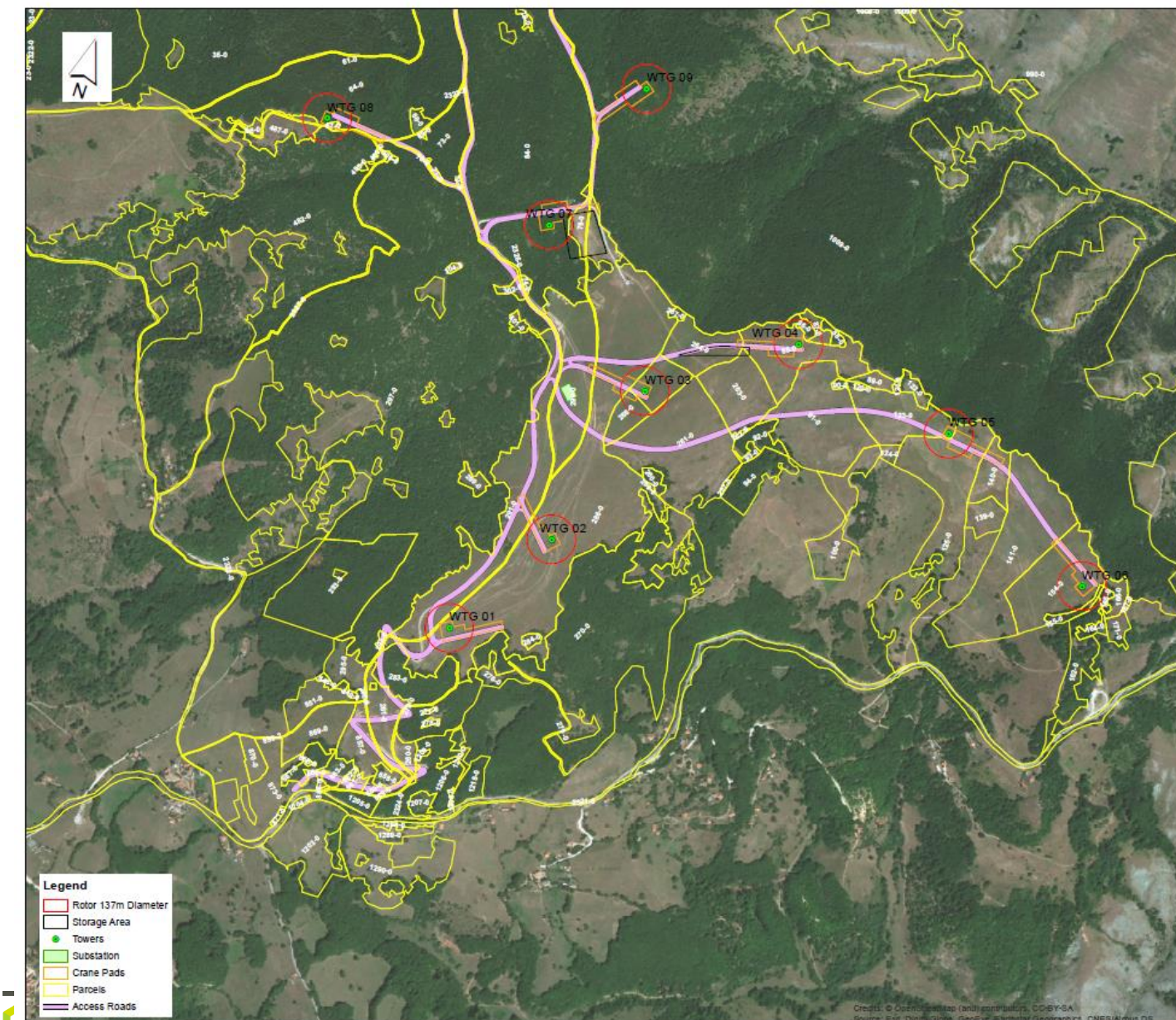
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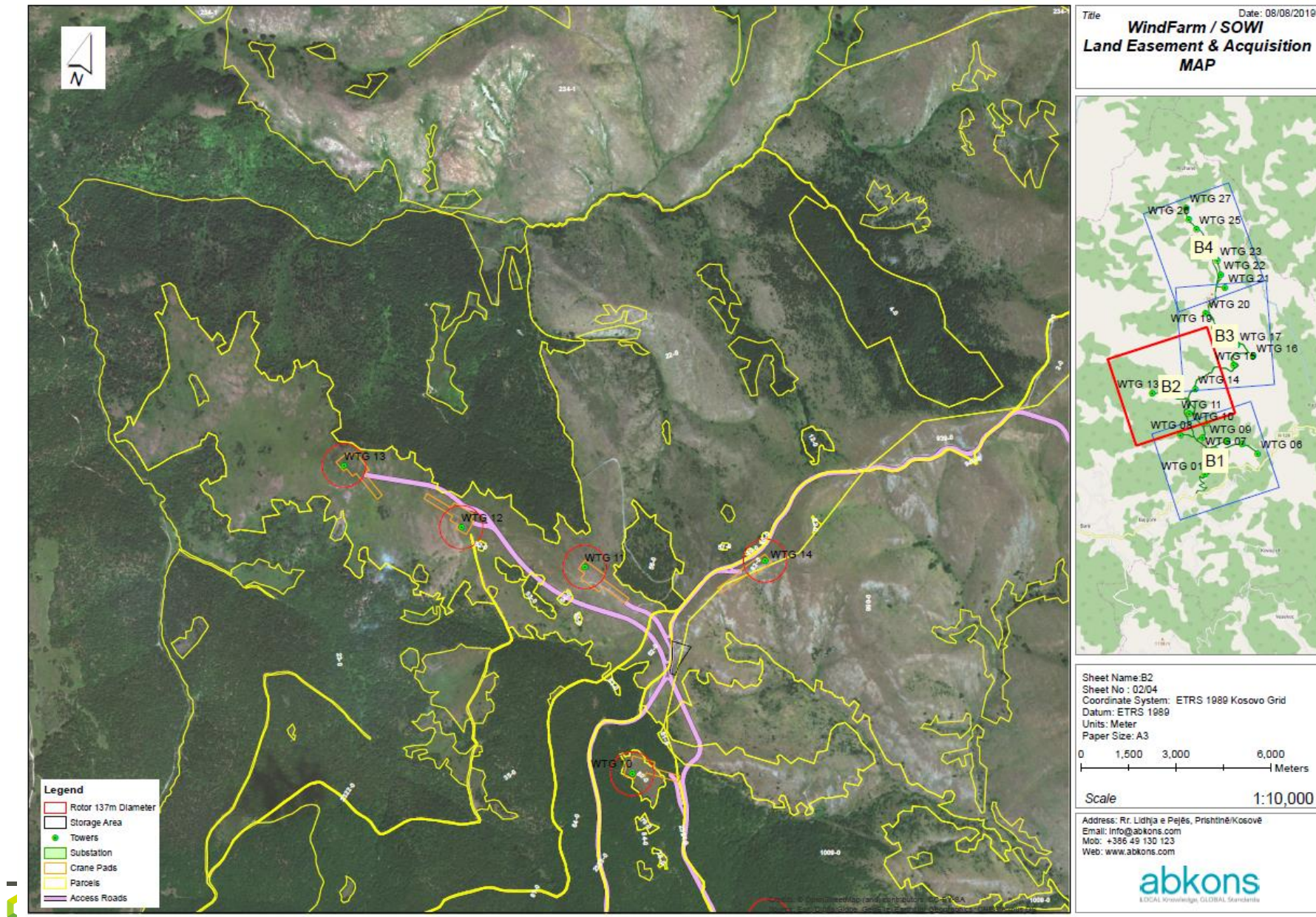
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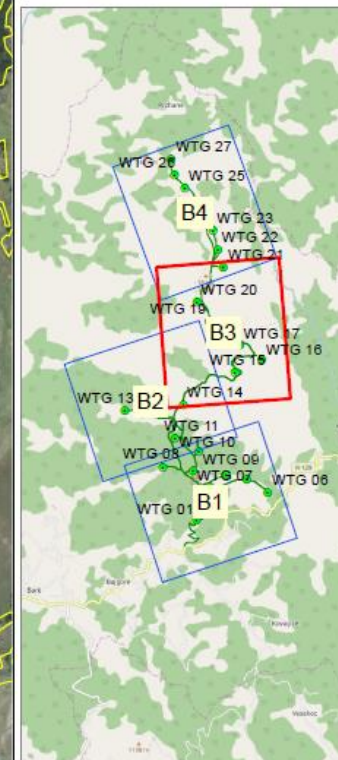






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**Land Easement & Acquisition**  
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Date: 08/08/2019



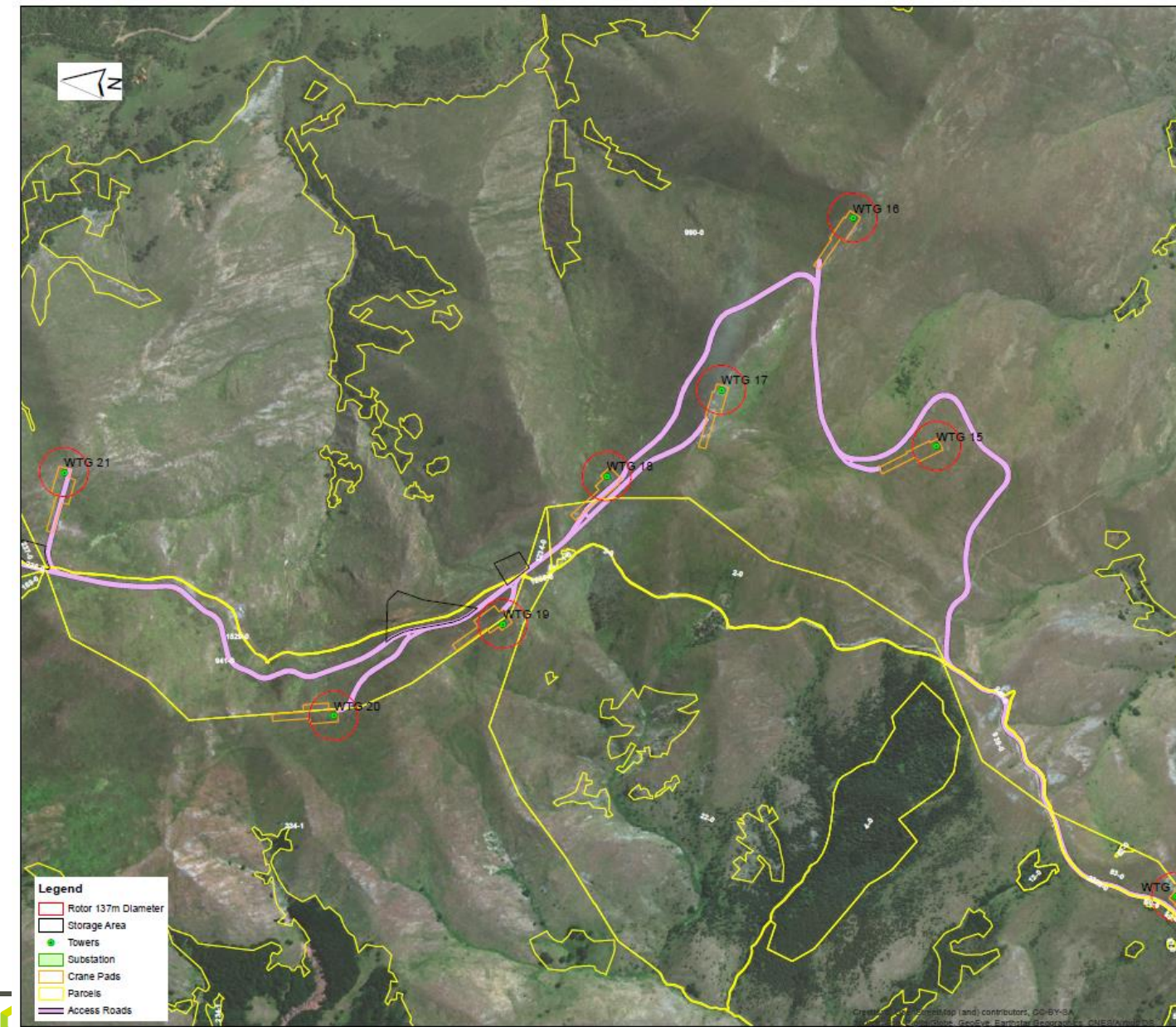
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**APPENDIX D**

**List of Parcels Affected by the  
Overhead Line Component and  
Map**



**List of parcels of Vushtri affected by OHL**

No	Municipality	CZ	Owner/Possessor	Cad.Unit	Land Type	Class	Land Area	Servitude Area	Acquisition Are	Comments
1	Vushtri	Vushtri	Private	2589-0	Badlands		6452	97	0	
2	Vushtri	Vushtri	Private	2498-2	Badlands		1000	420	0	
3	Vushtri	Vushtri	Private	2499-1	Are	3	800	403	0	
4	Vushtri	Vushtri	Private	2500-1	Are	3	1500	174	0	
5	Vushtri	Vushtri	Private	3941-0	Are	3	8617	651	0	
6	Vushtri	Vushtri	Private	3940-0	Are	3	8423	1949	112	Tower No. 2
7	Vushtri	Vushtri	Private	3939-0	Are	3	6650	228	0	
8	Vushtri	Vushtri	Private	3945-2	Are	2, 3	5429	211	0	
9	Vushtri	Vushtri	Private	3945-1	Are	2, 3	5579	1335	0	
10	Vushtri	Vushtri	Private	3928-0	Are	2, 3	7614	1128	88	Tower No. 3
11	Vushtri	Vushtri	Private	3802-0	Are	1	9986	945	100	Tower No. 4
12	Vushtri	Vushtri	Private	3801-0	Are	1, 2	21201	718	0	
13	Vushtri	Vushtri	Private	3796-0	Are	1, 2	9306	2387	0	
14	Vushtri	Vushtri	Private	3795-0	Are	1, 2	2040	15	0	
15	Vushtri	Vushtri	Private	3797-0	Are	1, 2	11985	112	0	
16	Vushtri	Vushtri	Private	3776-0	Are	1	7782	470	88	Tower No. 5
17	Vushtri	Vushtri	Private	3775-0	Are	1	13083	2052	0	
18	Vushtri	Vushtri	Private	3774-0	Are	1	10182	1606	0	
19	Vushtri	Vushtri	Private	3773-0	Are	1	11518	358	0	
20	Vushtri	Vushtri	Private	3772-0	Are	1	7857	1253	100	Tower No. 6
21	Vushtri	Vushtri	Private	3726-0	Are	1, 2	12804	1353	0	
22	Vushtri	Vushtri	Private	3724-0	Are	2	2105	244	0	
23	Vushtri	Vushtri	Private	3723-0	Are	2	6316	997	0	
24	Vushtri	Vushtri	Private	3722-0	Are	2	3485	658	0	
25	Vushtri	Vushtri	Private	3721-0	Are	2	13252	2418	81	Tower No. 8
26	Vushtri	Vushtri	Private	3719-0	Are	2	16446	2921	88	Tower No. 9
27	Vushtri	Dobërollukë	Private	114-0	Are	2	17267	17	0	
28	Vushtri	Dobërollukë	Private	323-0	Are	2	17532	863	107	Tower No. 7
29	Vushtri	Dobërollukë	Private	324-0	Are	1, 2	25487	321	0	
30	Vushtri	Banjë	Private	276-0	Are	2	1211	147	0	
31	Vushtri	Banjë	Private	277-0	Are	2	1848	217	0	
32	Vushtri	Banjë	Private	278-0	Are	2	10581	1389	0	
33	Vushtri	Banjë	Private	279-0	Are	2	9390	1480	67	Tower No.10
34	Vushtri	Banjë	Private	237-0	Are	2, 3	16991	540	87	Tower No.11
35	Vushtri	Banjë	Private	134-0	Are	2	2161	578	0	

36	Vushtri	Banjë	Private	132-0	Are	2	394	17	0	
37	Vushtri	Banjë	Private	112-0	Are	3	3204	99	0	
38	Vushtri	Banjë	Private	111-0	Are	3	7141	855	52	Tower No.12
39	Vushtri	Banjë	Private	110-0	Are	3	5882	605	52	Tower No.12
40	Vushtri	Banjë	Private	107-0	Are	3	7647	948	0	
41	Vushtri	Banjë	Private	106-0	Are	3	5882	612	0	
42	Vushtri	Banjë	Private	102-0	Are	3	5882	604	0	
43	Vushtri	Banjë	Private	101-0	Are	3	3529	420	0	
44	Vushtri	Banjë	Private	100-0	Are	3	2446	250	0	
45	Vushtri	Banjë	Private	97-0	Are	3, 4	4112	234	0	
46	Vushtri	Banjë	Private	96-0	Are	3, 4	3898	284	0	
47	Vushtri	Banjë	Private	95-0	Are	3, 4	2479	173	0	
48	Vushtri	Banjë	Private	94-0	Are	3, 4	5094	295	61	Tower No.13
49	Vushtri	Banjë	Private	93-0	Are	3, 4	5670	403	43	Tower No.13
50	Vushtri	Banjë	Private	92-0	Are	3, 4	1598	88	0	
51	Vushtri	Banjë	Private	91-0	Are	3, 4	3410	30	0	
52	Vushtri	Banjë	Private	150-0	Are	2, 3	13103	86	0	
53	Vushtri	Banjë	Private	151-0	Are	3	5884	416	0	
54	Vushtri	Banjë	Private	152-0	Are	4	13403	1017	0	
55	Vushtri	Banjë	Private	153-2	Are	2, 3	5749	454	0	
56	Vushtri	Banjë	Private	153-1	Are	4	7174	625	0	
57	Vushtri	Banjë	Private	154-0	Are	2, 3	12775	1215	13	Tower No.14
58	Vushtri	Banjë	Private	155-0	Are	4	7492	580	76	Tower No.14
59	Vushtri	Banjë	Private	156-0	Are	3	6666	1229	0	
60	Vushtri	Banjë	Private	157-0	Are	3, 4, 5	5927	67	0	
61	Vushtri	Banjë	Private	199-0	Are	3	3456	927	0	
62	Vushtri	Banjë	Private	198-0	Are	3	8481	618	0	
63	Vushtri	Banjë	Private	196-0	Are	3	13924	745	0	
64	Vushtri	Banjë	Private	195-0	Are	3, 4, 5	11049	478	100	Tower No.15
65	Vushtri	Banjë	Private	194-0	Are	3, 4, 5	21464	1058	0	
66	Vushtri	Banjë	Private	193-0	Are	3, 4, 5	9157	429	0	
67	Vushtri	Banjë	Private	192-0	Are	3, 4, 5	15437	709	0	
68	Vushtri	Banjë	Private	191-0	Are	3, 4, 5	6364	287	0	
69	Vushtri	Banjë	Private	184-0	Are	4, 5	15751	2134	114	Tower No.16
70	Vushtri	Banjë	Private	79-2	Pasture	4	69749	8951	81	Tower No.19
									71	Tower No.20
									71	Tower No.21
71	Vushtri	Banjë	Private	74-0	Forest	2	53640	620	0	
									76	Tower No.22



72	Vushtri	Banjë	Private	70-2	Are	6	62881	8889	81	Tower No.23
									81	Tower No.24
73	Vushtri	Banjë	Private	77-0	Forest	2	6210	44	0	
74	Vushtri	Gjebishtë	Private	K1-0	Are	5	2452	30	0	
75	Vushtri	Gjebishtë	Private	515-0	Are	5	9877	1567	0	
76	Vushtri	Gjebishtë	Private	514-0	Vineyards	3	1670	152	0	
77	Vushtri	Gjebishtë	Private	513-0	Pasture	4	5189	366	0	
78	Vushtri	Gjebishtë	Private	2-2	Are	6	37849	6280	112	Tower No.17
									88	Tower No.18
79	Vushtri	Gjebishtë	Private	2-5	Pasture	4	1655	535	0	
80	Vushtri	Gjebishtë	Private	1-0	Forest	4	257610	68	0	
81	Vushtri	Sumë	Private	1295-1	Are	6	3231	25	0	
82	Vushtri	Sumë	Private	1295-2	Are	6	3152	1015	81	Tower No.25
83	Vushtri	Sumë	Private	1297-0	Are	5	4009	339	0	
84	Vushtri	Sumë	Private	1298-0	Are	5	2139	180	0	
85	Vushtri	Sumë	Private	1299-0	Are	5	11269	680	0	
86	Vushtri	Sumë	Private	1300-2	Pasture	4	419	20	0	
87	Vushtri	Sumë	Private	1296-0	Pasture	4	89886	2644	81	Tower No.26
88	Vushtri	Sumë	Private	1308-0	Pasture	4	1709	979	0	
89	Vushtri	Sumë	Private	1307-0	Are	6	10610	181	0	
90	Vushtri	Sumë	Private	1309-0	Pasture	4	580	16	0	
91	Vushtri	Sumë	Private	1310-0	Are	6	3789	690	0	
92	Vushtri	Sumë	Private	1311-0	Are	6	2818	1071	47	Tower No.27
93	Vushtri	Sumë	Private	1312-0	Are	6	2888	493	34	Tower No.27
94	Vushtri	Sumë	Private	1313-0	Are	6	5921	250	0	
95	Vushtri	Sumë	Private	948-0	Are	6	11648	1500	0	
96	Vushtri	Sumë	Private	950-0	Are	6	2438	627	70	Tower No.28
97	Vushtri	Sumë	Private	949-0	Pasture	4	12628	1232	0	
98	Vushtri	Sumë	Private	974-0	Are	5	5476	11	0	
99	Vushtri	Sumë	Private	982-0	Are	4	4398	59	0	
100	Vushtri	Sumë	Private	940-0	Are	5	4536	430	0	
101	Vushtri	Sumë	Private	929-0	Pasture	5	480	8	2	Tower No.29
102	Vushtri	Sumë	Private	930-0	Are	5	15186	1987	9	Tower No.29
103	Vushtri	Sumë	Private	932-0	Are, Building	5	11709	93	22	Tower No.29
104	Vushtri	Sumë	Private	933-0	Pasture	5	1204	505	79	Tower No.29
105	Vushtri	Sumë	Private	551-0	Are	6	6468	576	0	
106	Vushtri	Sumë	Private	550-0	Pasture	5	2143	234	0	
107	Vushtri	Sumë	Private	923-0	Are	6	2861	60	0	



108	Vushtri	Sumë	Private	922-0	Are	6	3111	679	0	
109	Vushtri	Sumë	Private	921-0	Pasture	5	2921	566	0	
110	Vushtri	Sumë	Private	920-0	Pasture	5	2341	400	0	
111	Vushtri	Sumë	Private	549-0	Are	6	16359	3908	88	Tower No.30
112	Vushtri	Sumë	Private	548-0	Forest	4	11313	801	107	Tower No.31
113	Vushtri	Sumë	Private	567-0	Are	6	18160	1383	5	Tower No.31
114	Vushtri	Sumë	Private	570-0	Pasture	5	966	292	0	
115	Vushtri	Sumë	Private	572-0	Are	6	1277	270	0	
116	Vushtri	Sumë	Private	573-0	Are	6	941	171	0	
117	Vushtri	Sumë	Private	546-0	Are	5, 6	12586	238	0	
118	Vushtri	Sumë	Private	577-0	Are	6	9029	920	0	
119	Vushtri	Sumë	Private	580-1	Are	6	2652	433	0	
120	Vushtri	Sumë	Private	585-0	Are	7	7412	1313	112	Tower No.32
121	Vushtri	Sumë	Private	586-0	Pasture	5	1968	213	0	
122	Vushtri	Sumë	Private	598-0	Forest	5	7238	33	0	
123	Vushtri	Sumë	Private	286-2	Forest	5	90	90	0	
124	Vushtri	Sumë	Private	286-1	Forest	5	1446	430	0	
125	Vushtri	Sumë	Private	285-0	Forest	5	2234	347	0	
126	Vushtri	Sumë	Private	282-0	Forest	5	1142	12	0	
127	Vushtri	Sumë	Private	281-0	Forest	5	3696	993	112	Tower No.33
128	Vushtri	Sumë	Private	280-0	Forest	5	1436	492	0	
129	Vushtri	Sumë	Private	279-0	Pasture	4	459	279	0	
130	Vushtri	Sumë	Private	277-0	Pasture	4	1496	415	0	
131	Vushtri	Sumë	Private	513-0	Pasture	4	70	11	0	
132	Vushtri	Sumë	Private	275-0	Pasture	4	1027	253	0	
133	Vushtri	Sumë	Private	351-0	Are	5	2030	539	0	
134	Vushtri	Sumë	Private	274-0	Pasture	4	1287	334	0	
135	Vushtri	Sumë	Private	273-0	Pasture	4	598	205	47	Tower No.34
136	Vushtri	Sumë	Private	239-0	Forest	5	11055	1679	0	
137	Vushtri	Sumë	Private	240-0	Are	6	4868	1637	81	Tower No.35
138	Vushtri	Sumë	Private	247-0	Are	6	5638	1264	0	
139	Vushtri	Sumë	Private	44-0	Are	6	2942	1220	8	Tower No.36
140	Vushtri	Sumë	Private	45-0	Forest	5	519	354	74	Tower No.36
141	Vushtri	Sumë	Private	43-0	Forest	5	21220	63	0	
142	Vushtri	Sumë	Private	48-0	Forest	5	1139	964	0	
143	Vushtri	Sumë	Private	50-0	Forest	5	1968	1415	81	Tower No.37
144	Vushtri	Sumë	Private	57-0	Forest	4	5015	1110	0	
145	Vushtri	Gumnishtë	Private	283-2	Pasture	5	13806	782	30	Tower No.56
146	Vushtri	Gumnishtë	Private	284-0	Are	8	8171	961	0	

147	Vushtri	Gumnishtë	Private	285-0	Are	8	8011	224	47	Tower No.57
148	Vushtri	Gumnishtë	Private	302-0	Are	8, 7	9914	1202	20	Tower No.57
149	Vushtri	Gumnishtë	Private	289-0	Are	8	4446	162	0	
150	Vushtri	Gumnishtë	Private	294-0	Are	8	22608	2048	0	
151	Vushtri	Gumnishtë	Private	321-0	Are	8	3360	285-0	0	
152	Vushtri	Gumnishtë	Private	319-0	Are	8	1690	579	34	Tower No.58
153	Vushtri	Gumnishtë	Private	318-0	Forest	5	1070	118	32	Tower No.58
154	Vushtri	Gumnishtë	Private	320-0	Meadow	6	1510	53	0	
155	Vushtri	Gumnishtë	Private	317-0	Meadow	6	3104	850	0	
156	Vushtri	Gumnishtë	Private	343-0	Meadow	6	3602	1320	0	
157	Vushtri	Gumnishtë	Private	342-0	Pasture	4	5066	1108	0	
158	Vushtri	Gumnishtë	Private	341-0	Forest	5	4707	1060	0	
159	Vushtri	Gumnishtë	Private	315-0	Forest	5	8894	272	97	Tower No.59
160	Vushtri	Gumnishtë	Private	340-0	Pasture	6	35824	711	0	
161	Vushtri	Gumnishtë	Private	337-0	Forest	5	6470	434	0	
162	Vushtri	Gumnishtë	Private	339-0	Pasture	5	1422	269	0	
163	Vushtri	Gumnishtë	Private	150-0	Pasture	5	756783	375	0	
164	Vushtri	Gumnishtë	Private	169-0	Pasture	5	12840	849	0	
165	Vushtri	Gumnishtë	Private	175-0	Forest	5	3290	275	0	
166	Vushtri	Gumnishtë	Private	174-0	Meadow	8	3210	611	0	
167	Vushtri	Gumnishtë	Private	173-0	Meadow	8	1184	193	0	
168	Vushtri	Gumnishtë	Private	172-0	Meadow	8	3330	663	24	Tower No.60
169	Vushtri	Gumnishtë	Private	171-2	Meadow	8	4052	304	80	Tower No.60
170	Vushtri	Gumnishtë	Private	98-1	Forest	4	3365	23	0	
171	Vushtri	Gumnishtë	Private	91-0	Meadow	7	1362	104	0	
172	Vushtri	Gumnishtë	Private	92-0	Forest	4	891	475	0	
173	Vushtri	Gumnishtë	Private	93-0	Forest	4	761	210	0	
174	Vushtri	Gumnishtë	Private	94-0	Meadow	7	1412	104	0	
175	Vushtri	Gumnishtë	Private	95-0	Meadow	7	371	293	0	
176	Vushtri	Gumnishtë	Private	96-0	Forest	4	10157	280	0	
177	Vushtri	Gumnishtë	Private	89-0	Meadow	7	1883	172	0	
178	Vushtri	Gumnishtë	Private	88-0	Forest	4	651	328	0	
179	Vushtri	Gumnishtë	Private	87-0	Meadow	7	2664	253	0	
180	Vushtri	Gumnishtë	Private	86-0	Forest	4	320	128	0	
181	Vushtri	Gumnishtë	Private	84-0	Forest	4	6431	77	0	
182	Vushtri	Gumnishtë	Private	82-0	Meadow	7	2719	394	67	Tower No.61
183	Vushtri	Gumnishtë	Private	83-0	Forest	4	7692	1674	0	
184	Vushtri	Gumnishtë	Private	80-0	Forest	4	2804	86	0	
185	Vushtri	Gumnishtë	Private	74-0	Forest	6	197878	3584	67	Tower No.62

186	Vushtri	Gumnishtë	Private	75-0	Meadow	8	16655	2800	67	Tower No.63
187	Vushtri	Gumnishtë	Private	25-0	Meadow	8. 6	84454	3192	67	Tower No.64
188	Vushtri	Gumnishtë	Private	29-0	Meadow	7, 8	24787	2420	67	Tower No.65
189	Vushtri	Gumnishtë	Private	30-0	Meadow	7	17515	1817	0	
190	Vushtri	Gumnishtë	Private	19-0	Meadow	7	8368	901	0	
191	Vushtri	Gumnishtë	Private	18-0	Forest	5	2820	278	31	Tower No.66
192	Vushtri	Gumnishtë	Private	13-0	Meadow	8	144034	1921	36	Tower No.66
193	Vushtri	Gumnishtë	Private	17-0	Forest	5	4645	1226	0	



**List of parcels of Mitrovicë affected by OHL**

No	Municipality	CZ	Owner/Possessor	Cad.Unit	Land Type	Class	Land Area	Servitude Area	Acquisition Are	Comments
1	Mitrovicë	Rashan	Private	1512-0	Pasture	4	1634	68	0	
2	Mitrovicë	Rashan	Private	1513-0	Forest	3	3548	209	0	
3	Mitrovicë	Rashan	Private	1548-0	Forest	3	49647	4986	81	Tower No.38
4	Mitrovicë	Rashan	Private	1543-0	Forest	3	19286	2139	81	Tower No.39
5	Mitrovicë	Rashan	Private	1545-0	Pasture	4	6422	1559	69	Tower No.40
6	Mitrovicë	Rashan	Private	1546-0	Forest	4	2832	137	43	Tower No.40
7	Mitrovicë	Rashan	Private	1574-0	Forest	4	15159	1199	0	
8	Mitrovicë	Rashan	Private	1553-0	Forest	4	9765	1444	81	Tower No.41
9	Mitrovicë	Rashan	Private	1551-0	Forest	4	6585	15	0	
10	Mitrovicë	Rashan	Private	1382-0	Forest	4	9507	950	0	
11	Mitrovicë	Rashan	Private	1383-0	Forest	4	12475	1742	81	Tower No.42
12	Mitrovicë	Rashan	Private	1389-0	Pasture and Forest	4	2613	244	0	
13	Mitrovicë	Rashan	Private	1391-0	Forest	3	3209	364	0	
14	Mitrovicë	Rashan	Private	1395-0	Forest	3	2181	408	0	
15	Mitrovicë	Rashan	Private	1394-0	Pasture	4	5736	1218	0	
16	Mitrovicë	Rashan	Private	1398-0	Pasture	4	2607	546	0	
17	Mitrovicë	Rashan	Private	1400-0	Forest	3	1810	435	81	Tower No.43
18	Mitrovicë	Rashan	Private	1359-0	Forest	6	1338	360	0	
19	Mitrovicë	Rashan	Private	1358-0	Meadow	6	7742	995	0	
20	Mitrovicë	Rashan	Private	1361-0	Meadow	6	6302	695	0	
21	Mitrovicë	Rashan	Private	111-0	Are	7	11742	528	0	
22	Mitrovicë	Rashan	Private	118-0	Pasture	5	2204	511	0	
23	Mitrovicë	Rashan	Private	116-0	Forest	7	15289	58	0	
24	Mitrovicë	Rashan	Private	112-0	Pasture	5	4601	792	81	Tower No.44
25	Mitrovicë	Rashan	Private	99-0	Are	7	32401	1609	0	
26	Mitrovicë	Rashan	Private	98-0	Pasture	5	8736	684	81	Tower No.45
27	Mitrovicë	Tërstëna	Private	586-0	Forest	5	9887	1225	0	
28	Mitrovicë	Tërstëna	Private	587-0	Pasture	5	1291	97	0	
29	Mitrovicë	Tërstëna	Private	588-0	Forest	5	2549	49	0	

30	Mitrovicë	Tërstëna	Private	595-0	Forest	3	1397	17	0	
31	Mitrovicë	Tërstëna	Private	596-0	Are	8	3673	704	0	
32	Mitrovicë	Tërstëna	Private	597-0	Pasture	5	539	100	0	
33	Mitrovicë	Tërstëna	Private	598-0	Forest	4	6762	930	70	Tower No.46
34	Mitrovicë	Tërstëna	Private	599-0	Forest	4	4741	899	0	
35	Mitrovicë	Tërstëna	Private	212-0	Pasture	5	10284	413	0	
36	Mitrovicë	Tërstëna	Private	216-0	Forest	4	2506	50	0	
37	Mitrovicë	Tërstëna	Private	213-0	Forest	3	10268	1621	100	Tower No.47
38	Mitrovicë	Tërstëna	Private	221-0	Forest	3	5257	460	0	
39	Mitrovicë	Tërstëna	Private	227-0	Forest	3	7004	540	0	
40	Mitrovicë	Tërstëna	Private	225-0	Are	8	5030	1069	100	Tower No.48
41	Mitrovicë	Tërstëna	Private	226-0	Forest	3	1670	334	0	
42	Mitrovicë	Tërstëna	Private	230-0	Meadow	6	13904	898	0	
43	Mitrovicë	Tërstëna	Private	300-0	Forest	3	733	45	0	
44	Mitrovicë	Tërstëna	Private	301-0	Are	7,8	23498	1357	0	
45	Mitrovicë	Tërstëna	Private	299-0	Pasture	6	16579	760	88	Tower No.49
46	Mitrovicë	Tërstëna	Private	297-0	Pasture	5	246	137	0	
47	Mitrovicë	Tërstëna	Private	296-0	Pasture	5	702	12	0	
48	Mitrovicë	Tërstëna	Private	260-0	Pasture	5	251	79	0	
49	Mitrovicë	Tërstëna	Private	261-0	Pasture and Ar	4, 6	1958	636	0	
50	Mitrovicë	Tërstëna	Private	256-0	Pasture	4	1299	98	0	
51	Mitrovicë	Tërstëna	Private	257-0	Are	6	652	96	0	
52	Mitrovicë	Tërstëna	Private	272-0	Pasture	4	517	120	0	
53	Mitrovicë	Tërstëna	Private	273-2	Are	6	1861	605	0	
54	Mitrovicë	Tërstëna	Private	285-0	Are	6	6257	688	0	
55	Mitrovicë	Tërstëna	Private	277-0	Are	6	1405	108	0	
56	Mitrovicë	Tërstëna	Private	280-1	Are	6	4108	771	112	Tower No.50
57	Mitrovicë	Tërstëna	Private	280-2	Yard		456	168	0	
58	Mitrovicë	Tërstëna	Private	279-2	Yard		235	93	0	
59	Mitrovicë	Tërstëna	Private	87-0	Are	6	13584	433	0	
60	Mitrovicë	Tërstëna	Private	96-0	Are	6	5317	1078	0	
61	Mitrovicë	Tërstëna	Private	100-0	Pasture	5	4675	898	100	Tower No.51
62	Mitrovicë	Tërstëna	Private	128-0	Pasture	5, 6	5466	1032	48	Tower No.52

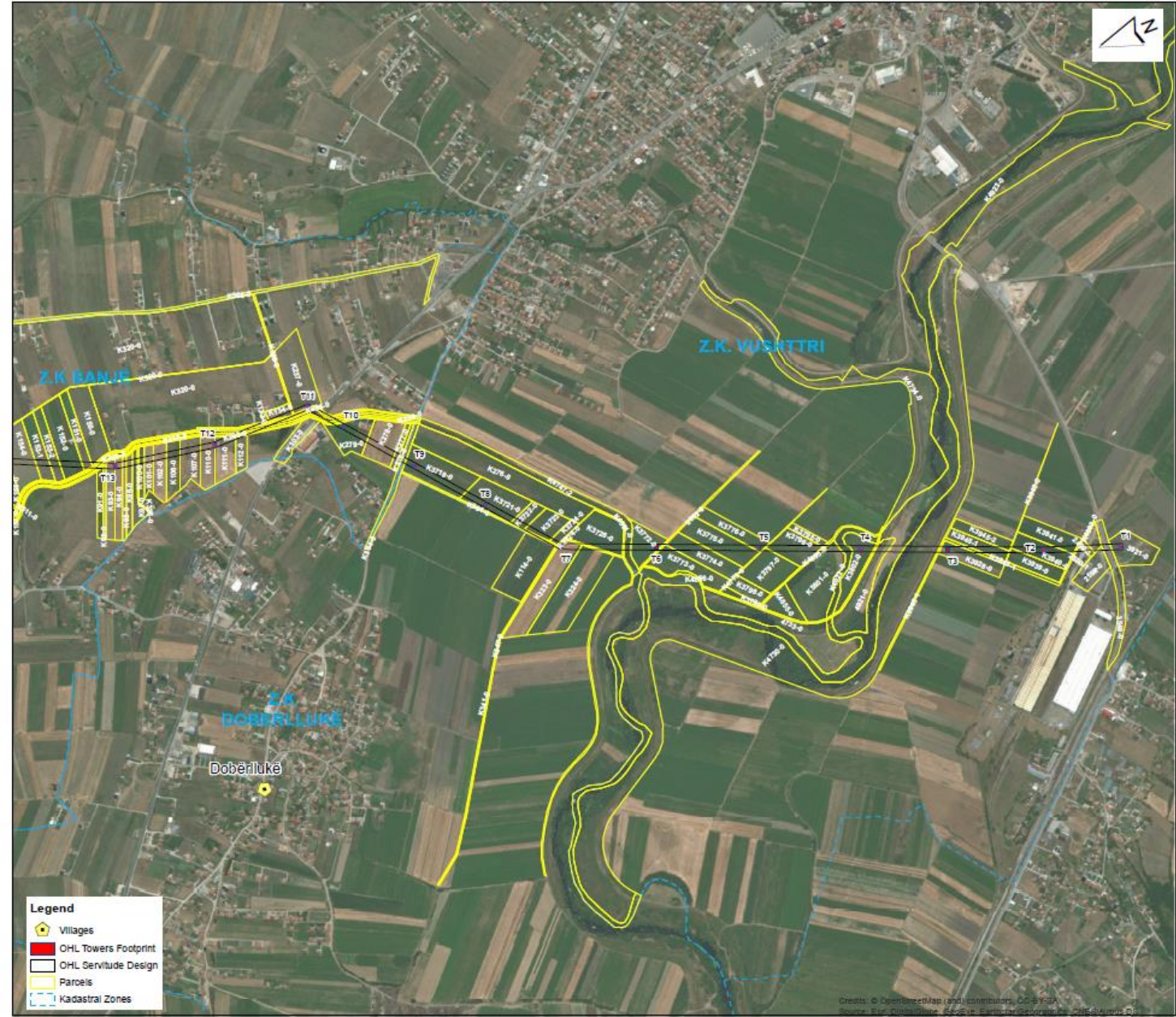


63	Mitrovicē	Tērstēna	Private	129-0	Pasture	6	5967	272	33	Tower No.52
64	Mitrovicē	Tērstēna	Private	130-0	Are	8	5526	1011	0	
65	Mitrovicē	Tērstēna	Private	117-0	Pasture	5, 6	26490	2438	112	Tower No.53
66	Mitrovicē	Tērstēna	Private	52-0	Pasture	5	6479	484	0	
67	Mitrovicē	Tērstēna	Private	49-0	Forest	5	133783	4552	112	Tower No.54
68	Mitrovicē	Tērstēna	Private	45-0	Forest	5	579851	4406	112	Tower No.55
69	Mitrovicē	Tērstēna	Private	48-0	Pasture	6	6590	149	22	Tower No.56
70	Mitrovicē	Bajgora	Private	2192-0	Meadow	7	1233	94	0	
71	Mitrovicē	Bajgora	Private	2195-0	Meadow	7	14912	33	0	
72	Mitrovicē	Bajgora	Private	2193-0	Meadow	7	35809	1276	100	Tower No.67
73	Mitrovicē	Bajgora	Private	2093-0	Pasture	5	4909	107	0	
74	Mitrovicē	Bajgora	Private	2096-0	Pasture	5	42899	2219	100	Tower No.68
75	Mitrovicē	Bajgora	Private	2185-0	Pasture	5	1426	104	0	
76	Mitrovicē	Bajgora	Private	2187-0	Forest	4	12280	1700	100	Tower No.69
77	Mitrovicē	Bajgora	Private	2186-0	Pasture	5	7945	762	0	
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79	Mitrovicē	Bajgora	Private	2117-0	Forest	4	20724	3506	2	Tower No.71
80	Mitrovicē	Bajgora	Private	2114-0	Meadow	7	14972	327	119	Tower No.71
81	Mitrovicē	Bajgora	Private	2116-0	Meadow	7	1108	318	0	
82	Mitrovicē	Bajgora	Private	1736-0	Are	7	4137	337	0	
83	Mitrovicē	Bajgora	Private	1735-0	Pasture	4	3298	908	0	
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87	Mitrovicē	Bajgora	Private	1727-0	Forest	4	4997	1396	102	Tower No.72
88	Mitrovicē	Bajgora	Private	1724-0	Meadow	6	10913	846	0	
89	Mitrovicē	Bajgora	Private	1754-0	Meadow	6	3433	308	0	
90	Mitrovicē	Bajgora	Private	1757-0	Pasture	6	13491	711	0	
91	Mitrovicē	Bajgora	Private	1756-0	Forest	5	1192	27	0	
92	Mitrovicē	Bajgora	Private	1762-0	Pasture	5	4421	787	0	
93	Mitrovicē	Bajgora	Private	1687-0	Pasture	5	16488	1770	115	Tower No.73
94	Mitrovicē	Bajgora	Private	1689-0	Meadow	7	5817	188	29	Tower No.73
95	Mitrovicē	Bajgora	Private	1683-0	Are	7	18630	1436	0	

96	Mitrovicē	Bajgora	Private	1678-1	Are	8	8656	991	144	Tower No.74
97	Mitrovicē	Bajgora	Private	959-0	Forest	5	9424	834	0	
98	Mitrovicē	Bajgora	Private	961-0	Pasture	5	3883	99	0	
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100	Mitrovicē	Bajgora	Private	963-0	Meadow	7	17589	970	0	
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102	Mitrovicē	Bajgora	Private	932-0	Meadow	6	1096	436	114	Tower No.76
103	Mitrovicē	Bajgora	Private	930-1	Meadow	6	3490	752	7	Tower No.76
104	Mitrovicē	Bajgora	Private	933-0	Are	7	1879	10	0	
105	Mitrovicē	Bajgora	Private	936-0	Meadow	6	9772	1478	0	
106	Mitrovicē	Bajgora	Private	1066-0	Meadow	7	2286	574	0	
107	Mitrovicē	Bajgora	Private	1067-0	Are	8	973	70	47	Tower No.77
108	Mitrovicē	Bajgora	Private	1071-1	Are	8	7425	1508	112	Tower No.77
109	Mitrovicē	Bajgora	Private	1076-0	Are	8	4253	155	0	
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111	Mitrovicē	Bajgora	Private	1099-0	Meadow	7	16777	1467	0	
112	Mitrovicē	Bajgora	Private	1098-0	Are	8	3301	281	0	
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									29	Tower No.79
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115	Mitrovicē	Bajgora	Private	1084-0	Are	7	8094	1288	71	Tower No.79
116	Mitrovicē	Bajgora	Private	1200-0	Forest	5	2937	339	0	
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119	Mitrovicē	Bajgora	Private	1202-0	Forest	5	3121	353	0	
120	Mitrovicē	Bajgora	Private	1290-0	Meadow	7	38031	1697	100	Tower No.82
121	Mitrovicē	Bajgora	Private	1289-0	Pasture	5	5493	781	0	
122	Mitrovicē	Bajgora	Private	1288-0	Forest	5	3076	351	0	
123	Mitrovicē	Bajgora	Private	1207-0	Pasture	6	5000	935	100	Tower No.83
124	Mitrovicē	Bajgora	Private	1206-1	Forest	5	16639	1731	100	Tower No.84
125	Mitrovicē	Bajgora	Private	1210-0	Pasture	5	3833	599	0	
126	Mitrovicē	Bajgora	Private	1211-1	Pasture	5	1529	1414	0	

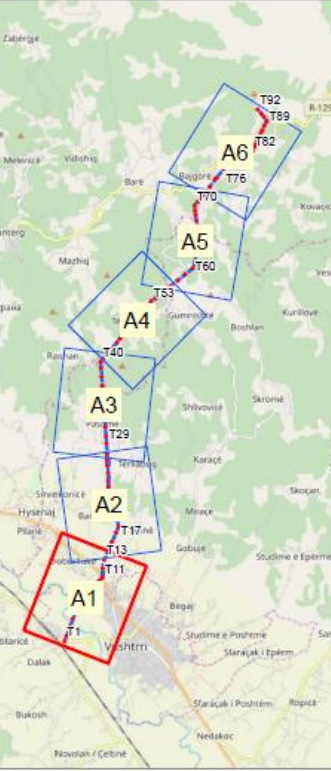
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129	Mitrovicë	Bajgora	Private	270-1	Forest	5	154281	4679	100	Tower No.87
									100	Tower No.88
130	Mitrovicë	Bajgora	Private	270-2	Forest	5	42289	821	0	
131	Mitrovicë	Bajgora	Private	286-3	Pasture	5	161823	5389	100	Tower No.89
									100	Tower No.90
									100	Tower No.91
132	Mitrovicë	Bajgora	Private	290-1	Pasture	5	39320	1312	100	Tower No.92
									1400	Sub Station Selac



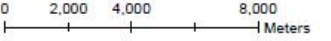


Title **OHL / SOWI**  
**Land Easement & Acquisition**  
**MAP**

Date: 08/08/2019



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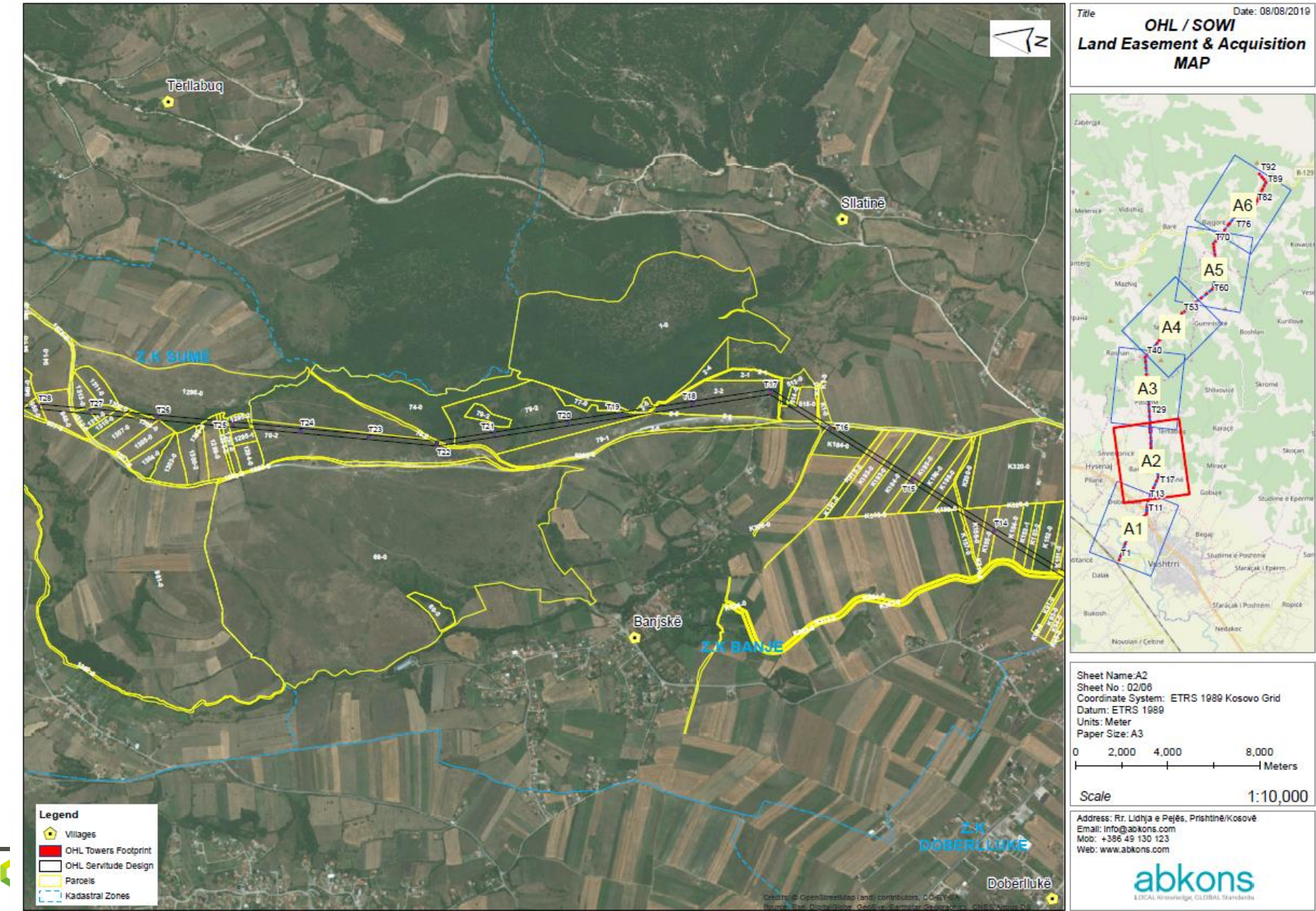


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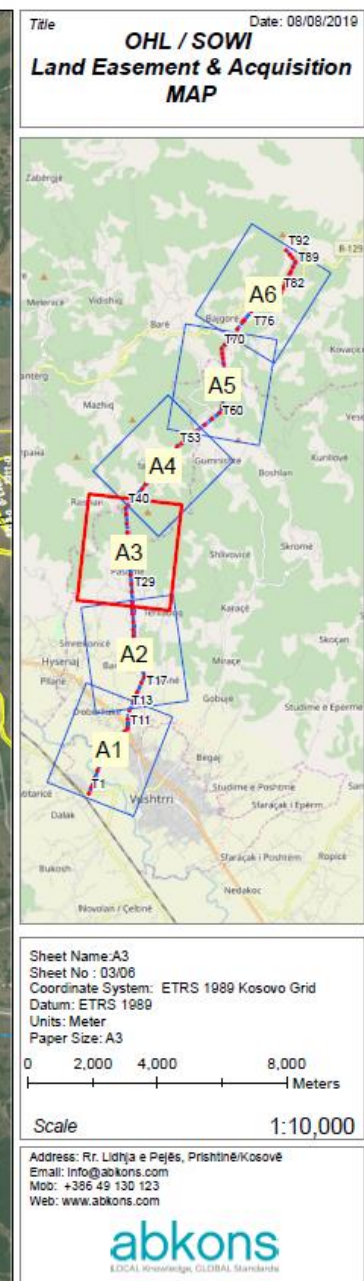
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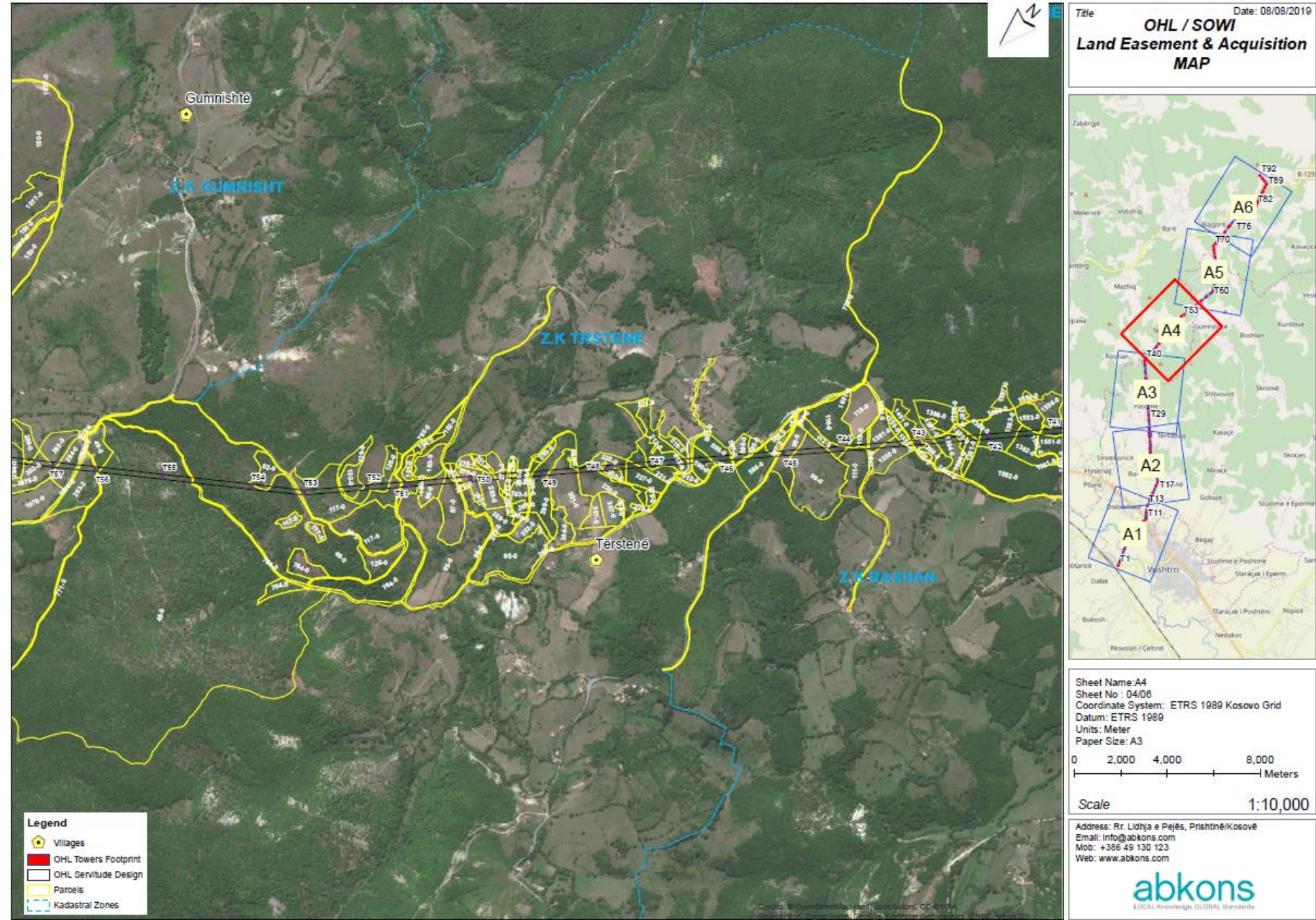




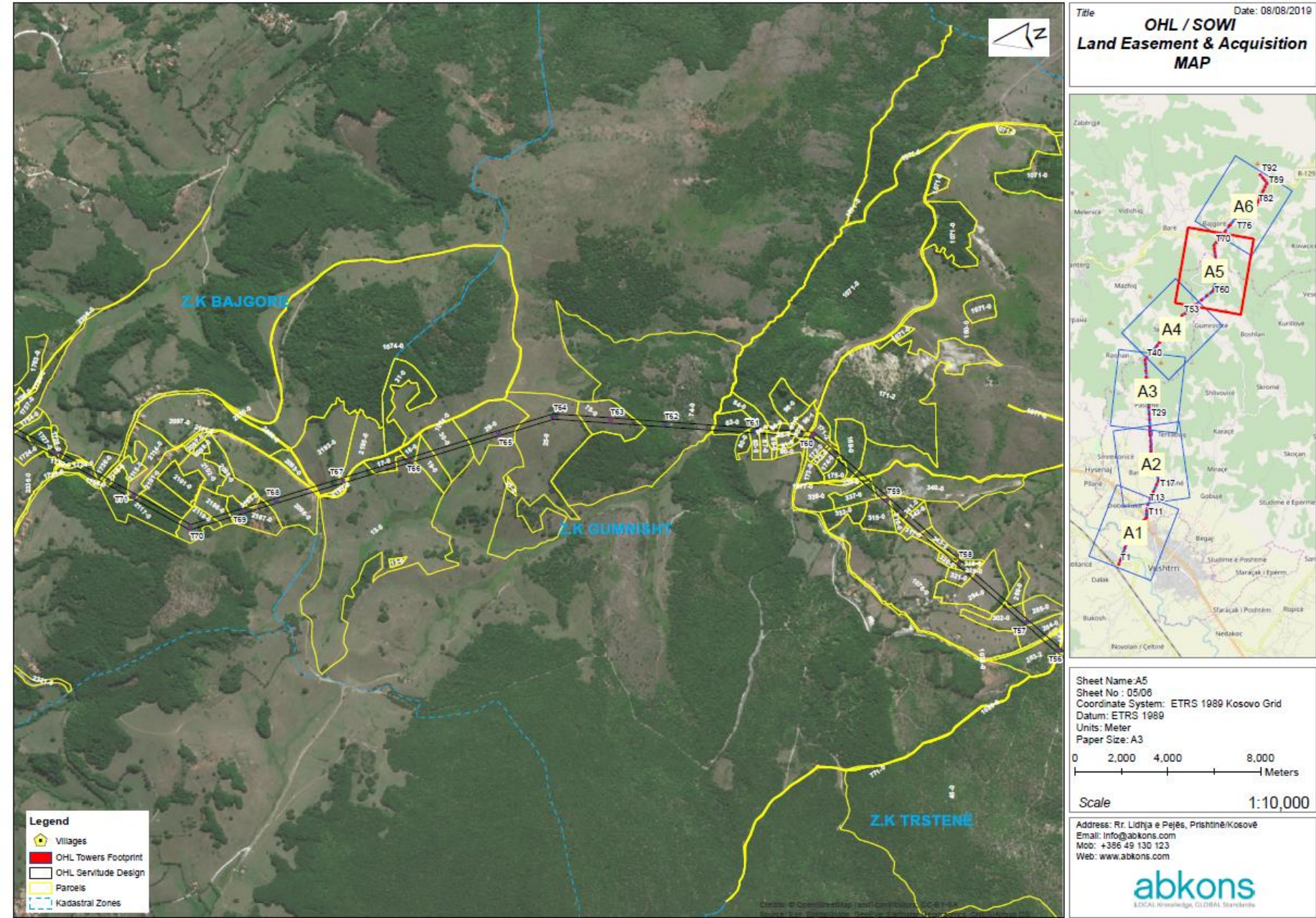




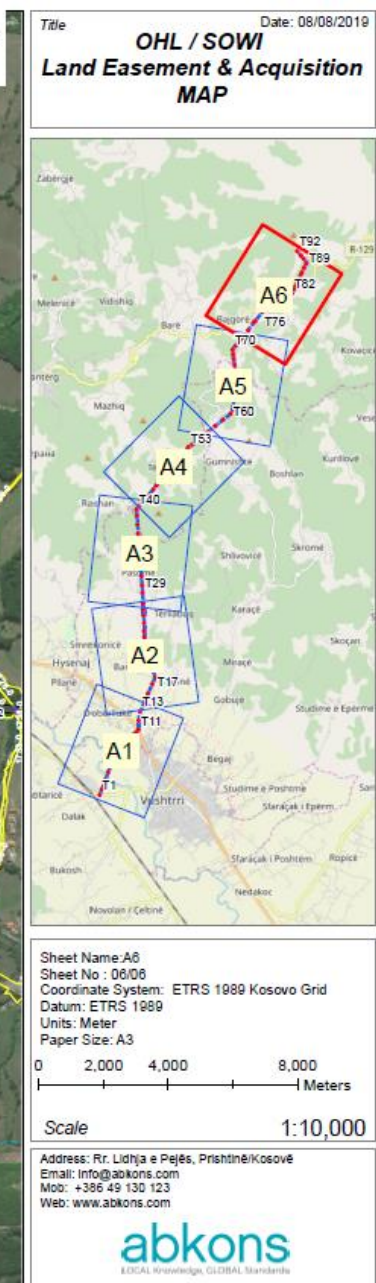
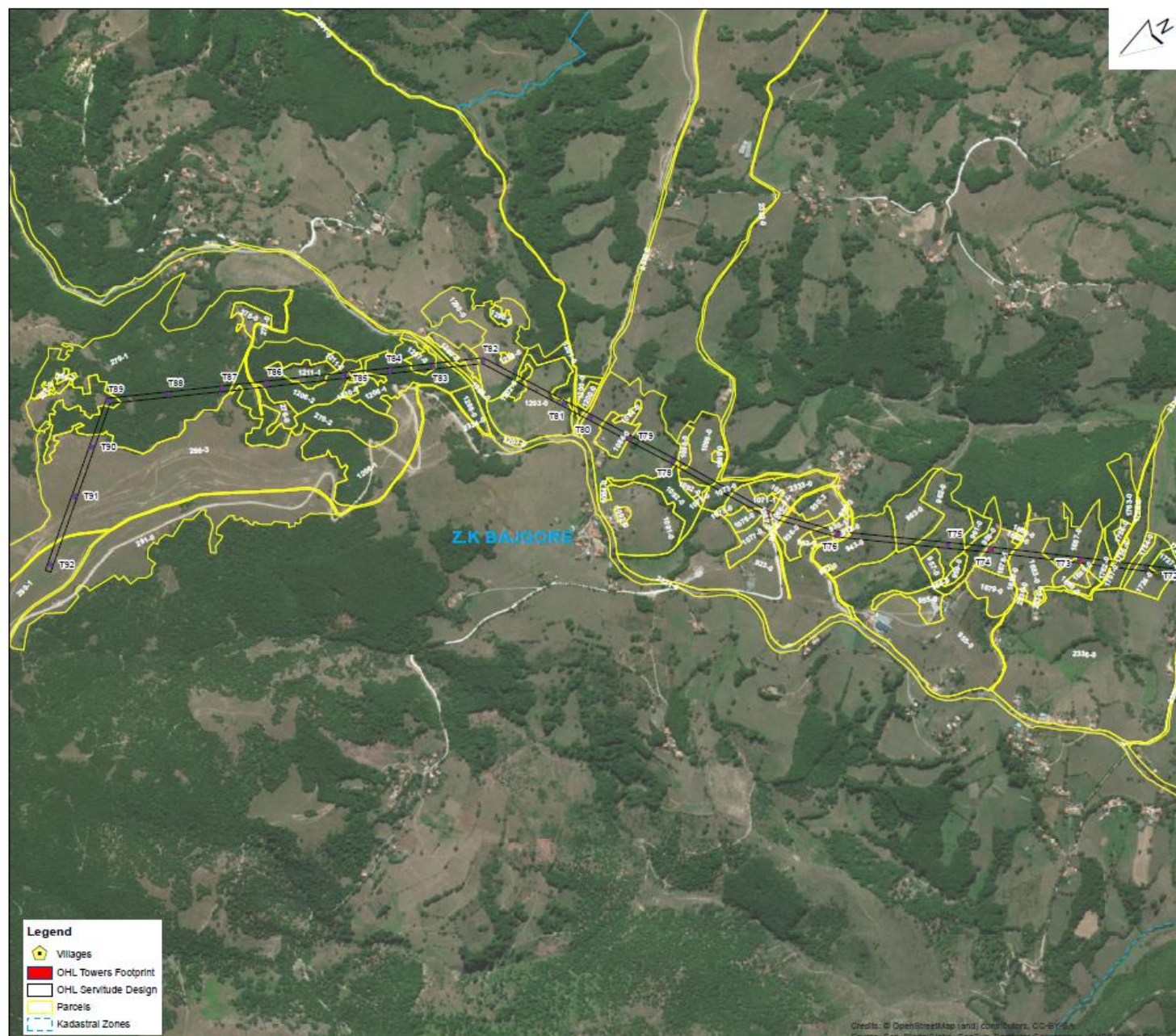












**APPENDIX E**

**Main Expropriation Stages -Law  
No. 03/L-139 on Expropriation of  
Immovable Property**



Law No. 03/L-139 on Expropriation of Immovable Property forms the legal basis for an involuntary acquisition of immovable property for purposes of general interest. According to these, the expropriation process goes through the following main stages.

### **The stage of preparatory works**

In certain cases, this is applied by the expropriating body, prior to the start of the expropriation activity in accordance with Article 5. This phase, which is not indispensable, is initiated according to the decision, which is published in the official newspaper of Kosovo and in another daily newspaper.

Preparatory works, as needed, take place on parcels for which expropriation is expected to begin with an obligation to notify the owners 20 days prior. The purpose of the preparatory procedures is to determine the potential suitability of the parcels for expropriation and may be carried out by the expropriating body or by any competent institution. Preparatory works, if required, should be done with as few concerns as possible for third parties and in case of eventual damages, compensation should be paid.

### **The start of the expropriation procedure**

Expropriation procedures may be initiated in two forms: a) by the expropriation authority itself or b) at the request of a third party concerned, submitted to the expropriation body.

Third parties that may initiate expropriation procedures are: public authorities, public enterprises, a public-private authority and contracting parties to infrastructure-related contracts.

The request for initiating the expropriation procedure should contain these elements:

- The name and address of the expropriating authority and, if the expropriating authority is not acting on its own initiative, the name and address of the Requesting Subject.
- The name and address of any Person who is, or alleges to be, an Owner or Possessor of an Interest in each parcel of immovable property, if such claims can be verified by the cadastral records and other available records of the property immovable property in Kosovo, including the data of the Kosovo Property Agency and the latest property tax data.
- The location and number of each parcel of immovable property, and - if only part of the parcel is subject to expropriation and just some rights in any of these parcels - a detailed description of the part of the parcel and rights that are subject to the request.
- For each parcel, a description of all rights (regardless of whether they are legitimate or claimed rights) on the parcel for which the claiming subject seeks expropriation.
- A detailed description of the public purpose for which expropriation is requested
- Any relevant documents which prove the legitimacy of the public purpose and the need for the expropriation requested (or, if these documents are available in electronic form, a clear indication of the country in which they can be obtained).
- Data that determine whether - and to what extent - the expropriation of accessory items, constituent items and crops of immovable property is required.
- Detailed information, as far as they can be verified by the data specified in sub-paragraph 1.2 of this paragraph, regarding any restriction or dispute over property rights or other rights or interests in ownership or allegedly being in possession of persons identified under sub-paragraph 1.2 of this paragraph.

The following documents are attached to the request for expropriation:

- A copy of the possession and other records of the immovable property.

- Relevant cadastral plan and maps of respective parcel/s.
- If the request is for more than one parcel, maps showing all parcels and surrounding area.
- An extract of the existing spatial or urban plan which covers these parcels, if this plan exists.
- If applicable, any project proposal or plan submitted to a Public Competent Authority for a building or object foreseen or proposed to be constructed or extended to the property.

Upon receipt of the expropriation request, the expropriating body shall, within 15 days, conduct a review of the request to determine whether the request meets the criteria and conditions set out in Article 4. Then the body issues a decision on the admissibility of the case for review.

Within a period of 5 days, after the decision on admission of the case, the expropriating body shall send the case to the immovable properties' evaluation body, which functions in the framework of the Ministry of Finance Evaluation Office. (Article 8, point 6).

Within 10 days after the decision on admission, the expropriating body sends the completed documentation to all parties involved by notifying them of the date of the public hearing which shall be held within 15 days. (Article 9).

### **Issuance of the preliminary decision on expropriation**

Upon fulfilment of the conditions of Article 9 of the Law, the expropriating body shall issue a preliminary decision on expropriation within 30 days, or even refuse the expropriation request. The preliminary decision on expropriation will be delivered to the parties within the next 5 days. In addition, within 10 days the same was announced in the official newspaper and a newspaper with the largest edition in the country. (Article 10).

### **The final decision on expropriation**

The final decision on expropriation or refusal shall be approved within 12 months from the date of entry into force of the preliminary decision in accordance with Article 10. This period may be extended, if there is a complaint against the preliminary decision and the term of this extension is calculated from the date of filing a complaint.

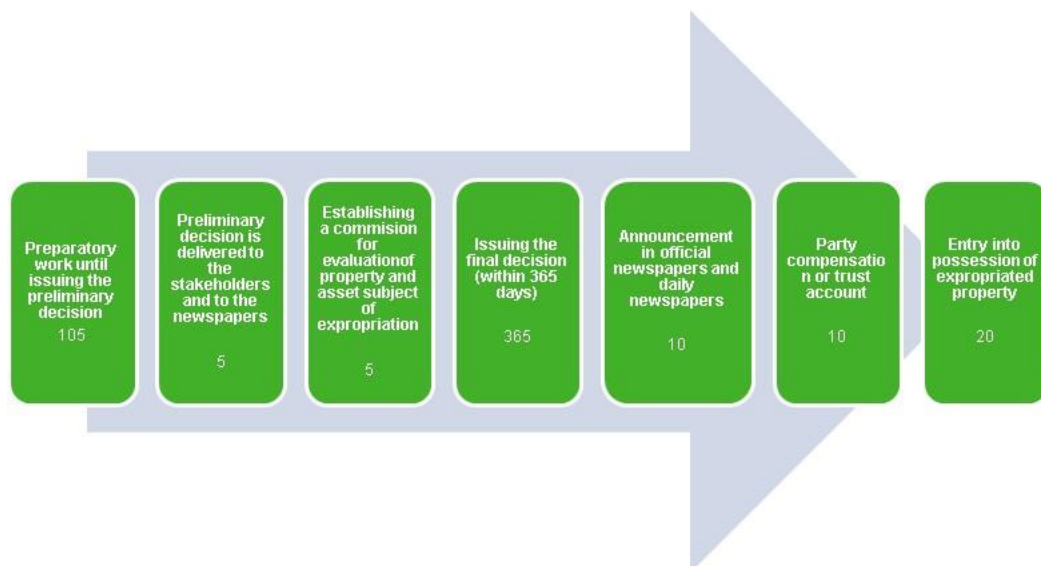
The 12-month period for issuing the final decision is the maximum legal period for the approval or rejection of the decision. Otherwise the approval of the final decision is closely related to the acceptance of the properties valuation act and the appeals procedure, which is conducted within 30 days at the competent court.

The final decision within 10 days is announced in the official newspaper and is in the same period submitted to the requesting body.

No change in ownership or access to property under the final decision can be applied for up to 20 days after the property owner compensation according to the Residential Property Valuation Act, and 10 calendar days for other properties.

The final decision is recorded in the cadastre and the transfer of properties to the claimant is done according to this decision in accordance with Article 12 of the law. If the affected owner, according to the expropriation decision, does not accept the compensation provided, the requesting subject is obliged to place the funds in a trust account at the Central Bank of Kosovo. On the occasion of the resettlement under this law, the project company is obligated to pay lease expenses in emergency form for 4 months for the urgent cases of removal from the residential homes.

The stages of expropriation and maximum timeframes are presented in **Figure 16**.



**Figure 16: Stages of expropriation and associated timeframes**

### **Determining the value of compensation according to the expropriation law**

Pursuant to Article 15 of the Law, Compensation shall be made on the basis of the value of the property market, which shall be determined in accordance with the provisions of this law and the adopted sub-legal acts. Compensation includes direct compensation of the damage that can be proved, which is attributed to the expropriated person as a result of the expropriation plus the value of the expropriated immovable property including- if applicable- the accessory parts and its crops

The expropriating authority pays or requests from the applicant or the expected beneficiary, if any, to pay the amount of compensation determined in the final decision.

The compensation required in the final decision shall be the amount determined in the relevant valuating act plus the interest on the amount accumulated, starting from the date of the final decision up to the date of payment. This interest accumulates at a rate of seven percent (7%) of simple annual interest and is capitalised annually.

If a person refuses to accept this compensation, the funds will be deposited in a trust account at the CBK on behalf of the person in question.

The amount of compensation for expropriation set out in the final decision is fully paid within two (2) years from the date of the decision's entry into force. If the compensation is not paid within this time, the person who has had to accept the compensation may file a complaint with the competent court to request the issuance of an order for revocation or cancellation of this decision.

### **Cut-off date**

Despite the provisions above, it is expressly stated in the law that, when determining the amount of compensation to be paid, the following shall not be taken into account: The cost or value of any improvements to property, buildings constructed or extended to property, or trees or plants planted on the property after the date on which the conditions for proclamation laid down in paragraph 8 of Article 8 of this law have been fulfilled; and any change in the value of immovable property that occurred after any of these two occurrences:

- Date of approval of the decision for authorisation of performing the preparatory works on the property;
- The date of the initial filing of the expropriation, a request by which the expropriation of the respective property is required. (These dates are also known as CUT OF DATE).

**APPENDIX F**

**Law No. 04/-L-013 - Main  
Provisions**

The following articles are of particular importance to the project:

#### **Article 7- General provisions on the cadastre content**

The cadastre consists of cadastral unit registers, cadastral maps, and cadastral records files. These should be in analogue and digital form. Basic units of the cadastre are cadastral parcels, buildings, parts of the building, and utilities

- The cadastral unit is the graphic and textual description of the parcel, building, part of the building and conveyor. Each cadastral unit will have a unique identification number.
- Graphical data are geometric drawings of cadastral parcels and buildings, which contain the number of cadastral parcels and buildings as well as the geometric description of certain surface objects and identified with a unique number.
- The Municipality is divided into Cadastral Zone. KCA decides to change the division into cadastral zones after consultation with the municipality and in accordance with the rules foreseen by a sub-legal act issued by the KCA.
- With the change of the border between the two municipalities, the boundary of the cadastral zones is changed. The cadastral unit belongs to a certain cadastral zone.
- Cadastral parcels, buildings, parts of a building and conveyors form each part of the cadastre register.
- The division of cadastral parcels consists of new data on parcels and a whole set of forms. The entirety of the forms includes measurements and other forms, on the basis of which individual notes are made, maps and the record of registered data before the most recent data.
- All parts of the cadastral register will be kept together in the register for immovable property rights.

#### **Article 8 - Division of Parcels**

The cadastre shall contain the following data on parcels:

- Parcel number.
- Surface area.
- Referral to buildings on parcels.
- The number of parcels from which the new parcel is derived.
- Index map of all parcels.
- The parcel number for subdivisions from the initial cadastral parcel.

The sub-legal act shall determine the format and content of the data specified in paragraph 1 of this article.

#### **Article 9 - Buildings Division**

The cadastre shall include the following data on buildings:

- Building number.
- Place, surface, and shape.
- Actual use.
- Reference to the cadastral parcel under the building, and if the building is divided into several parts, also a reference to parts of the building.
- Floor plan.



- Plan of the parts of the building and the common spaces, as well as the data on the surface of each part of the building and the common spaces.
- Position and shape of the building are described with the ground plan, identified by coordinates and descriptive data (number of floors, position on, above or below the ground and the like).

The sub-legal act shall determine the format and content of the data specified in paragraph 1 of this article.

#### **Article 10 - Division of Buildings Parts**

The cadastre includes the following data on parts of buildings:

- The part number of the building.
- Location in the building, surface, and the number of rooms.
- Actual use.
- Reference to the building in which is located the part of the building.
- Common use of common building spaces, if applicable.
- The number of subdivisions from the initial residence.
- Floor plans.

A sub-legal act shall determine the format and content of the data set out in paragraph 1

#### **Article 11 - Division of Conveyors**

Division of conveyors is divided as follows:

- Telephone lines for telecommunications systems for public purposes and public low voltage lines for signalling, checking, data communications or similar purposes.
- High voltage power lines.
- Water supply, irrigation, and sewerage pipes which: are part of the public water supply and sewage system; Supply a community with water or channel sewage or other impurities from water; Benefit to economic activities or to the installation of communication of importance to the whole country or a particular part.
- Conveyors through which heat, oil, gas or any other material or product passes from the production point, warehouse, or collection point and which: meet public needs; contribute to economic activities or communications installations of importance to the whole country or a particular locality.
- The type of conveyor.
- Basic technical characteristics.
- Position (country sketch, a list of designated parcels).
- Name and address of the owner.

The conveyor includes the necessary equipment for their purposes, such as transformers, pumping stations and other parts.

Conveyors contain data on:

- If the conveyor is located in more than one cadastral zone, there will be a link in all the records in question.

- All subjects that contain the data for the abovementioned conveyors are obliged to provide such data to the Registration Agency.

A sub-legal act shall determine the format and content of the data set out in paragraph 1 of this article.

#### **Article 12 - Field Surveys for Cadastre Registration**

To put a new cadastral unit in the cadastre or to change the data for an existing cadastral unit, it is necessary to undertake field surveys. The field surveys shall be conducted according to the provisions of this law and associated sub-laws. When submitting requests for field surveys to the MCO, the request must include a request for registration of change in the cadastre.

The field surveys shall provide all necessary information to be able to create the new cadastral unit or update the data for the existing cadastral unit.

The field surveys should clarify that the conditions for changes in the cadastre are met, as provided by this law.

If the field survey is to create new parcels, the survey will describe the new boundaries as they are marked with temporary boundary signs from the geodesy and the ratio between existing parcels and new parcels.

By sub-legal act, the field surveys are fully determined.

#### **Article 13 - General Provisions on Registration in the Cadastre**

The request for registration of changes in the cadastre shall be made in writing to the MCO where the cadastral unit is located by a person having a legal interest or with special authorisation. The MCO will confirm the time and date of receipt of the application for registration.

The applicant requesting the registration of the change shall attach to the request also the cadastral surveys provided in Article 12 of this law and other documentation to support the request, in accordance with the provisions of the applicable law.

The request for registration of change shall be submitted within sixty (60) days from the day of completion of the field survey.

The MCO shall review the submitted documentation and if this documentation is not sufficient under this law, the MCO shall set a deadline within which the applicant must submit the full documentation. If the conditions for entering the note have not been met, the MCO shall reject the request for the entry of the note.

The MCO shall register the new cadastral unit or changes of data regarding the existing parcel within three (3) days of the submission of the application for registration and inform the applicant of its decision. The registration takes effect by recording the decision of the MCO in the register.

#### **Article 14 - Registration of the Parcel**

Creating new parcels through subdivision or merger.

In regions with urban regulatory plans, the formation of parcels cannot deviate from the existing regulatory plan. Small deviations are permissible, but only if the purpose of the plan is not damaged. The rules for this will be determined by the sub-legal act.

In order to divide the parcel under a mortgage, the consent of the mortgagor (lender) must be provided beforehand, before the division registration is made. Also, in connection with the partitioning of the parcel should consult all parties who have any interest from the parcel.

The merge may only be registered if the:

- Parcels in question are free of mortgages and other charges; or

- Creditor or other possessors of property rights have given their consent to a new order of priorities in the new merged parcel.

When registering in the cadastre of newly formed parcels, all buildings on the respective parcels should also be registered.

Where a request for registration of a new parcel is not submitted within sixty (60) days of the completion of the field survey or if the request has been refused or rejected or the proceeding has been terminated, the parcel owner shall remove border signs, or such a thing can be carried out at his expense by the MCO.

#### **Article 15 - Registration of Buildings and Parts of the Building**

The request for the establishment of the cadastral unit for the building in cadastre is submitted by the landowner when the construction of the building or part of the building begins. A person who has the right to acquire ownership over the building or part of the building may also file a request.

If a request for the establishment of a cadastral unit for a building containing several parts of the building has been made, the request should include the creation of cadastral units for the parts of the building and the common spaces.

If the request is made for the registration of the part of the building and the building is not registered, the MCO should ex officio register the building. The data for the building, the MCO, the geodesy company or the licensed geodesist shall be provided by the competent body for urban planning and urbanisation.

The building can be divided, creating new parts of the building.

The part of the building can be divided, creating new parts of the building (subdivision). Two or more parts of a building that have the same owner can be merged, creating a single part of the building.

One or more common spaces can be separated from one part of the building and joined to the rest of the building.

If provided by a special law, subdivision and merger of a building or part of a building may only be made on the basis of a permit issued by the competent body.

If a building or part of a building is destroyed or removed, the building will be removed from the cadastre. Removal will be made officially or at the request of the owner. The person who has the property right for the building or part of the building registered in it shall be notified for the official removal.

#### **Article 16 - Registration of Conveyor**

The request for the establishment of the cadastral unit for the conveyor shall be followed by a description containing the data required in Article 11 of this law.

If the owner of the conveyor changes the location or use of the conveyor, he is obliged to send to the MCO a renewed description containing the data required in Article 11 of this law, to make necessary changes in the cadastre.

All persons planning to carry out work that may interfere with registered conveyors are obliged to first contact the MCO to ensure that these risks do not exist. If there is a risk that conveyor is damaged or destroyed, the person in question must contact the registered landlord of the conveyor.

For the realisation of the rights under the Law on Cadastre, are foreseen two-fold decision-making in the administrative aspect.

The first decision is taken by the municipal level authority in the region where the immovable property is registered, and the second level is the Kosovo Cadastral Agency as the central administrative level.

## **APPENDIX G**

# Land Valuation Aspects, Approaches and Considerations

## LAND VALUATION

The land valuation aspects, approaches and considerations are discussed in the following sections

### Land valuation steps

The steps in the valuation process are as follows:

- **Collecting cadastre data:** Cadastral data is required to identify the ownership on land, define land uses and servitude and for sale and other required purposes. Cadastral data has been sourced from the Kosovo Cadastre Agency and used to assist with the calculation of compensation for affected parcels.
- **Inventory assessment:** Information on the agricultural crops, soil and climatic conditions were sourced from the respective communes. Furthermore, during the field survey, the experts have collected also information on the main planted crops for the purposes of calculating the net profit and state of land as topography, soil type and fertility, soil category, and so forth.
- **Calculation of net crop value:** Calculation of net profit from crops requires information related to cost of production, average sale prices and yields. The information used is based on:
  - Agricultural economic statistics published by the Ministry of Agriculture, Forestry and Rural Development of Kosovo and from the respective Communes.
  - The optimal yields or best scenario (plus 20%) of crops reported in the obtained information received by the respective Communes and the catalogue as average and depending on the soil quality.
  - The potential yield of a crop in a certain land and location is defined by a relation between the productive biological capacity of the crop and optimal soil and climatic conditions.
  - The obtained maximum yields in three out of ten years are considered as a potential production value of arable land in a certain place, which partly satisfies the definition of potential productivity (in the absence of experimental data for the specific location).
  - Consultations with the University of Pristina on the potential yield of crops based on their long-term experimental observations in similar conditions.
- **Field survey:** Field survey is a very important activity for getting information on the indicators related to vegetation, crops structure, agricultural technology used species and category of perennial crops, soil properties as texture, presence of rocks, soil depth, soil erosion, slope, drainage and irrigation, level of intensification, agricultural infrastructure (irrigation, mechanisation, etc.).

The above information is used to calculate of land, forest and pasture values as required by the Administrative Instruction MOF - no. 02/2015 *“On the approval of technical valuation methods and criteria for calculation of the compensation amount for the immovable property expropriated, and damages relating to expropriation”*. This information contribute to the development of the livelihood restoration plan.

### Aspects considered in the land valuation process

- **Private land required for project purposes:** Where the owner and the user are the same individual, the owner will receive the compensation. Where somebody farms on land used by another person, the compensation will be determined as follows:
  - Land acquired permanently:
    - Compensation for land to landowner.
    - Compensation for crops, pasture, or forest to the land user.
  - Land rented:



- Land rental fee to landowner.
- Compensation for crops, pasture, or forest to the land user.
- Compensation for restrictions to the land owner.

Compensation for any structures and developments on land (irrigation, drainage) will be paid to the demonstrated owner of such structures and developments.

- **Municipal and other public land required for project purposes:** Where municipal or other publicly owned land is used by a private farmer, the compensation will be determined as follows:
  - Land acquired permanently: In this case the user will be compensated for crops, pasture, or forest. Any structures or developments owned by the land user that is located on municipal or other publicly owned that is on the on land that is owned by the land user can demonstrate ownership of.
  - Where land is rented: In this case the user will be compensated for crops, pasture, or forest.
- **Land categorisation:** Land categorisation considers the proper evaluation of the soil quality or agronomic capability requires digging soil profiles, analysing soil samples for physical and chemical parameters, as well as ascertaining the presence of improvements of soil capability by correction of such parameters, installation of drainage pipes when necessary, irrigation systems, topography, etc. An official reference used is the SAL or soil capability following the official documentation received by the MCO offices.

The methodology to determine the SAL is prescribed in the Administrative Instruction No. 02/2012 “*On the classification of suitability of agriculture land (SAL)*”. This instruction present a significant indicator of soil fertility and productivity. Table 13 provides for the classification of agricultural land.

**Table 13: Classification of agricultural lands**

Classes SAL	SAL points	Suitability of agricultural land	Groups of agricultural land
1	85 – 100	Very good	Kept particularly for agricultural production
2	76 – 85	Good	
3	66 – 75	Above average	
4	56 – 65	Average	
5	46 – 55	Under average	Decisions to protect the agriculture must be taken based on the value
6	36 – 45	Weak	Weak land: mainly forestry zone and meadows; it is not reasonable to be kept for agriculture
7	1 – 35	Very weak	
8	0	Unsuitable	Mechanised agriculture plugging is not possible

Based on the suitability of land, there are two category groups divided into classes:

- Classes 1-5 where there are no or only slight limitations that restrict their use
- Classes 6 or 7 which have very severe limitations that make them generally unsuitable

The agro-ecological and geographical categorisation of land: SAL is strongly related to climatic and physic-geographical factors. The methodology described in the Administrative Instruction No. 02/2012 referred above, height and annual atmospheric rainfalls are included in the calculation of SAL.

## Nature of land acquisition

The land valuation process considers if land is acquired permanently, in the form of an easement or as orphan land.<sup>19</sup>

- Permanently acquired land: SOWI purchased land from the previous owners in full and perpetual ownership. This granted SOWI a full right to construct and operate the anticipated facilities. The acquisition of permanent land was done on a voluntary willing-buyer/willing-seller principle.

Compensation for permanently acquired land include the following four elements, as applicable:

- Compensation for the land itself.
  - Compensation for any standing annual or perennial crops.
  - Compensation at replacement value for any structures or developments on land that the landowner or land user can demonstrate ownership of.
  - Eligibility for participation in livelihood restoration programmes.
- Easement: The key valuation principles for land acquired as an easement are as follows:
    - SOWI will not own the land contained within the easement but will acquire rights for its use by agreement with the original landowners.
    - Ownership of the easement land remains with the landowner, who has restricted use of the easement. SOWI has the statutory authority to restrict the activities that can be carried out on easements to ensure the safety of landowners and the community.

Permitted and prohibited uses of land under easement are as follows:

- Maintenance of the area covered by the easement is the responsibility of the landowner or tenant (depending on terms of use).
- Easements must be maintained subject to the safety restrictions specified in the contracts with the landowners or DCM on Expropriation.
- SOWI reserves the right to carry out additional land management functions within the easement where unsuitable vegetation, ground surface level conditions, or other activities compromise the safe and reliable operation of the transmission lines.
- Access roads and tracks may be constructed specifically to build and maintain the transmission lines. SOWI Kosovo retains the right to use these tracks for building and maintenance.

Easement may result in a negative residual impact on the value of land. In the case of the overhead line, it is anticipated that this negative effect can range from -10% to -30% of property value due to the presence of the high-voltage electric transmission line and the associated pylon footprint. The actual loss depends on factors of land use, location of the power line and its size.

- Orphan Land: The land valuation principles for orphan land are as follows:
  - Where separated sections of the land might be too small to make cultivation economically worthwhile. This kind of land is called "orphan land" and some usually used criteria are:
    - Size, dimensions, and shape of the orphaned part of the parcel.
    - Possible access restrictions.

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<sup>19</sup> Separated sections of the land might be too small to make cultivation economically worthwhile.

- Size and nature of mechanical equipment used for cultivation on this parcel and limitations to the use of such equipment.
- Potential restrictions to irrigation or drainage.
- The same valuation principles shall be applied to the orphan land as to the main affected part of the land. For example:
  - The valuation of the orphaned land will be the same as the permanently acquired land, if the part of the land is orphaned permanently.
  - The valuation of the temporarily orphaned land will be the same as temporarily occupied land if the part of the land is orphaned temporarily.

## Calculation of land value by use

### ■ Agricultural land

- **Value of agricultural land:** The value of agricultural land can be estimated by calculating the annual profit generated by the land, using the profit capitalisation method indicated in Article 7 of Administrative Instruction MOF - no. 02/2015. The main factors that influence the economic value of land relate to the net capitalisation, gross capitalisation; soil category; vicinity and access to markets; topography, irrigation potential; environmental conditions; risk from flooding and erosion; biodiversity value and landscapes. As indicated before, in the case of an easement, the value can be considered diminished by up to 30% of the property value.<sup>20</sup>
- **Replacement values of annual and perennial crops:** The total crop compensation is based on the full replacement value thereof. The replacement values are based on the annual profit of the annual and perennial crops, as a difference between incomes and expenditures. The major contributors of full replacement value include the agricultural yield, density of cultivation, product prices, production costs and so forth. In addition, the transaction costs will be added in the calculated value.

The factors affecting compensation for annual crops include the type of crop, the yield, market price, production expenses. Factors affecting compensation for perennial crops (trees) include the type of tree, the yield, age of the tree, the production cycle of the tree, market price of the crops and the production expenses.

### ■ Forest and pasture land

- **Value of valuation of forest and pasture land:** Article 9 of the Administrative Instruction MOF - no. 02/2015 and Administrative Instruction No. 02/2012<sup>21</sup> determine the valuation of forest and pasture land. The quality of soil is the foremost criteria considered. Other criteria considered include environmental and ecological value, the function of forest land, production, preservation, tourist potential, protected status and so forth. The direct value of forests are closely related to the volume and value of the wood., access to infrastructure and transport as well as the level of investment in the forest. According to the Law No 8991 (23.01.2003), Article 63<sup>22</sup>, the developer must pay the damages caused in forest areas by investing in a forestation in other bare areas by planting three times more trees than is felled. Typically, the value of forest land amounts to 50% of the potential agricultural land value of a similar area. The value of pasture or meadows land is typically equivalent to the price of high quality agriculture land.

<sup>20</sup> "On the approval of technical valuation methods and criteria for calculation of the compensation amount for the immovable property expropriated, and damages relating to expropriation".

<sup>21</sup> "On the classification of suitability of agriculture land (SAL)".

<sup>22</sup> "For Territory Planning-amended".

- **Replacement values of forests species in the affected areas:** The direct value of the forest is determined by the forest category and age class as per data from the cadastre register for each forest category in the affected area. When the productivity is not registered (for the early age classes), the calculation for surfaces up to 7 ha is done through a complete measurement of the forest grove and for larger surfaces with a permanent footprint which size depends on the forest category. The calculation of the correction coefficient depends on the forest category and age class: (k1; k2; k3). An estimation of the production, ages classes for each forest category in the affected area are done during the asset inventory process.

## **APPENDIX H**

# European Bank for Reconstruction and Development Performance Requirements



## **EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT**

The EBRD financed projects are expected to be designed and operated in compliance with good international practices relating to sustainable development. To help clients and their projects achieve this, the EBRD has defined ten PRs covering the key areas of environmental and social issues and impacts.

### **EBRD approach to sustainability involves:**

The EBRD approach to sustainability involves:

- Incorporating environmental and social requirements into the appraisal and implementation of all Bank-funded projects based on European Union standards and international good practice.
- Providing finance and technical assistance specifically aimed at addressing environmental and social issues.
- Promoting economic inclusion and access to community services such as water and public transport.
- Supporting projects that promote gender equality.
- Encouraging public participation through pre-investment consultation and information disclosure and maintaining a regular strategic dialogue with civil society organisations and other stakeholders.

### **EBRD environmental and social policy**

The EBRD has a robust and inclusive environmental and social policy which underpins every project undertaken by the EBRD. This policy place safeguards in place to prevent or minimise any adverse impacts, and where opportunities to improve the project's efficiency and benefits for the wider community and future generations are maximised. The EBRD updated its Environment and Social Policy in 2014. The policy details the Bank's commitment to promoting "environmentally sound and sustainable development" in all its activities. In short, where possible, projects should avoid adverse impacts on workers, communities, and the environment. If avoidance is not possible, negative impacts should be reduced, mitigated, or compensate for, as appropriate.

### **EBRD performers requirements.**

The EBRD is developed ten PRs, to give substance to its environmental and social policy. These PRs provide a solid base from which clients can improve the sustainability of their business operations.

As indicated in the main text, Performance Requirement 5 (Land Acquisition, Involuntary Resettlement and Economic Displacement.), and Performance Requirement 10 (Information Disclosure and Stakeholder Engagement) hold particular application for the Bajgora wind farm project.

Performance Requirement 5 and Performance Requirement 10 are discussed in more detail below:

- Performance Requirement 5: Land Acquisition, Involuntary Resettlement and Economic Displacement (EBRD, 2014c)

Performance Requirement 5 refers to the management of involuntary land acquisition and resettlement. Involuntary land acquisition relates to transactions where the buyer can resort to government authority to gain access to land or impose limits on land use.

PR 5 defines displaced persons broadly as:

- Those who have formal legal rights to the land they occupy.
- Those who do not have formal legal rights to the land, but have a claim to land that is recognised or recognisable under the national laws.

- Those who have a recognisable legal right or claim to the land they occupy, such as opportunistic squatters and recently arrived economic migrants who occupy land prior to the cut-off date.

The objectives of Performance Requirement 5 include:

- To avoid or at least minimise involuntary resettlement by exploring alternative project designs.
- To mitigate impacts from land acquisition by providing compensation for loss of assets at full replacement cost and ensuring that resettlement activities are implemented with appropriate stakeholder engagement.
- To improve or at least restore the livelihoods and standards of living of displaced persons.
- To improve living conditions among displaced persons through the provision of adequate housing with security of tenure.

PR 5 requires that:

- Requires that the project proponent identify, via a census, those persons who are displaced and establish a cut-off date to establish eligibility for compensation
- Requires project proponent to offer land-based compensation, where feasible, where the livelihoods of displaced persons are land-based, or where land is collectively owned
- Introduces the concept of negotiated settlements to avoid forcible removal of people
- Requires private sector companies to “bridge the gap” between domestic legal requirements and the requirements of the Performance Requirement.

Performance Requirement 5 further requires that standards for compensation be transparent and consistent within a project and established with the participation of those impacted.

- Performance Requirement 10: Information Disclosure and Stakeholder Engagement (EBRD, 2014b).

PR 10 requires that affected communities be appropriately engaged on issues that could potentially affect them. The key requirements include:

- Ensuring free, prior, and informed consultation and facilitating informed participation.
- Obtaining broad community support.
- Focusing on the risks and adverse impacts, and proposed measures and actions to address these.
- Undertaking the consultation in an inclusive and culturally appropriate manner.
- Tailoring the process to address the needs of disadvantaged or vulnerable groups.

## **APPENDIX I**

# Stakeholder engagement activities completed to date for the WF and OHL components

## Stakeholder engagement for the WF component to date.

The stakeholder engagement process for the wind farm component was carried out from November 2017 to March 2018. Table 14 provides a summary of the scope and timeframes of this engagement component.

**Table 14: Stakeholder engagement for the wind farm**

<b>WF component</b>		
<b>Stakeholder</b>	<b>Engagement activity</b>	<b>Date</b>
<b>National Level</b>		
Ministry of Environment and Spatial Planning - Department for the Environment Protection	One-to-one meeting	15.01.2018
Ministry of Environment and Spatial Planning - Agency of environmental and Protection of Kosovo	One-to-one meeting	16.01.2018
Ministry of Environment and Spatial Planning - Department of Spatial Planning and Construction	One-to-one meeting	16.01.2018
Ministry of Economic Development - Department of Energy	One-to-one meeting	15.01.2018
KOSTT - Department of Management of the Projects	One-to-one meeting	16.01.2018
KIESA - Department for the Promotion of the Private Sector	One-to-one meeting	16.01.2018
Ministry of Infrastructure - Department of Road Management	One-to-one meeting	13.02.2018
Ministry of Agriculture and Rural Development - Department of the Rural Development	One-to-one meeting	13.02.2018
Let's do it Kosova; Rezistenca Elektrike	One-to-one meeting	15.01.2018
Science for Change; Muharrem Salihaj	One-to-one meeting	17.01.2018
<b>Municipal Level</b>		
Municipality of Mitrovicë - Mayor of Mitrovicë Municipality	Community Meeting	17.01.2018
<b>Community Level</b>		
Settlement of Stan Tërg	Community Meeting	29.01.2018

WF component		
Stakeholder	Engagement activity	Date
Settlement of Barë	Community Meeting	29.01.2018
Settlement of Bajgorë	Community Meeting	29.01.2018
Settlement of Kaçcandoll	Community Meeting	29.01.2018

### Stakeholder engagement for the overhead line component to date.

The stakeholder engagement for the overhead line component was carried out from December 2018 to April 2019.

The stakeholder engagement events carried out as part of the overhead line process is summarised in Table 15.

**Table 15: Stakeholder engagement schedules in the overhead line component**

Overhead Line Component		
Stakeholder	Engagement Activity	Date
<b>National Level</b>		
Ministry of Environment and Spatial Planning - Department for the Environment Protection	One-to-one meeting	17.12.2018
Ministry of Environment and Spatial Planning - Agency of environmental and Protection of Kosovo	One-to-one meeting	17.12.2018
Ministry of Environment and Spatial Planning - Department of Spatial Planning and Construction	One-to-one meeting	17.12.2018
Ministry of Economic Development - Department of Energy	One-to-one meeting	18.12.2018
KOSTT - Department of Management of the Projects	One-to-one meeting	19.12.2018
KIESA - Department for the Promotion of the Private Sector	One-to-one meeting	18.12.2018
Ministry of Infrastructure - Department of Road Management	One-to-one meeting	18.12.2018
Ministry of Agriculture and Rural Development -	One-to-one meeting	19.12.2018



Overhead Line Component		
Stakeholder	Engagement Activity	Date
Department of the Rural Development		
Let's do it Kosova	One-to-one meeting	19.12.2018
Youth Ecology; Security Zone	One-to-one meeting	20.12.2018
Municipal Level		
Municipality of Vushtrri	Community Meeting	01.04.2019
Municipality of Mitrovicë	Community Meeting	01.04.2019
Community Level		
Settlement of Bajgorë	Community Meeting	02.04.2019
Settlement of Rashan, Tërstenë and Gumnishtë	Community Meeting	03.04.2019
Settlement of Pasomë	Community Meeting	03.04.2019
Settlement of Banjskë, Sllatinë and Dobrollukë	Community Meeting	04.04.2019
Settlement of Vushtrri	Community Meeting	05.04.2019

## APPENDIX J

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