



# Preliminary Design for the Rehabilitation of the Railway Corridor VIII Rrogozhina – Pogradec

Specific Contract number: AA-010284-001

## Land Acquisition Resettlement Framework LARF

### July 2024



A project implemented by a  
consortium led by SUEZ Consulting  
(SAFEGE)

## Name of Project:

### **Preliminary Design for the Rehabilitation of the Corridor VIII Rrogozhina - Pogradec Section, Albania**

**AA-010284-001**

## Land Acquisition Resettlement Framework LARF

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## PROJECT DATA SUMMARY

<b>ACTION</b>	Preliminary Design for the Rehabilitation of the Corridor VIII Rrogozhina - Pogradec Section, Albania
<b>REFERENCE NUMBER</b>	AA-010284-001
<b>BENEFICIARY</b>	Ministry of Infrastructure and Energy of Albania
<b>PROMOTER AND END RECIPIENT</b>	Albanian Railways – HSH
<b>COUNTRY</b>	Albania
<b>FINANCIER</b>	European Investment Bank
<b>Budget</b>	EUR 1,680,000
<b>Contract Signature</b>	30/01/2023
<b>Commencement date</b>	10/02/2023
<b>Duration (month)</b>	18
<b>Due date for completion</b>	10/08/2024
<b>Key Experts</b>	<p>KE1 – Team Leader – Aris KARLAFTIS</p> <p>KE2 – Transport infrastructure engineer – Deputy TL – Hector MARTINEZ</p> <p>KE3 – Tunnel engineer – Alejandro Antonio VILLAESCUSA GONZALEZ</p> <p>KE4 – Rail signalling/telecom engineer – José Ignacio VIVAS ORTEGA</p>

## LIST OF ABBREVIATIONS

<b>ALUIZNI</b>	Agency on the Legalization of Informal Construction
<b>AoI</b>	Areas of Influence
<b>ARA</b>	Albanian Road Authority
<b>ASIG</b>	Albanian State Authority of Geospatial Information
<b>CBA</b>	Cost Benefit Analysis
<b>CMD/DCM</b>	Council of Ministers Decision
<b>CoM</b>	Council of Ministers
<b>CTC</b>	Centralized Traffic Control
<b>DD</b>	Detailed Design (also referred to as Main Design – MD)
<b>EBRD</b>	European Bank for Reconstruction and Development
<b>EIB</b>	European Investment Bank
<b>ERI</b>	Economic Resilience Initiative
<b>ESIA</b>	Environmental and Social Impact Assessment
<b>ETSI</b>	European Telecommunications Standards Institute
<b>EU</b>	European Union
<b>FS</b>	Feasibility Study
<b>GHG</b>	Greenhouse Gas Emissions
<b>GoA</b>	Government of Albania
<b>h</b>	Hour
<b>HSH</b>	Albanian Railways - Hekurudha Shqiptare
<b>IFI</b>	International Financial Institutions
<b>IPA</b>	Instrument for Pre-Accession Assistance (EU)
<b>IPF</b>	Infrastructure Project Facility
<b>IPRO</b>	Immovable Property Registration Office
<b>IR</b>	Inception Report
<b>JASPERS</b>	Joint Assistance to Support Projects in European Regions
<b>KE (s)</b>	Key Expert (s)
<b>Km</b>	Kilometre
<b>KOM</b>	Kick-Off Meeting
<b>KP</b>	Kilometre Point
<b>LARF</b>	Land Acquisition and Resettlement Framework
<b>LARP</b>	Land Acquisition and Resettlement Action Plan
<b>LC</b>	Level Crossing
<b>m</b>	Metre
<b>MCA</b>	Multi-Criteria Analysis
<b>MIE</b>	Albanian Ministry of Infrastructure and Energy
<b>MoM</b>	Minutes of Meeting
<b>NKE (s)</b>	Non-Key Expert (s)
<b>NTS</b>	Non-Technical Summary
<b>OB</b>	Operational Backstopping
<b>PAP</b>	Project Affected Persons
<b>PD</b>	Preliminary Design
<b>PEA</b>	Public Expropriation Agency
<b>PFS</b>	Pre-Feasibility Study
<b>PIU</b>	Project Implementation Unit
<b>PMIS</b>	Project Management Information System
<b>POC</b>	Point of Contact
<b>QA</b>	Quality Assurance
<b>QM</b>	Quality Management

<b>RAP</b>	Resettlement Action Plan
<b>REBIS</b>	Regional Balkans Infrastructure Study
<b>SC</b>	Steering Committee
<b>SDG</b>	Sustainable Development Goals
<b>SEETO</b>	South-East Europe Transport Observatory
<b>SEP</b>	Stakeholder Engagement Plan
<b>TA</b>	Technical Assistance
<b>TB</b>	Technical Backstopping
<b>TEN – T</b>	The Trans-European Transport Network
<b>TL</b>	Team Leader
<b>ToR</b>	Terms of Reference
<b>UIC</b>	International Union of Railways
<b>WP</b>	Waypoint

## Glossary and Terms

### **Affected Persons:**

Individuals, households, or communities may experience adverse impacts, including displacement, as a result of project activities.

### **Compensation:**

Financial or non-financial assistance provided to affected persons for loss of assets, livelihoods, or resources as a result of project-related land acquisition or resettlement.

### **Cultural Heritage:**

Sites, structures, artifacts, traditions, and practices that have historical, archaeological, religious, or cultural significance to a community or group.

### **Entitlements:**

Rights and benefits to which affected persons are entitled under project-related compensation, resettlement, or rehabilitation plans.

### **Involuntary Resettlement:**

The displacement of individuals, households, or communities from their homes or lands without their prior informed consent, due to project-related activities.

### **Land Acquisition and Resettlement Framework (LARF)**

LARF is a strategic document that outlines the policies, principles, procedures, and institutional arrangements for managing land acquisition and involuntary resettlement throughout the lifecycle of a project. LARF is typically developed by project proponents or implementing agencies following international standards and guidelines, including those set forth by institutions like the World Bank, the Asian Development Bank, the European Investment Bank (EIB), and the European Bank for Reconstruction and Development (EBRD).

### **Livelihood Restoration:**

Measures and assistance provided to affected persons to restore or improve their income-generating activities and livelihoods following displacement or loss of assets.

### **Resettlement Action Plan (RAP):**

A detailed plan outlining the measures, activities, and timelines for resettling affected persons, including compensation, livelihood restoration, housing, and infrastructure provisions.

### **Resettlement Framework (RF):**

A strategic document that outlines the policies, principles, procedures, and institutional arrangements for managing land acquisition and involuntary resettlement throughout the project lifecycle.

### **Social Impact Assessment (SIA):**

The process of identifying and assessing potential social impacts, both positive and negative, of a project on affected communities, including those related to land acquisition and resettlement.

### **Vulnerable Groups:**

Individuals or groups within affected communities who may be particularly susceptible to adverse

impacts from project-related activities, such as women-headed households, indigenous peoples, and persons with disabilities.

# 1 Introduction

## 1.1 Project Background

The Project of Preliminary Design for the Rehabilitation of the Railway Line Rogozhinë - Pogradec Section, Albania, is an important project that will contribute to the phased rehabilitation and improvement of the railway Corridor VIII in the territory of Albania to enable the provision of transport services and increased safety and speed to EU standards.

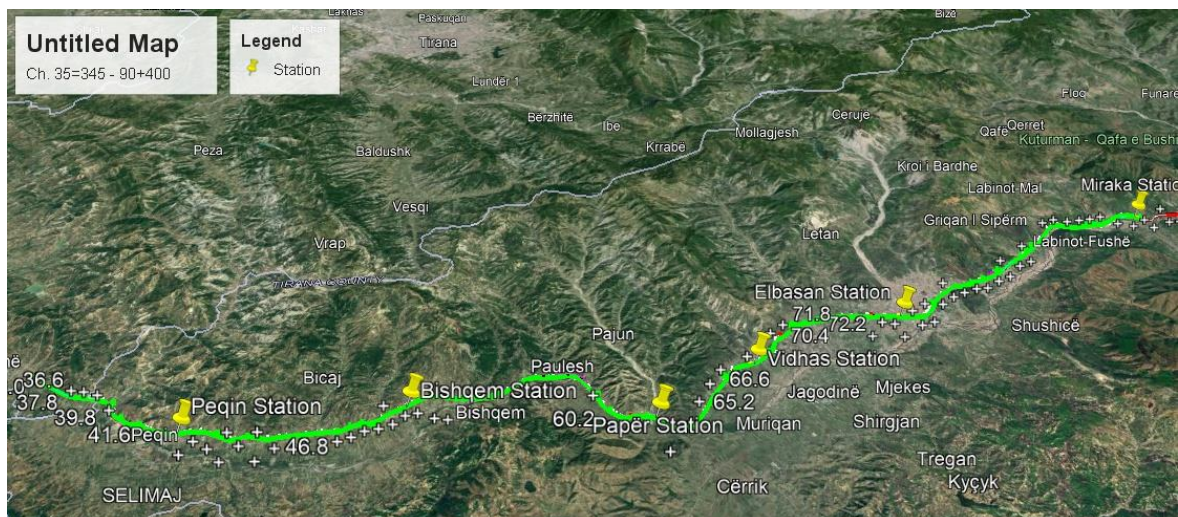
The Project will facilitate trade, regional integration, and sustainable growth and it will have a positive impact on the economy of Albania.

The railway line Rogozhinë - Pogradec has a total length approximately of 117 km. the Railway has been constructed between the 1950s and the 1970s, according to the following sections:

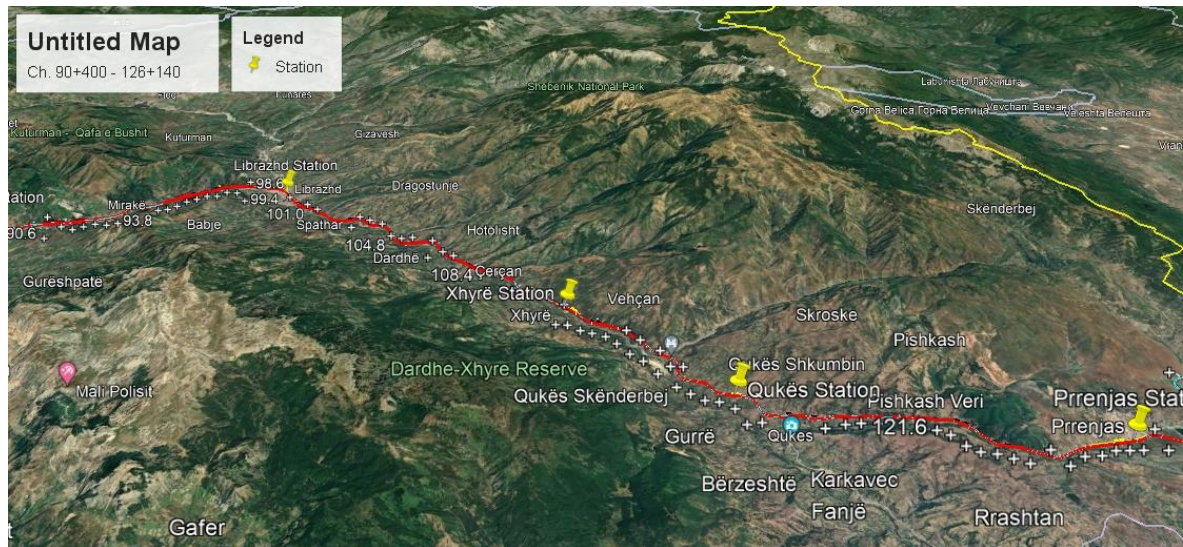
- Section Rogozhinë - Peqin: constructed in 1947;
- Section Peqin - Elbasan: constructed in 1950;
- Section Elbasan - Librazhd: constructed in 1972;
- Section Librazhd - Prenjas: constructed in 1974;
- Section Prenjas - Pogradec: constructed in 1979.

The Albanian railway line is built with a single track with a gauge width of 1435 mm and the substructure bed has a width of 5.5m, narrower than the standard railway substructure bed.

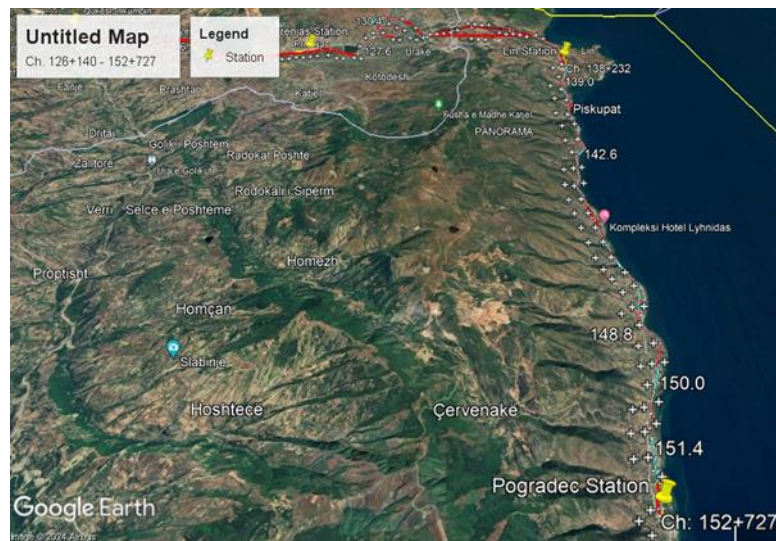
The maps in figure present the alignment of the railway line by sections Rogozhinë – Mirakë length 55km (flat terrain), Mirakë – Prenjas length of 35.7 km (mountain terrain), and the section Prenjas– Pogradec length of 26.2 km (hilly/mountain terrain and near Ohrid lake).



**Figure 1-1 The map of the first section Rogozhinë – Mirakë**



**Figure 1-2 Map of the second section Mirake – Prrerjas**



**Figure 1-3 Map of the third section Prrerjas – Pogradec**

## 1.2 Scope of this document

The relevance of this document is determined during the environmental impact assessment/environmental and social impact assessment (EIA/ESIA) process (as outlined in Standard 1/PR1), and specifically to all EIB-financed projects<sup>1</sup>/EBRD project that led to permanent or temporary involuntary resettlement resulting from:

- a. The acquisition or restriction of land rights or land-use rights through expropriation or other compulsory procedures<sup>2</sup> in accordance with national law;
- b. The acquisition or restriction of land rights or land-use rights through negotiated settlements, if expropriation or other compulsory procedures can be initiated in the case of failed

<sup>1</sup> And its ancillary/associated works/facilities as defined in Standard 1

<sup>2</sup> Compulsory procedure refers to the process whereby the promoter is legally entitled to take possession of property required for the realization of the project and duly designated as such, although there may be outstanding grievances and/or pending court judgements concerning the involuntary acquisition or valuation of such asset.

negotiations;

- c. Restrictions on land use that result in a loss of access to land, physical, cultural assets, or natural resources.

Land Acquisition and Resettlement Framework (LARF), has been prepared with the aim of outlining the general principles, procedures, and entitlement framework concerning the potential impacts of land acquisition required for the Project, in compliance with the national laws, the general and specific requirements in Standard 6 – Involuntary Resettlement (EIB Environmental and Social Standards) and outlines the promoter’s responsibilities to manage involuntary resettlement risks and impacts, and EBRD requirements, in particular EBRD’s Performance Requirement (PR) 5 of EBRD’s Environmental and Social Policy (2014): Land Acquisition, Involuntary Resettlement and Economic Displacement. The Resettlement Policy Framework (RPF) – EIB/ Land Acquisition Resettlement Framework (LARF) – EBRD, is prepared to serve as additional guidance to bridge any gaps between the national legislation and the EIB/EBRD requirements related to land acquisition and livelihood restoration. This is one of the key safeguards documents of this project.

This document will serve as a basis for the development of a detailed Land Acquisition and Resettlement Plan (LARP) for the Project, which will be developed once the exact nature and magnitude of the land acquisition or restrictions on land use related to the Project are known. It will provide more precise details on the Project Affected People, the eligibility criteria and the procedures to be applied for the Project in line with this LARF and compliance with EIB Standard 6/EBRD PR5.

A sample annotated outline for LARP is provided in Appendix 1 of this document.

### 1.3 Guiding Principles

During the implementation of the Project, the need for land acquisition will occur as a result of civil works foreseen under the Project. This document provides basic and binding principles to be applied in all cases of land acquisition (permanent or temporary) and all other adverse social impacts caused by Project implementation in any of its phases (like physical resettlement, economic displacement, etc.). The fundamental principles guiding land acquisition in this Project are:

- To avoid or, when unavoidable, minimise involuntary resettlement by exploring alternative projects, project designs and locations (EIB Standard 6) (EBRD PS 5);
- To avoid any forced evictions (EIB Standard 6);
- To improve displaced persons’ livelihoods and/or living standards, or at least restore them to pre-project levels (EIB Standard 6);
- To improve living conditions among displaced poor and other vulnerable groups to at least minimum living standards, promoting adequate housing and security of tenure (EIB Standard 6);
- To mitigate social and economic impacts from unavoidable involuntary resettlement (EIB Standard 6);
- PAPs will be assisted in all phases of the Project in their effort in the restoration of livelihood and living standards in real terms to the level before Project implementation;
- All land acquisition needs to be managed following national laws, EBRD PR5 performance requirements, accepted international best practices, and provisions of this document. As

a fundamental rule under this LARF, during the implementation of the Project, the policy that is most beneficial to the PAPs will always prevail;

- Special support and concern in the land acquisition process, as well as during the implementation of all phases of the Project under this LARF will be provided for affected vulnerable groups, according to their specific vulnerability. Inclusion of women from affected households in all public consultations, specific mitigation measures gender tailored, and other measures to provide women the possibility to participate in mitigation measures provided for resettlement impact will be guaranteed under this RPF/LARF. The documentation for ownership or occupancy, such as title deeds and lease agreements (including the bank accounts established for payment of compensation), will be issued in the names of both spouses if the expropriated assets are part of the marital property of both spouses;
- Following this RPF/LARF, RAP/LARP will be prepared once the detailed design is complete, and the expropriation study is undertaken. RPF/LARF, RAP/LARP will be publicly disclosed during public consultations held before its final approval to allow affected persons and stakeholders to participate in Project development, planning, and implementation of resettlement programs;
- During the Project implementation and resettlement cycle, stakeholders will be provided with full information about their grievance rights, possibilities, and procedures. All grievances will be taken into account during Project implementation and resettlement activities;
- All land acquisition activities should be conceived and conducted as sustainable projects by providing sufficient investment resources to enable principles and goals of land acquisition defined by this RPF/LARF, RAP/LARP to be applied.

The above principles should govern all actions of the Project Promoter and its representatives, contractors, and all other state and local institutions involved in the Project implementation.

#### **1.4 Objectives of RPF/LARF**

The main objective of RPF/LARF is to define overarching principles, procedures, actions, organizational structures and capacity requirements during resettlement and its impact attributable to Project implementation. It also provides the framework for the development of RAP/LARP under the Project. RPF/LARF specific objectives are:

- to classify Republic of Albania legal solutions in all events of land acquisition, including legal and administrative procedures and compensation paid for loss of assets; compare them to EIB Standard 6/EBRD PR 5 performance requirements and international best practices; and provide the way to bridge the gaps, if any;
- to identify key institutions of Republic of Albania, besides the Project Promoter, involved in Project implementation, including especially legally authorized state institutions implementing the procedures and safeguards of land acquisition; who can support the Project Promoter implement measures and monitoring to provide compliance with EIB Standard 6/EBRD PR 5, international best practices, the RPF/LARF, RAP/LARP;
- to identify stakeholders and ways of their engagement in course of Project implementation;
- to present PAPs eligibility criteria and compensation entitlement matrix according to a

type of lost assets;

- to define the process of identification and evaluation of affected assets and the value of compensation to replace the loss of assets;
- to provide procedures that allow prompt and effective compensation at full replacement cost for loss of assets or access to assets;
- to describe mitigation measures under the RPF/LARF and RAP/LARP, including procedures to minimize impacts on PAPs during Project implementation, including specific mitigation measures provided for vulnerable groups and women;
- to define grievance and complaint rights, process, bodies and procedures available to PAPs during the whole course of Project implementation, including feedback reporting;
- to describe and provide directions for preparation of RAP/LARP and approval procedure, future RAP/LARP outlines and their implementation process;
- to specify the requirement of public disclosure, disclosure of documents, public and local community involvement in all phases of Project preparation; including the development of RPF/LARF, RAP/LARP; especially including public consultation in the PAP communities during the process of land acquisition and Project implementation that may result in loss of assets;
- to establish a gender-sensitive framework for resettlement to determine differential impacts since economic and social disruption do not result in equal hardship for women and men;
- to specify monitoring activities during all phases of the Project, especially regarding resettlement issues, safeguarding the legal process and processes defined under this RPF/LARF, and evaluation of the resettlement process;
- to provide forms and questionnaires key to safeguarding and implementing the resettlement process under this RPF/LARF and RAP/LARP.

## 1.5 Structure of this document

This document provides the Resettlement Framework (RPF), as described in ANNEX 1a: Resettlement Framework of the EIB Environmental and Social Standards and LARF (EBRD) is structured as follows:

- Section 1: Project background and the purpose of the LARF;
- Section 2: Project's overview that includes the land use context and the Project's impacts;
- Section 3: Regulatory framework for LARF;
- Section 4: Eligibility, evaluation and entitlement;
- Section 5: Grievance redress mechanism;
- Section 6: Consultation and disclosure requirements;
- Section 7: Monitoring and reporting;
- Section 8: Preparation of RAP/LARP and Implementation;
- Section 9: Appendices.

## 2 Project Overview

### 2.1 Land Use Context

The railway line Rrogozhinë – Pogradec passes through six municipalities – Rrogozhinë, Peqin, Elbasan, Librazhd, Prrenjas and Pogradec. The railway line passes mainly through urban, suburban, and agricultural areas and E&S sensitive areas. This area has experienced also the migration of population from the mountainous region to flat terrains, which has led to many unauthorized level crossings serving this population. Across the urban areas (i.e., Elbasan, Librazhd, Prrenjas and Pogradec) many formal and informal buildings have been built at an inappropriate distance from the railroad. Besides, these buildings have damaged the drainage channels on both sides of the railroad.

The main features of the railway line have to do with the terrain:

- in the flat terrain for the section from Durrës – Rrogozhinë – Elbasan, most of the curves have a radius of 500 m and above;
- while in the mountainous segment from Librazhd to Lin, the minimum curve radius used is 300 m and the transition from a straight line to the curve is made through a parabolic transition curve.

Referred to HSH information, the max gradient is reported to be 1.8%, however, the topographic survey showed that the actual longitudinal grades exceed 2.2%, considerably reducing the operational speed on the mountainous sections. The railway line from Elbasan to Pogradec has not been operational, due to its seriously degraded technical condition, since 2011.

The baseline information on the railway line conditions conducted on the frame of the Project shows that in the current situation, the railway line cannot handle the expected increase of the transit freight. Furthermore, community safety issues are in question due to lack of signalling, unprotected authorised level crossings and emergence of many unauthorised level crossings, downgraded engineering networks, abandoned rail stations and other elements.

The baseline characteristics by sections:

#### **Rrogozhinë - Elbasan**

The section from Rrogozhinë to Elbasan is approximately 41 km long. Four stations exist along this section: Peqin, Bishqem and Paper, including an interchange station in Vidhas. The stations are located at a distance about 8 km apart each other.

The line passes through the foothills of the Krraba Mountains crossing numerous small valleys resulting in a series of embankments of the order of 5-6m in height followed by cuttings of similar height and is considered a generally flat-terrain railway line. This section consists of turns with a radius of 500 m to 1000 m with a leading slope of up to 0.9%.



**Figure 2-1 Infrastructure condition of the railway line between Rrogozhina and Elbasan**

The superstructure of the Rrogozhinë - Elbasan line is made up of Chinese-made P-43 type rails, wooden sleepers and concrete sleepers placed on the line alternately. The ballast of the line is made of complete cast iron and no filtering and dampening functions of the train load are performed. The wooden crossbars are connected to the P-43 rails by means of railway nails.

In general, the maintenance on this section has been poor and the Rrogozhinë track structure is requires major overhaul. The ballast comprises mainly of gravel contaminated with fine materials and vegetation. The sleepers are general of timber with some sections having been replaced recently with twin block concrete sleepers on new crushed rock ballast.

In this railway segment, there is no signalling, command and control system for the movement of trains and level crossings along the line, as well as telecommunications between stations according to safety standards in the system.

#### **Elbasan – Prrenjas**

This railway line section is approximately 51km long and includes the railway stations at Miraka, Librazd and Xhyrë. The Krasta station was considered to be non-operational, even before the main line ceased its operation.

The terrain is hilly to mountainous, and the existing track alignment provides general minimum radius at curves  $R_{min} = 300$  m, allowing for design speeds of 80 km/hr. However, the maximum gradient exceeds 2.2%.

Ballast is generally gravel, being in poor condition mainly due to the absence of good maintenance. The sleepers are of timber and are in very bad condition with many of them being broken. The rails are light P-43 type rails and wooden beams.



**Figure 2-2 Railway line between Elbasan and Prrenjas**

The existing embankments are in high height and are consolidated over the years, while multiple rockfalls have been identified in high cuts.

There is a complete lack of a signalling system for connecting and commanding trains, as well as communication system between stations.

#### **Prrenjas – Pogradec**

The railway line section Prrenjas - Lin - Pogradec has been constructed in 1973-1979, and has a length of 28.2 km. This railway section includes the longest railway tunnel of Qafë - Thana, with a length of about 3 km.

This railway section is designed having minimum radius 300 m and a main gradient of 18‰, while the maximum exceeds 22‰.

At km 137+500, Lin railway station is constructed, which will serve in the future to connect the link with Republic of North Macedonia railway network. The railway line from Lin up to railway station of Pogradec, with total length of 16.6 km, passes parallel with Lake of Ohrid, close to the reconstructed road of Lin – Pogradec.

Taking into account the elevation difference to be covered from Prrenjas to Lin, the gradient of railway is acceptable, but the alignment of railway is designed with minimum radius of 300 m.

Lack of maintenance has resulted the railway superstructure to be in poor condition and vegetation covers the track. The timber sleepers and the ballast have not been substituted with new material.



**Figure 2-3 Railway line between Prrenjas and Pogradec**

### 2.1.1 Road crossings

Along the Rogozhinë - Pogradec section, the rail network crosses the road network on numerous locations, not being level separated in most cases.

As part of this study there are identified all level crossings (authorised & unauthorised) and at the same time there are given recommendations according to each scenario in order to bring their operation under safe conditions. Some of them can probably be closed. Some can be brought under proper control and legalised.

According to the existing situation, we have identified the existing level crossing per each section of the route.

- Rogozhinë – Elbasan: 41 LCs, 45 over/under-passes, 40 pedestrian paths.
- Elbasan – Prrenjas: 34 LCs, 48 over/under-passes, 33 pedestrian paths.
- Prrenjas – Pogradec: 32 LCs, 14 over/under-passes, 23 pedestrian paths.

### 2.1.2 Railway structures

The railway structures along the Rogozhinë - Pogradec railway line have been identified through existing documentation (former studies) and site visits performed by the structural team, as well as the topographic survey. During the site visits, the condition of these structures has been visibly evaluated to support the proposed rehabilitation options examined under the Options Analysis task.

Based on the loading schemes (the vertical loads of trains) that are used in Albania, class load N7 and N8, the structures are capable of supporting the required axle load of 22.5 tones. In general, the structures are in reasonable condition, while the main problems identified include:

- Vegetation is completely uncontrolled.
- The embankments at the abutments are too steep.
- Parapets are missing on all bridges.
- Expansion joints protection cover plates are missing in most bridges.
- Bearings have had no maintenance.
- The drainage and the waterproofing on the deck is frequently degraded or non-existent.

- In some slabs and main beams, the reinforcement is exposed.

The following Table presents a summary of the various structures along the railway line.

**Table 2-1 Number of structures by type and section**

Section	Bridges	Viaducts	Under passes (i)	Culverts (ii)	Retaining walls (iii)
Rrogozhina – Elbasan	29	0	21	86	3 (375m)
Elbasan - Prrenjas	71	5	27	155	110 (11.2km)
Prrenjas - Pogradec	11	0	10	121	41 (8.25km)
<b>Total</b>	<b>111</b>	<b>5</b>	<b>58</b>	<b>362</b>	<b>154 (19.7km)</b>

- (i) Includes also agricultural and pedestrian underpasses;
- (ii) Includes also drainage structures that could not be inspected (demolished or completely covered by vegetation);
- (iii) All types of retaining walls (stone masonry, gabion, concrete, reinforced concrete, etc).

### 2.1.3 Railway tunnels

The existing tunnels have been constructed on various dates. According to the drawings made available by the Albanian railways, it seems that they were designed in the years 1969 to 1971 and according to the engineers were built starting and during the periods referenced above for the construction of each section.

The site visit has revealed the exterior condition of the tunnels, but cannot guarantee its long-term stability, especially following demolition and modification intervention works. Additionally, no geotechnical data are available at this stage, and, in any case, very limited is foreseen to be available for the preliminary design phase. To design the rehabilitation of the tunnels that will be decided the following observations need to be taken into consideration:

- Since no falls or major lining failures have been identified, all tunnels are considered stable at this stage.
- Dimensions and quantity of reinforcement of the existing lining cannot be reliably measured although indications have been noted in cases where the lining is discontinuous, and reinforcement is visible.
- Water infiltration is noted in various points along the tunnels, without major inflows. Nevertheless, repair works are identified occasionally with probable cause of water inflow. Simple water-protecting measures for the protection of the interior of the tunnels will not stop water action on the existing lining, an action which will deteriorate the lining’s condition.
- No data from the design of the tunnels is available that could allow for checking and redesigning the lining for the rehabilitated tunnels. Neither is, at this stage, new data available from geotechnical investigation and testing.

**Table 2-2 List of existing tunnels and characteristics**

Tunnel index	Section	Name	Chainage	Length (m)	straight (S) / curved (C)	Overburden est. (m)
T1	Rrogozhina – Elbasan	Bishqem I	53+787	294.66	S	25
T2		Bishqem II	54+287	210.95	C	34
T3		Bishqem III	57+644	727.22	C	un.
T4		Bishqem IV	58.302	455.67	C	un.
T5		-		38+296	just a series of concrete shells on the rails	

Tunnel index	Section	Name	Chainage	Length (m)	straight (S) / curved (C)	Overburden est. (m)
T6	Elbasan – Librazhd	Mirake I	91+899	590.16	S	123
T7		Mirake II	92+626	460.55	S	>35
T8		Murrashi I	96+023	918.66	S	un.
T9		Murrashi II	96+750	283.28	S	>30
T10		Librazhd I	99+744	314.29	S	un.
T11	Librazhd - Prrrenjas	Librazhd II	100+184	203.32	S -> C exit	>15
T12		Librazhd III	100+807	260.15	C	33
T13		Librazhd IV	102+487	245.53	S	>17
T14		Hotolisht I	107+785	414.57	S	>27
T15		Hotolisht II	109+003	170.16	S	23
T16		Xhyre I	112+368	95.53	C	16
T17		Xhyre II	112+567	111.80	C	38
T18		Qukes I	113+641	332.65	S	un
T19		Qukes II	118+527	94.09	S	20
T20		Qukes III	118+988	62.63	C	16
T21		Prrrenjas I	121+843	53.20	C	20
T22		Prrrenjas II	122+014	122.60	S	38
T23		Prrrenjas III	123+003	132.82	S	21
T24	Prrrenjas – Pogradec	Qafe Thane	134+667	3,013.66	S -> C entry	>35
T25		Piskupat	140+450	206.44	S -> C entry	16
<b>Total</b>				<b>9,774.58</b>		

In general, the following issues are noted regarding the existing tunnels:

- Tunnel lining is occasionally discontinuous.
- Occasional water ingress is observed which has deteriorated the concrete lining quality.
- Existing lining presents serious durability problems where water ingress is observed.
- No signs of rock fall or soil intrusion in the tunnels.
- Local interventions are needed for waterproofing or lining reinforcement/repair.
- Vague conditions regarding tunnel portals’ safety, but with no signs of failures.
- Small dimensions, insufficient for the modern requirements (TSI, electrification, safety, etc).

#### 2.1.4 Railway stations

As mentioned earlier, along the Rrogozhina – Elbasan – Pogradec railway line, 12 railway stations are located to serve the traffic.

The track layout and the size of station buildings have been the result of the traffic demand these stations have been designed to serve, either it was freight or passengers. The existing layouts of the tracks and the condition of the buildings of each station are given in Annex 4A and are summarised below:

**Table 2-3 Existing railway stations’ characteristics**

No.	Station	Building Type	Main Lines	Turnouts	Platforms
1	Peqin	Small	2x600m	7	1 Platform (150x5m)
2	Bishqem	Small	2x750m, 4x600m	8	1 Platform (150x5m)
3	Papër	Small	2x500m	5	1 Platform (150x5m)

No.	Station	Building Type	Main Lines	Turnouts	Platforms
4	Vidhas	Small	2x700m, 2x500m	8	1 Platform (150x5m)
5	Elbasan	Medium	2x750m, 4x600m, 3x500m	18	2 Platforms (200x5m)
-	Krasta	Small	Has not been used for over 10 years before the closure of the line		
6	Miraka	Small	2x500m	5	1 Platform (150x5m)
7	Librazhd	Medium	2x600m, 2x500m, 1x500m	10	1 Platform (200x5m)
8	Xhyra	Small	1x400m, 2x500m, 1x500m	6	1 Platform (150x5m)
9	Qukës	Small	1x300m, 1x250m	4	1 Platform (150x5m)
10	Prrenjas	Medium	2x750m, 2x500m, 2x600m	16	2 Platforms (200x5m)
11	Lin	Small	2x500m, 1x300m	6	1 Platform (150x4m)
12	Pogradec	Medium	2x500m, 2x300m	8	2 Platforms (200x5m)

Small stations like Lekaj have been designed for passenger traffic only, with only two tracks, accommodating train lengths up to 500 m, while others aiming to serve freight traffic operations, like Elbasan, have been designed with multiple tracks. Their principal pair of tracks has been designed to accommodate trains 600-750 m long.



Figure 2-4 Railway stations of Peqin and Pogradec

### 2.1.5 Signaling and Telecommunications

As presented above in the description of the existing situation of the railway line, there is no signaling, command, and control system for the movement of trains and level crossings along the line, as well as telecommunications between stations.

Furthermore, an electrification system is not provided along the entire railway line.

## 2.2 Summary of Project Impacts

### 2.2.1 Overview of railway line components and planned interventions

Taking into consideration the activities required for the reconstruction of the railway line, permanent land acquisition is expected to result from the restoration of local road network connectivity due to the track safety fencing, the improvement of railway track geometry, stations, level crossings, and train road crossings. Additional land may be required by the contractor for construction works, borrow pits, landfills, storage areas, etc. which are expected to result in temporary land acquisition only.

The railway alignment starting point is the end of the section “Durrës - Rrogozhinë”. The starting point of the design alignment chainage is Ch.35+384 according to the ending chainage of the previous section. The existing railway line horizontal alignment needs to be improved to the

expected transport services and increased safety and speed.

The terrain characteristics of the existing improved Railway Line differentiate two broad sections of the project, as below:

- The generally flat terrain section from the project start (Ch. 35+384) up to Ch.90+400;
- The hilly – mountainous terrain section from Ch.90+400 up to the project end. (Ch. 152+384).

The initial improvement alternative analyzed by the team included a horizontal alignment with full compliance to the TSI, with speeds up to 120 km/h for the flat terrain and 80 km/h for the mountainous sections, while the longitudinal gradient would not exceed 1.2%. This alternative also included the bypass of Elbasan, as proposed by the local Municipality. However, it was quickly understood that this alternative deviates significantly from the existing line creating significant connectivity issues (as more than 40% of the populated areas would not be easily connected to the line), is outside the parameters of the PFS and existing studies prepared, and outside the scope of a railway line upgrade and rehabilitation.

The proposed alternative to the railway alignment is:

- Alternative, which allows speed  $V=120\text{km/h}$  in flat terrain and  $V=80\text{km/h}$  in hilly/mountainous terrain, which mostly remains within the right-of-way of the existing railway line. (The segment Rrogozhinë - Prrenjas should be considered in the framework of Corridor VIII that will connect Albania with the Republic of North Macedonia. Segment Prrenjas - Pogradec will remain as an alternative.)

### 2.2.2 The Civil Works

The civil works for the rehabilitation of the railway line Rrogozhinë – Pogradec will be divided into five Sections as presented in the table below.

**Table 2-4 Civil works as per Section 1 Rrogozhinë (km 35+000) - Paulesh (km 55+400)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Rrogozhinë (km 35+000) - Paulesh (km 55+400)</b>				
Road Underpass (RU)	24	Road Underpass (RU)	30	6
Road Underpass (RU) - Intersection with national road		Road Underpass (RU) -Intersection with national road		0
Road Overpass (RO)		Propose to convert Road Overpass (RO)		0
Road Overpass (RO) - Intersection with national road		Road Overpass (Ro) -Intersection with national road		0
Level Crossing (LC)	5	Authorized & Protected LC	1	-4
<b>2 Railway Stations (Peqin, Bishqem)</b>				

**Table 2-5 Civil works as per Section 2 Paulesh (km 55+400) - Miraka (km 89+600)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Paulesh (km 55+400) - Miraka (km 89+600)</b>				
Road Underpass (RU)	29	Road Underpass (RU)	34	5

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
Road Underpass (RU) - Intersection with national road	3	Road Underpass (RU) -Intersection with national road	3	0
Road Overpass (RO)	0	Propose to convert Road Overpass (RO)	2	2
Road Overpass (RO) - Intersection with national road	3	Road Overpass (Ro) -Intersection with national road	3	0
Level Crossing (LC)	13	Authorized & Protected LC	8	-5
5 Railway Stations (Papër, Vidhas, Elbasan, Krastë & Mirakë)				

**Table 2-6 Civil works as per Section 3 Miraka (km 89+600) - Qukës (km 112+000)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Miraka (km 89+600) - Qukës (km 112+000)</b>				
Road Underpass (RU)	12	Road Underpass (RU)	15	3
Road Underpass (RU) - Intersection with national road	3	Road Underpass (RU) -Intersection with national road	3	0
Road Overpass (RO)	2	Propose to convert Road Overpass (RO)	2	0
Road Overpass (RO) - Intersection with national road	2	Road Overpass (Ro) -Intersection with national road	2	0
Level Crossing (LC)	3	Authorized & Protected LC	0	-3
2 Railway Stations (Librazhd, Xhyra)				

**Table 2-7 Civil works as per Section 4 Qukës (km 112+000) - Rrajcë (km 133+000)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Qukës (km 112+000) - Rrajcë (km 133+000)</b>				
Road Underpass (RU)	13	Road Underpass (RU)	14	1
Road Underpass (RU) - Intersection with national road	3	Road Underpass (RU) -Intersection with national road	3	0
Road Overpass (RO)	1	Propose to convert Road Overpass (RO)	1	0
Road Overpass (RO) - Intersection with national road	1	Road Overpass (Ro) -Intersection with national road	1	0
Level Crossing (LC)	2	Authorized & Protected LC	3	1
1 Railway Station (Prrenjas)				

**Table 2-8 Civil works as per Section 5 Rrajcë (km 133+000) - Pogradec (Gur i Kuq) (km 152+800)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Rrajcë (km 133+000) - Pogradec (Gur i Kuq) (km 152+800)</b>				
Road Underpass (RU)	6	Road Underpass (RU)	7	1
Road Underpass (RU) - Intersection with national road	0	Road Underpass (RU) -Intersection with national road	0	0

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
Road Overpass (RO)	0	Propose to convert Road Overpass (RO)	0	0
Road Overpass (RO) - Intersection with national road	2	Road Overpass (Ro) -Intersection with national road	2	0
Level Crossing (LC)	6	Authorized & Protected LC	5	-1
2 Railway Stations (Lin, Pogradec)				

**Table 2-9 Civil works as per Section 1 Rrogozhinë (km 35+000) - Paulesh (km 55+400)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Rrogozhinë (km 35+000) - Paulesh (km 55+400)</b>				
Level Crossing (LC)	2	Level Crossing (LC)		-2
Pedestrian Path Level Crossing (PP)	5	Pedestrian Path Level Crossing (PP)		-5
Pedestrian Overpass (PO)		Propose Pedestrian Overpass (PO)	5	5
Pedestrian Underpass (PU)		Pedestrian Underpass (PU)	4	4

**Table 2-10 Civil works as per Section 2 Paulesh (km 55+400) - Miraka (km 89+600)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Paulesh (km 55+400) - Miraka (km 89+600)</b>				
Level Crossing (LC)	1	Level Crossing (LC)		-1
Pedestrian Path Level Crossing (PP)	2	Pedestrian Path Level Crossing (PP)		-2
Pedestrian Overpass (PO)		Propose Pedestrian Overpass (PO)	2	2
Pedestrian Underpass (PU)	3	Pedestrian Underpass (PU)	5	2

**Table 2-11 Civil works as per Section 3 Miraka (km 89+600) - Qukës (km 112+000)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Miraka (km 89+600) - Qukës (km 112+000)</b>				
Level Crossing (LC)		Level Crossing (LC)		0
Pedestrian Path Level Crossing (PP)	1	Pedestrian Path Level Crossing (PP)	1	0
Pedestrian Overpass (PO)		Propose Pedestrian Overpass (PO)	4	4
Pedestrian Underpass (PU)		Pedestrian Underpass (PU)		0

**Table 2-12 Civil works as per Section 4 Qukës (km 112+000) - Rrajcë (km 133+000)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Qukës (km 112+000) - Rrajcë (km 133+000)</b>				
Level Crossing (LC)	7	Level Crossing (LC)		-7
Pedestrian Path Level Crossing (PP)	4	Pedestrian Path Level Crossing (PP)		-4
Pedestrian Overpass (PO)		Propose Pedestrian Overpass (PO)	1	1
Pedestrian Underpass (PU)	1	Pedestrian Underpass (PU)	11	10

**Table 2-13 Civil works as per Section 5 Rrajcë (km 133+000) - Pogradec (Gur i Kuq) (km 152+800)**

Existing Crossing Type	Number	Proposed Solution	Number	Change, improvement in the number
<b>Rrajcë (km 133+000) - Pogradec (Gur i Kuq) (km 152+800)</b>				
Level Crossing (LC)		Level Crossing (LC)		0
Pedestrian Path Level Crossing (PP)	3	Pedestrian Path Level Crossing (PP)		-3
Pedestrian Overpass (PO)		Propose Pedestrian Overpass (PO)	1	1
Pedestrian Underpass (PU)		Pedestrian Underpass (PU)	2	2

### 2.2.3 Construction of Freight & Passenger station

A new freight station is proposed to be built in the Elbasan and Prrenjas. The territory of these stations is the property of the Albanian Railways. Currently, the space planned for construction is occupied by illegal construction.

**Table 2-14 Data about the train stations (length, width, and respective surfaces affected)**

No.	Station	Building Type	No. of Lines	Length of Lines (m)	Average width between line (m)	Average surface of the train stations (ha)	Turnouts	Platforms	Average surface of the train platforms (ha)
1	Peqin	Small	2	600	5	0.6	7	1 Platform (150x5m)	0.075
2	Bishqem	Small	2	750	5	0.75	8	1 Platform (150x5m)	0.075
			4	600	5	1.2			
3	Papër	Small	2	500	5	0.5	5	1 Platform (150x5m)	0.075
4	Vidhas	Small	2	700	5	0.7	8	1 Platform (150x5m)	0.075
			2	500	5	0.5			
5	Elbasan	Medium	2	750	5	0.75	18	2 Platforms (200x5m)	0.2
			4	600	5	1.2			
			3	500	5	0.75			
-	Krasta	Small	Has not been used for over 10 years before the closure of the line						
6	Miraka	Small	2	500	5	0.5	5	1 Platform (150x5m)	0.075
7	Librazhd	Medium	2	600	5	0.6	10	1 Platform (200x5m)	0.1
			2	500	5	0.5			
			1	500	5	0.25			
8	Xhyra	Small	1	400	5	0.2	6	1 Platform (150x5m)	0.075
			2	500	5	0.5			
			1	500	5	0.25			
9	Qukës	Small	1	300	5	0.15	4	1 Platform (150x5m)	0.075
			1	250	5	0.125			
10	Prrenjas	Medium	2	750	5	0.75	16	2 Platforms (200x5m)	0.2
			2	500	5	0.5			
			2	600	5	0.6			
11	Lin	Small	2	500	5	0.5	6	1 Platform (150x4m)	0.06
			1	300	5	0.15			
12	Pogradec	Medium	2	500	5	0.5	8	2 Platforms (200x5m)	0.2
			2	300	5	0.3			
<b>Total</b>						<b>13.325</b>			<b>1.285</b>

## 2.2.4 Construction of numerous short side roads

Several kilometers of local roads are proposed to be built to reach the level crossings that will be formalized and secured. The construction of these local roads will replace unauthorized crossings. A part of this land surface belongs to Hekurudha Shqiptare (railway belt), while the other part belongs to private landowners or the local governments. It is assessed that the land area needed for local roads, outside the railway belt amounts to 18 ha. Most of the road sections are existing. Also, the new ones will be in the railway line corridor.

**Table 2-15 The length of side roads per Option**

Side Road Code		Start Railway Chainage - End Railway Chainage	Side Road Length (m)
<b>Rrogozhinë (km 35+000) - Paulesh (km 55+400)</b>			
LC	Level Crossing	km 35+000 - km 55+400	90
RU	Pedestrian Path Level Crossing	km 35+000 - km 55+400	3517
RO	Pedestrian Overpass	km 35+000 - km 55+400	
SR	Side Road	km 35+000 - km 55+400	7204
<b>Paulesh (km 55+400) - Miraka (km 89+600)</b>			
LC	Level Crossing	km 55+400 - km 89+600	726
RU	Pedestrian Path Level Crossing	km 55+400 - km 89+600	2615
RO	Pedestrian Overpass	km 55+400 - km 89+600	1,049
SR	Side Road	km 55+400 - km 89+600	6905
<b>Miraka (km 89+600) - Qukës (km 112+000)</b>			
LC	Level Crossing	km 89+600 - km 112+000	
RU	Pedestrian Path Level Crossing	km 89+600 - km 112+000	1461
RO	Pedestrian Overpass	km 89+600 - km 112+000	522
SR	Side Road	km 89+600 - km 112+000	1479
<b>Qukës (km 112+000) - Rrajcë (km 133+000)</b>			
LC	Level Crossing	km 112+000 - km 133+000	103
RU	Pedestrian Path Level Crossing	km 112+000 - km 133+000	646
RO	Pedestrian Overpass	km 112+000 - km 133+000	292
SR	Side Road	km 112+000 - km 133+000	5008
<b>Rrajcë (km 133+000) – Pogradec (Gur i Kuq) (km 152+800)</b>			
LC	Level Crossing	km 133+000 - km 152+800	365
RU	Pedestrian Path Level Crossing	km 133+000 - km 152+800	670
RO	Pedestrian Overpass	km 133+000 - km 152+800	334
SR	Side Road	km 133+000 - km 152+800	3077

## 2.2.5 Horizontal alignment improvements

The existing railway line horizontal alignment needs to be improved to allow for the increased design speed. The rehabilitation of the Rrogozhinë - Pogradec railway line maintains the geometric alignment and profile of the existing line, therefore the project works are confined within the boundaries of the existing right of way of the railway. There is only one area of design improvement as shown in the table below:

**Table 2-16 Area of horizontal alignment improvements**

No.	From Ch.	To Ch.	Length (m)	Existing Curve Radius (m)	To be improved Curve radius (m)	No of the affected land parcels
1	39+200	39+400	200	500	600	5
2	62+600	63+400	800	300	600	35
3	101+500	101+700	200	300	500	7

The line alignment radius will be improved in the 3-5 section.

The detailed percentage of land to be expropriated about the whole property is yet to be calculated.

At this stage of project development, it is assessed that the rehabilitation works will not affect any immovable property, such as houses and/or businesses.

### 2.2.6 Vertical alignment improvements

New overpasses will be constructed in the rehabilitation works. The construction of underpasses is not expected to require the land surface to be occupied permanently, as the needed land surface is assessed to be found within the railway belt.

### 2.2.7 Drainage channel improvements

The rehabilitation of the railroad will respect the existing drainage and irrigation system. Special attention has been provided to the areas that are prone to floods, so the railroad does not play the role of embankment or barrier and therefore allows water circulation between both railway sides. Due to the necessary rehabilitation works of the drainage system along the existing railway corridor, limited localized expropriations might be necessary.

### 2.2.8 Level crossing improvements

A major safety objective of this railway rehabilitation design is to minimize the existing level crossings and to secure the remaining ones with technical equipment and signalization. Solutions to the closure of the existing level crossings have been carried out taking into account traffic rerouting to restore the road network functionality or by grade, separation was technically feasible and acceptable from a social impact perspective.

The unauthorized crossings are grouped to reduce at minimum their number and will be secured with technical equipment and signalization, in the function of the new situation of the newly created settlements.

In addition, to bring the local roads to standards to enter and/or exit the authorized level crossing areas, some land will be required to improve the local road entry and exit from these secured level crossings. This area is assessed at about 18 ha.

The table below summarizes the potential impacts of the Project. The table will be completed with concrete impacts and remediation measures as per information during the preparation of RAP/LARP. The precise list of impacts and refinement and detailed planning of entitlements to compensation and assistance for these impacts will be informed by the results of the socio-economic survey and included in RAP/LARP.

**Table 2-17 Summary of potential Project’s impacts**

Impact	Description	Negative/positive	Likelihood 5 – very high 1 – very low
<b>Pre-construction phase</b>			
<b>Loss of land</b>	Commercial land	N	1
	Agriculture land (cultivated and not cultivated)	N/P <sup>3</sup>	1
<b>Loss of crops</b>	Annual and perennial plants	N	4
<b>Physical displacement</b>	Loss of housing resulting in the physical relocation	N	2
<b>Economic displacement</b>	Inability to continue with agricultural production	N	1
	Loss of income from land lease	N	1
	Loss of rural infrastructure (irrigation systems, informal access roads)	N	4
	Loss of auxiliary structures	N	1
	Loss of grazing area for livestock	N	2
	Loss of business facilities	N	4
<b>Construction Phase (impacts during this phase are mainly temporary)</b>			
<b>Economic displacement</b>	Encroachment – construction activities outside of site boundaries (Construction machines, works, excess deposit materials, waste, etc.)	N	5
	Excess dust impacting crop development	N	3
	Temporary loss of access to property due to disconnected rural roads	N	3
	Damage to existing rural infrastructure (irrigation systems, informal access roads)	N	4
	Increased travel time and cost due to damaged or disrupted local roads	N	2
	Damage to private property and failure from contractor to remedy damages (fences, auxiliary structures, houses, etc.)	N	3
	Loss of agricultural production due to soil contamination	N	1
<b>Employment opportunities</b>	Additional income from land lease	P	2
	Loss of potential for agricultural production due to soil contamination (failure to reinstitute land)	N	1
	Local recruitment for construction	P	4
	Local suppliers of goods and services	P	4
	Indirect employment – Higher turnover due to increased workforce in the area (catering, accommodation providers, cafes, restaurants, gas stations, etc.)	P	5
<b>Operational Phase</b>			
<b>Loss of access to the property</b>	Permanent loss of access to property due to disconnected or severely damaged rural roads	N	2
<b>Economic displacement</b>	Loss of agricultural production from traffic nuisances and inadequately designed/performed construction works (dust, flooding due to poor drainage systems, land contamination)	N	1

<sup>3</sup> In case of uncultivated land expropriation could result in benefits due to favorable compensation rates

### 2.3 Summary of Affected Land, People and Assets

The railway line Rrogozhinë – Pogradec passes through six municipalities – Rrogozhinë, Peqin, Elbasan, Librazhd, Prrenjas, and Pogradec. The railway line passes mainly through urban, suburban, and agricultural areas and E&S sensitive areas.

The area along both sides of the railway line is populated with illegal constructions from people moved from other areas of Albania. This has led to the opening of many unauthorized level crossings along the railway serving this population.

Across the urban areas (Rrogozhinë, Peqin, Elbasan, Librazhd, Prrenjas, and Pogradec) many formal and informal buildings have been built without respecting the appropriate distance from the railway line<sup>4</sup> (25 m from the railway axe as per Albanian Regulation of Technical Use of the Railways). Besides these, the buildings have damaged the drainage channels on both sides of the railway.

The railway passes across environmental and socially sensitive areas:

- The segment Mirakë – Librazhd passes along the perimeter of the Nature Managed Reserve Kuturman Qafë – Bushi.
- Lin – Pogradec goes through the Landscape Protected Area of Pogradec. The area is the IBA and Emerald site.
- Along the Lin Peninsula, with its natural and cultural assets such as the springs of Drilon, numerous endemic species made it part of UNESCO.

Performed field observations showed that the railway rehabilitation will follow the existing track, with minor widening at the level crossings, affecting thin strips of land along the sides, for which no significant land expropriation is required.

The actual land area affected by the railway line is about 64.37 ha (from which 5.38 ha are tunnels), as well as the average surface of the train stations is calculated at about 13.325 ha plus 1.285 ha (train platform surfaces).

The main stations (such as the stations Elbasan, Prrenjas, and Pogradec) also own the territory of the buildings, warehouses, as well as the area of the storage of goods, which today are damaged and require intervention for their rehabilitation.

**Table 2-18 Data about the railway segments (length, width, and respective surfaces affected)**

The segment of the Railway		Length (km)	Tunnel Length (m)	The width of the railway bed (m) <sup>5</sup>	The surface on which the railway lies (ha)	The surface lying in the tunnel (ha)
<b>1 _ Ch. (35+345 – 90+400)</b>	Rrogozhinë - Mirakë (Flat terrain)	55.055	1,688.50	5.5	30.28	0.93

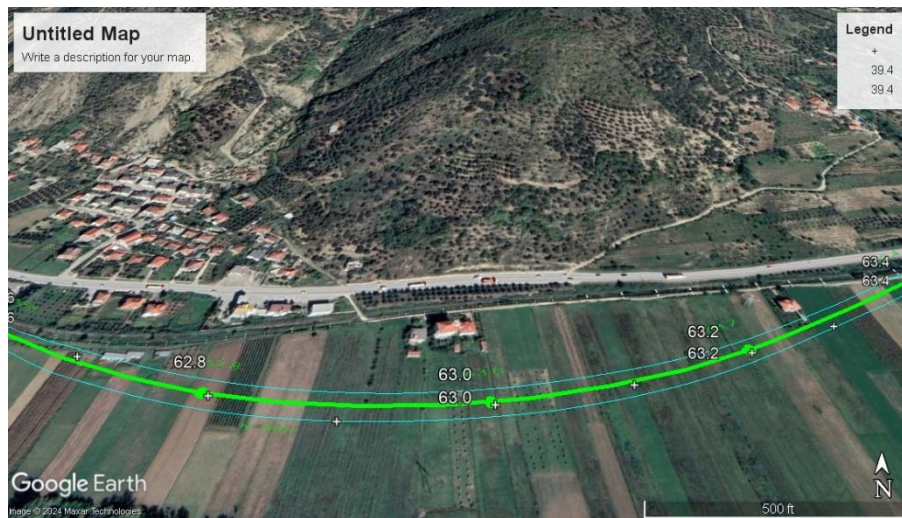
<sup>4</sup> DECISION, No. 408, Dated 13.5.2015, FOR THE APPROVAL OF TERRITORY DEVELOPMENT REGULATIONS, Bullet 3, 36 of for constructions along railways, the distances are according to the Railway Code. LAW No. 142/2016, RAILWAY CODE OF THE REPUBLIC OF ALBANIA

<sup>5</sup> "Strip of the railway line" is the land on both sides of the railway line, with a minimum width of 5 meters, starting from the end of the track escarpment, when there is no abutment, and from the end of the protective and drainage channels. LAW No. 142/2016, RAILWAY CODE OF THE REPUBLIC OF ALBANIA

The segment of the Railway		Length (km)	Tunnel Length (m)	The width of the railway bed (m) <sup>5</sup>	The surface on which the railway lies (ha)	The surface lying in the tunnel (ha)
<b>2_ Ch. (90+400 – 126+140)</b>	Mirakë - Prrenjas (Mountain Terrain)	35.74	4,865.99	5.5	19.66	2.68
<b>3_ Ch. (126+140 – 132+850)</b>	Prrenjas - Lin (Mountain Terrain)	6.71		5.5	3.69	0.00
<b>4_ Ch. (132+850 - 152+384)</b>	Entrance of Qafë Thana tunnel - Pogradec (Protected UNESCO area)	19.534	3,220.10	5.5	10.74	1.77
<b>Total</b>		<b>117.039</b>	<b>9,774.59</b>		<b>64.37</b>	<b>5.38</b>

The railway line Rogozhinë - Pogradec passes through 48 Cadastral Zones (CZ) with corresponding parcel numbers owned by the railway (HSH). This ownership at present is identified as public property even in some cases the areas are occupied illegally by individuals.

Taking into consideration the proposed railway belt, it is assessed that in total 3.2 ha of land falls in private properties. This is due to the fact that in some places small deviations are required to catch the technical radius R600 to ensure a speed of 120 km/hour, as in Ch. 63 we have a deviation of about 1 km in agricultural land (Ch.62+600 – Ch.63+400).



**Figure 2-5 New alignment (R=600) that requires expropriation of agricultural lands (Ch.63)**

Another estimation is based mainly on the land surface needed for the construction of the planned local roads, the improvements in the authorized level crossings for about 36 km or about 18 ha, and the construction of the freight stations in Elbasan and Prrenjas for about 2.5 ha.

### 2.3.1 Railways land’s property

The RPF/LARF will take into consideration also the railway belt which is the property of the Albanian Railways according to Law 9317/2004 as amended by Law 142/2016 (Railway Code). This law stipulates that “the railway land surface belt consists of the land surface of 5.0 m minimal width on both sides of the lowest point of the railroad basement or 5.0m from the drainage channels both sides of the railroad”.

CMD 280/2015, as amended by CMD 756/2016, states that “... informal buildings/constructions cannot be formalized when they affect the railway belt defined by the Railway Code”. This means

that informal constructions that overlap the railway belt cannot be legalized as the inhabitants have no recognizable legal right or claim to the land they occupy. Nevertheless, the Project either will seek design solutions to not affect the building properties or offer resettlement in line with EBRD PR5 requirements. Displaced persons shall be offered a choice of options for adequate housing with legal tenure or financial compensation for affected structures.

It should be noted that the lack of proper maintenance along the railway line with no proper enforcement of the legal framework has resulted in unauthorized occupancy of the railway corridor.

**Table 2-19 CZ (Cadastral Zone) and the respective Parcel No. through which the railway stretches in the Rrogozhinë - Pogradec segment**

Municipality	Cadastral Zones and respective Parcel No. property of HSH	Number of Respective Cadastral Zones
<b>Rrogozhinë</b>	CZ. 3233 [Parcel No. 518]; CZ. 3450 [Parcel No.181]	2
<b>Peqin</b>	CZ. 2908 [Parcel No. 834, 844]; CZ. 2908 [Parcel No.9/27, 7/22, 6/1, 5/1, 94]; CZ.1607 [Parcel No. X]; CZ.1416 [Parcel No. X]; CZ.2191 [Parcel No.462]; CZ. not registered [Parcel No. X]; CZ.2393 [Parcel No.107]; CZ.2856 [Parcel No.x17, 100/19, 18]; CZ.1196 [Parcel No.x12, 573]; CZ.2418 [Parcel No.677]; CZ.1195 [Parcel No.454, 799, 874]; CZ. not registered [Parcel No. X].	12
<b>Elbasan</b>	CZ. 3765 [Parcel No. 200]; CZ.2743 [Parcel No.200/1, 200/2]; CZ. 2876 [Parcel No.200]; CZ. 3764 [Parcel No.200/1, 200/2, 35/2]; CZ.1258 [Parcel No.326, 198/54, 198/53, 336]; CZ.3965 [Parcel No.259, 215]; CZ.2346 [Parcel No.439/1]; CZ. not registered [Parcel No. X]; CZ.8523 [Parcel No. Train Station Elbasan]; CZ.8521 [Parcel No. X]; CZ.2654 [Parcel No. X]; CZ.2355[Parcel No.547 (Labinot)]; CZ. not registered [Parcel No. X]; CZ.3864 [Parcel No.762].	14
<b>Librazhd</b>	CZ.2696 [Parcel No. 441, 960, 65]; CZ. not registered [Parcel No. X]; CZ. 2446 [Parcel No.1/1 Librazhd]; CZ.2448 [Parcel No.492]; CZ. 1527 [Parcel No.490, 350]; CZ.1967 [Parcel No.673, 574, 575]; CZ.2200 [Parcel No.391]; CZ.3843 [Parcel No.191, 205]; CZ.3725 [Parcel No.811].	9
<b>Prrenjas</b>	CZ3120 [Parcel No.493]; CZ.3468 [Parcel No.391, 493]; CZ.2970 [Parcel No.542, 559, 537, 534, 617, 933, 1117]; CZ. not registered [Parcel No. X]; CZ.2925 [Parcel No.4/1, 4/5, 4/36]; CZ.3203 [Parcel No.552, 1039, 11, 127, 782].	6
<b>Pogradec</b>	CZ.2457 [Parcel No.595, 274]; CZ.1317 [Parcel No.574]; CZ.2973[Parcel No.574]; CZ.3665 [Parcel No.745]; CZ.2648 [Parcel No.745].	5

The RPF/LARF will take into consideration also the railway belt which is the property of the Albanian Railways according to Law 9317/2004 as amended by Law 142/2016 (Railway Code). This law stipulates that “the railway land surface belt consists of the land surface of 5.0m minimal width on both sides of the lowest point of the railroad basement or 5.0m from the drainage channels both sides of the railroad”.

CMD 280/2015, as amended by CMD 756/2016, states that “... informal buildings/constructions cannot be formalized when they affect the railway belt defined by the Railway Code”. This means that informal constructions that overlap the railway belt cannot be legalized as the inhabitants have no recognizable legal right or claim to the land they occupy. Nevertheless, the Project either will seek design solutions to not affect the building properties or offer resettlement in line with EBRD PR5 requirements. Displaced persons shall be offered a choice of options for adequate housing with legal tenure or financial compensation for affected structures.

It should be noted that the lack of proper maintenance along the railway line with no proper enforcement of legal framework has resulted in unauthorized occupancy of the railway corridor in the last 30 years.

### **2.3.2 The information on the affected land area, owners, and structures**

The information on the affected land area, owners, and structures presented in this LARF is based on data available at the time of preparing the document. These figures do not include temporary land take required for the works and/or by the Contractors; temporary land access will be agreed upon by negotiation.

There may be land being used (i.e. for agricultural purposes) in the area (i.e. users may have no legal rights) and on a customary basis. This will be reviewed during the socio-economic survey and land and assets inventory to be prepared as part of RAP/LARP.

It should be noted that the Cadastre information (to be retrieved from every local Cadastre Office – 6 in total) may have information gaps that will need to be i) verified in the field (during the socio-economic survey and land and asset inventory); ii) through the valuation of properties and iii) through a consultation process with the affected landowners and users. Some of the possible gaps may include:

- unregistered users of land and properties;
- deceased owners with legal heirs who are unregistered and/or have not completed the inheritance process;
- unregistered changes in property ownership;
- unregistered right of use (i.e. rented land could be on a customary basis);
- unregistered non-residential buildings (auxiliary structures);
- unregistered building extensions exceeding the registered size of the property;
- unrecorded buildings (i.e. buildings without permits).

The percentage of land to be expropriated about the whole property is yet to be calculated, nevertheless, the railway follows the railway right of way (railway belt) and widens into private land at a range of 0-5 meters maximum. Expropriation would impact the fences and auxiliary structures, and thin strips of yard in the houses and businesses at the urbanized areas of the railway line. All the remaining properties consist of empty land. In addition, have been identified several structures and auxiliary structures that will be affected by the project. The table below

shows their location and typology.

KP	No. and typology of structures and auxiliary structures affected
39+600	Karinë 9-year school
40+150	Warehouse 1 floor, 4.5 m, masonry structure
40+930	1-floor story warehouse, masonry structure
41+900	3 floors dwelling, touching the end of the yard
42+600-43+000	The access to a dwelling at Peqin Station
44+840	Warehouses, simple structures, wood and metal
45+150	Simple storage structures affected by an access road
48+825	1 floor dwelling, the fence wall and garden might be affected
49+090	1 floor dwelling + annex + hangar (affected by R800)
49+120	2 floor dwelling + annex + hangar (affected by R800)
50+400	Service facility, affected in the corner
50+720	Structured warehouse, affected by Bishqem station
53+350	2 floors dwelling (6-7 m far from the railway line)
56+010	Facility with a simplified structure, guard post at LC 56+032
56+120	Facilities with a simplified structure in the yard
56+270	2 floors dwelling (affected by R=990)
58+590	Fencing wall of a dwelling (structures)
59+520	Warehouse facility with light structure
59+840	Objects with a simplified structure
60+000	Fencing wall of a dwelling (structures)
60+820	Bar-Coffee service unit (not affected after correction possibility R=600)
63+610- 63+400	Deviation of R=600, expropriation of agricultural lands (Paper)
74+737-75+529	Elbasan station, abandoned warehouses, occupied territory with urban waste, KP. 75+350-75+528 9 residential buildings above the railway.
75+529- 75+855	Service facilities + warehouse + residential facilities near the railway, 15 facilities in total
77+750	1 floor dwelling
80+050	Small object with a simplified structure
81+830-81+900	3 Small objects, simplified structure
83+300-83+400	Graveyard wall
84+360	Small service objects
84+530	Facility with light structure (barn)
84+600	3 Facility with light structure (barn) + fence
100+050-101+150	service facilities (cars, car services, service, parking)
101+480-101+600	Facilities (Restaurant 2, exchange area 1, parking service)
104+730-105+000	3 Facilities with simplified structure (cottage + barn)
107+290	Grocery store service
119+200	Facility with a simplified structure
121+930	Channel over tunnel
122+050	Channel over tunnel
123+900	Residential area
124+708-125+968	Prenjas railway station
127+500	Dwelling
127+630	Storage area for Construction materials
128+270	Dwelling
128+201	Facility with a simplified structure
129+470	Dwelling
130+900	Dwelling and a play yard
139+600	Facility with light structure (barn)
144+950	Kastrati distributor (Gas tank)
145+510	Hotel Lyhindas
147+900	Storage area for construction materials
148+370	Storage area for construction materials
148+500	Storage area for construction materials
148+600	Ground occupied by vehicles/equipment
150+850	Construction site
151+400 - 152+727	Pogradec Station, 3 buildings + fencing walls



**Figure 2-6** The railway passes through urban areas of Elbasan and the illegal constructions interfere with the territory of the railway line in Labintot Fushë

The presence/absence of these auxiliary structures will be validated during assets inventory preparation and the expropriation study, at the stage of RAP/LARP completion.

Nevertheless, it should be noted that the people living in the vicinity of the proposed subproject will not be affected directly by the rehabilitation of the railway line. There will be no need for displacement during the implementation of the project. To avoid impact on the household, and to protect the existing houses and infrastructure, the technical team has foreseen the construction of retaining walls near the inhabited areas along the whole 117 km railway line.

The retaining walls will be permanent constructions that shall not disturb the daily activities and communication on both sides of the railway line. It should be mentioned that in most of its length, the railway line runs along the old national road (nowadays the intercity roads) and the farmhouses do have access to the local transport network through the level crossings. In addition, the building of additional service roads will enable secure and safe mobility of local communities.

### 2.3.3 Socio Economic Profile

The ESIA study established a general social and economic profile of the affected communities and identified vulnerable groups.

Rrogozhinë-Pogradec Railway alignment passes through the territory of 3 Counties: Tiranë, Elbasan, and Korçë; 6 municipalities consisting of 17 administrative units and 43 settlements (6 cities and 37 villages) indirectly affected by the project, a part of them crossed, bypassed, or located close to the railway alignment. The municipalities with the highest number of affected settlements are the municipalities of Elbasan and Librazhd.

The municipality of Rrogozhinë is aligned in hilly and plain terrain up to the seacoast. The city of Rrogozhinë is the center of the municipality created before '90 around agro-industry, oil and soap factories, cotton treatment, and food preservation and processing, which have been closed for a long time. The city of Rrogozhinë occupies about a third of the entire resident population of the municipality, while the constituent rural administrative units have limited connections with the center of the municipality.

The residents of the Peqin municipality are focused mainly on agriculture, viticulture, and poultry breeding activities. The cultivation of olives, greenhouse vegetables, and other agricultural products are also characteristic of the area. Peqin is known for raising turkeys, quite in demand throughout Albania during holidays. Businesses are mainly focused on services, while several olive oil factories have also been developed and operating. Although a good part of the inhabitants are engaged in agriculture, the economic opportunities for them are limited.

A large part of the heavy industry of Albania has its activity in Elbasan Municipality including the steel factory, cement, ferrochrome, etc., which has given this area one of the highest levels of air

pollution in the country. The heavy industry employed the largest part of the population of Elbasan before the '90s. In contrast, today only a few thousand residents have been employed in the surviving industry, leaving the rest of the population unemployed. The mountainous areas around Elbasan involve the national park of Gjinari and the historical province of Shpati, which are suitable for nature and cultural tourism, but they are constantly being damaged by illegal logging of trees and have poor road infrastructure.

The municipality of Librazhdë lies in the east of Albania, in an area with rich vegetation, vast forest spaces, and numerous water sources. Librazhdë has been the center of the food industry and the use of forests. Most of the population of this municipality lives in rural areas. The Shebenik-Jabllanicë National Park is one of the rare natural assets with diverse biodiversity. In addition, the area counts 26 other natural monuments, listed as monuments of the first category.

The municipality of Prrenjas includes numerous forest areas, abundant water sources, and fertile land, while its subsoil is rich in chromium. The areas of Rrajca, Qukës, and Stravaj have the largest area of forests, however, intensive exploitation over the past two decades has damaged them to a large extent. The municipality of Prrenjas has a favorable geographical position, as it is located next to two customs points in North Macedonia. Many residents of the area are involved in seasonal work in North Macedonia, to ensure the basic income with which a good part of the families in this municipality live.

The municipality of Pogradec is aligned along Lake Ohrid and the city of Pogradec, and the Administrative Units of Buçimas and Udenisht are oriented towards tourism. Many people from the villages around Pogradec work in daily or seasonal jobs in North Macedonia, mainly in the construction sector and other ordinary jobs.

In the project area, Roma ethnic groups are located in Rrogozhinë, Peqin, and Elbasan Municipality. Roma and Egyptian families are living and/or accommodated (including temporary structures) near the track of the railway line. This information was discussed and confirmed by the municipalities' employees (Regional Development and Social Services Department During) the consultation meetings held with them. In addition to primary and secondary data sources, the Consultant's railway line alignment walks and discussions with the railway technician responsible for daily monitoring of the railway line showed the presence of Roma and Egyptian community representatives living and developing economic activities near the railway alignment in Rrogozhinë, Peqin, and Elbasan. Approximately 2,622 Roma and 8,318 Egyptians live in coexistence with the rest of the community in the "5 Maj" neighborhood in the city of Elbasan. Their main problems are related to education, housing, and unemployment. To their support, Elbasan Municipality is implementing the Local Plan for the Integration of Roma and Egyptians, 2019-2022.

In the next phases of the Project implementation, the preparation of the expropriation study and implementation of the census and asset inventory along the project footprint will identify in more detail relevant factors of vulnerability and vulnerable groups who will then be added to the SEP and appropriate communication methods will be defined.

### 3 Regulatory Framework for LARF

#### 3.1 National Regulations and Compensation

The key law regulating expropriation and governing the land acquisition process for the Project is Law No. 8561/1999 “On Expropriation and Temporary Takings of Private Property for a Public Interest” (Expropriation Law), Amended by Law No. 20/2016, dated 10.3.2016, no. 11/2020, date 12.2.2020) (Updated).

This Law is complemented by several Decisions of the Council of Ministers (DCM), guidelines and regulations, namely, the following:

- DCM No.127, dated 23.03.2000, “On the content and procedures of introducing the request and or initial announcement of expropriation and temporary takings of private property for a public interest”;
- DCM No. 138, dated 23.03.2000, “On the technical criteria for the assessment and calculation of the compensation number of private properties that are going to be expropriated for a public interest, of properties that are devaluated and of the rights of the third parties” as amended;
- DCM No. 257, dated 11.04.2007, “On the criteria and procedures for the physical compensation with state properties of expropriated subjects, in special cases”;
- DCM No. 89, dated 03.02.2016, “On the approval of the land map values in the Republic of Albania”;
- Guideline No. 1, dated 05.10.2000, “On the technical criteria to calculate the value of the fruit trees that are being expropriated for the public interest, in the cases when indicators of declared purchase are missing”; and

Other regulations on land tenure rights and registration and social protection to be taken into consideration are presented in the table below.

**Table 3-1 List of Albanian Laws**

Name	Number and reference of approval	Key issues addressed
<b>Constitution of the Republic of Albania</b>	Law no. 8417, dated 21.10.1998, amended with the law no. 9675, dated 13.01.2007, and law no.9904, dated 21.04.2008.	<p>Main constitutional principles, essential rights, and freedoms, organization of the state and independence of the state bodies, elections, hierarchy of the laws, etc.</p> <p>The right of private property is guaranteed.</p> <p>Property acquired by gift, inherited, purchase, or any other method provided for in the Civil Code.</p> <p>The law may provide for expropriations or limitations in the exercise of that right of the property only for public interests.</p> <p>The expropriations or limitations of the property right based on expropriation are permitted only against fair compensation. Disputes regarding the amount of compensation may be appealed in court.</p> <p>The right to information is guaranteed.</p> <p>Everyone has the right to be informed about the</p>

Name	Number and reference of approval	Key issues addressed
		status of the environment and its protection
<b>Civil Code of the Republic of Albania</b>	Law no. 7850, dated 29.07.1994, amended with law no. 8536, dated 18.10.1999, law no. 03.05.2001 and law no. 17/2012, dated 16.02.2012.	<p>Legal rights related to immovable properties (such as ownership, easement servitudes, and usufruct rights, lease, etc.)</p> <p>Interacting and beneficiary parties, their contractual rights, modalities of acquisition of rights referred to above, and the obligation to register them.</p>
<b>Law “On Cadastre”</b>	On 20.12.2018, the Parliament of the Republic of Albania approved the law no. 111/2018 “On Cadastre” (hereinafter “Law on Cadastre”). This act was published in the Official Gazette no. 28, dated 06.03.2018	The Law on Cadastre provides, inter alia, for the rules on the registration of public or private immovable properties and the real rights over them, as well as the establishment, organization, and functioning of the State Agency of Cadastre (SAC), which is constituted from the institutional merge of the Agency for Inventory and Transfer of Public Property (AITPP), the Agency for Legalization Urbanization and Integration of Informal Areas/ Constructions (ALUIIAC/ALUIZNI) and the Immoveable Property Registration Office (IPRO).
<b>Law “On the completion of the ownership transitional processes in the Republic of Albania”</b>	Law 20 dated 05.03.2020 “On the completion of the ownership transitional processes in the Republic of Albania”	<p>Establishing a simplified and harmonized legal framework for the finalization of the transitional registration procedures of the state and private land consisting of:</p> <p>The registration of ownership titles of agricultural land.</p> <p>The finalization of the transfer to their users of the ownership of agricultural land previously owned by cooperatives and agricultural enterprises.</p> <p>The legalization and registration of illegal constructions, constructions without an ownership title, and yards granted for use.</p> <p>The specification of ownership rights of individuals and entities, which have benefited from Law no. 7665, dated 21.01.1993 “On the development of economic zones with touristic priority”, was repealed.</p> <p>The finalization of the inventory update process of public real estate.</p> <p>Handling of the problems related to the overlapping of ownership of immovable property titles</p> <p>The finalization of the process of transfer of ownership over</p> <p>non-privatized construction land of privatized buildings</p> <p>(ii) not privatized construction land of buildings sold from state enterprises before the entry into force of law no. 7512, dated 10.08.1991 “On protection of private property, free initiative, and privatization”;</p>

Name	Number and reference of approval	Key issues addressed
		(iii) not privatized construction land of constructions built based on a permit issued by competent authorities
<b>Law "On expropriation and temporary use of private property for public interest"</b>	Law no 8561, dated 22.12.1999.	Regulates the right of the state to expropriate or take in temporary use, for public interest the properties of legal entities or individuals and the protection of the rights and interests of the expropriated owners.  Expropriation procedures and evaluation criteria of the compensation for the expropriated properties are defined respectively by the Decision of CM no. 127, dated 23.03.2000, and Decision of CM no. 138 dated 23.03.2000, and its amendments
<b>On expropriation Decision</b>	Decision No. 7, dated 6.1.2020.	Expropriation /Decision no 7, dated 6.1.2020 “On the Conditions and Procedure for Expropriations and /or Exchange of Property, for Public Interest, In Function of the Reconstruction Process”
<b>On expropriation</b>	DCM No. 127 dated 23/03/2000	The decision of Council of Ministers (DCM) No. 127 (23/03/2000) on the “Content and procedures of introducing the request and of the initial announcement of expropriation and temporary takings of private property for a public interest
<b>On “The technical criteria for the assessment and calculation of the compensation number of private properties that are going to be expropriated for a public interest,</b>	DCM No. 138 dated 23/03/2000	DCM No. 138 (23/03/2000) on “The technical criteria for the assessment and calculation of the compensation number of private properties that are going to be expropriated for a public interest, of properties that are devaluated and of the rights of the third parties” and amendments No 662 (18/12/2002), No 872 (12/12/2007) and No 136 (23/02/2011);
<b>“On Territory Planning and Development”</b>	Law No. 107/2014	The law aims to integrate the urban planning legislative framework into a single law and includes the concept of the protection of natural and cultural heritage and the community’s health and safety for the territory. The law and its by-laws require declaration for any construction.  The regulation specifies the type of installations requiring a construction permit.  Installations of mobile structures require a preliminary clearance (or declaration of works) issued by the municipality.
<b>FOR THE APPROVAL OF TERRITORY DEVELOPMENT REGULATIONS</b>	DECISION, No. 408, Dated 13.5.2015	The purpose of this regulation is to determine the detailed conditions and procedures for the implementation of the development management instruments, as well as for the content, structure, and

Name	Number and reference of approval	Key issues addressed
		approval procedure of the development control documents.
<b>RAILWAY CODE OF THE REPUBLIC OF ALBANIA</b>	LAW No. 142/2016	This Code defines the applicable rules, criteria, and principles of procedures for the administration of railway activities from all railway entrepreneurs and operators.

A Project Financing Agreement in case the Albanian Railways is seeking financing or funding from the EBRD/EIB to support the implementation of the project is the Legal ground that obliges Albanian Railways to implement EBRD PR and/or EIB ESS. The financing agreement itself will likely include conditions and requirements that mandate adherence to their standards.

### 3.2 Key institutions in the process of land expropriation and resettlement

The institutions responsible for the delivery of each item/activity in the entitlement process, implementation of the RAP/LARP, and coordination of the activities associated with and described in LARF, are presented in the table below.

**Table 3-2 Key institutions involved in the entitlement process**

Institutions	Key responsibilities during expropriation/resettlement
<b>Government of Albania (Council of Ministers)</b>	The Government of Albania will compensate the project-affected people (PAPs) for any loss of physical assets, revenue, and income resulting from economic displacement or physical relocation whether these losses are temporary or permanent. The Council of Ministers is responsible for issuing the expropriation decision and authorizing the funds required for it.  The land acquisition transfer must be fully completed, and payment made before any works can be executed on the expropriated property.
<b>Ministry of Infrastructure and Energy</b>	The financial responsibility for the expropriation procedures, including the compensation to be paid, resettlement costs, etc., lies with the Ministry of Energy and Infrastructure.  MIE submits the confirmed/approved expropriation request for approval to the Council of Ministers.
<b>Public Expropriation Agency (subordinate institution of the minister responsible for urban development/Ministry of Infrastructure and Energy) DCM No. 395, dated 13.05.2020 of the Council of Ministers "On the way of organization and operation of the State Expropriation Agency"</b>	Once an expropriation request is filed with the Public Expropriation Agency ("PEA"), the latter orders the establishment of a specific commission responsible to follow and accomplish the expropriation process.  The expropriation commission is responsible for determining the amount and the type of compensation.
<b>Albanian Railways – Hekurudha Shqiptare</b>	The Albanian Railways has the ultimate responsibility for the implementation of all project components along with other institutions of the Albanian Government.

Institutions	Key responsibilities during expropriation/resettlement
	<p>As such, HSH:</p> <ul style="list-style-type: none"> <li>- applies and coordinates all resettlement activities under this LARF and RAP/LARP;</li> <li>- discloses the Cut-off date in the public announcement for the relevant municipality, as part of the expropriation process;</li> <li>- prepares the RAP/LARP and other documents;</li> <li>- implements the RAP/LARP;</li> <li>- discloses RPF/LARF and all other documents; holds public consultations in all Project phases</li> <li>- engages relevant stakeholders;</li> <li>- establishes and administrates the grievances mechanism to redress all grievances from PAPs and other stakeholders;</li> <li>- monitors and evaluates the process of land acquisition;</li> <li>- prior review and approvals of negotiated agreements between contractors and landowners impacted by temporary land-occupation;</li> <li>- monitors the process of temporary land occupation until the land is given back to their owners following this LARF;</li> <li>- reports to EBRD on all issues under this LARF;</li> </ul> <p>Albanian Railways manages the process of evaluation of the expropriated property and pays compensation for the expropriated assets and if needed, additional compensation to bridge the gap with PR 5. It submits the expropriation request to the PEA.</p>
<b>Ministry of Finance and Economy</b>	Borrower; provides also funds for expropriation; to date, no expropriation funds for this project implementation have been allocated in the Mid-Term Budget Programme (2021-2023)
<b>National Cadastral Agency<sup>6</sup>, ex-Immovable Property Registration Office (IPRO) and its local offices</b>	Provides official legal information on the land to be expropriated by identifying and verifying property boundaries and ownership, before the application is sent to the PEA. The National Cadastral Agency is responsible for running the ex-Immovable Property Registration System, which provides information on the property (surface, type of land, location, etc.) and on its owners and their rights on the land and the Cadastral maps which provide ownership data.
<b>Local Government Unit</b>	<p>Municipalities are responsible for the development and monitoring on the ground of the General Local Development Plans and therefore shall be consulted in the process of land expropriation.</p> <p>In case no information on the area is available (first registration is not made), local authorities (municipalities and administrative units) are responsible for providing data on the land and ownership rights.</p> <p>They will be responsible for the coordination of expropriation implementing procedures and support the execution of the compensation.</p>
<b>Administrative Courts</b>	Address complaints on the amount of compensation provided in the Decision of the Council of Ministers approving the expropriation.

<sup>6</sup> Established by Law 11/2020, amending Law 8561/1999

### 3.3 Expropriation Process

Expropriation Law regulates the process for the expropriation of permanent and/or temporarily occupied properties (land and structures), in the public interest for activities that cannot be realized in another way, and which bring greater benefit to the public. The law provides compensation in such cases and even when the land is temporarily occupied. Only registered properties and formal legal owners of the properties are entitled to benefit by the law. No provision applies to unregistered properties.

Expropriation may be done in favor of the state and of public or private, local or foreign juridical persons, for the realization of a project, investment, or object of theirs that, in each case following expropriation law, presents a public interest. The subject, in favor of whom the expropriation is done, shall apply to expropriation to the Public Expropriation Agency<sup>7</sup>.

The expropriation process in the case of rehabilitation of a railway line is initiated by the Albanian Railways (Hekurudha Shqiptare) which submits an expropriation application to the PEA. This application contains information about ownership and other rights as they appear in the Immovable Property Registration System (IPRS). For properties that have not yet been registered (first registration), ownership data is collected from other local sources (i.e. Cadastral Offices in respective Municipalities). This information is referred to as the Expropriation Dossier. Upon receiving the application, the PEA orders the establishment of a commission to follow and accomplish the expropriation process.

Within 10 days from the day of notification of acceptance of an application for expropriation, an agreement is entered between the PEA and the applicant in favor of whom the expropriation is sought. Within 10 days of agreeing with the subject applying for expropriation, the PEA begins fulfilling the procedures of direct notification to each owner or joint owner of the private properties sought to be expropriated or devalued as well as to third persons related to their compensation.

The PEA publishes the expropriation application in the Official Gazette, in a newspaper with national circulation, and in a local newspaper for one week. Any third party affected by the expropriation is entitled to, not later than 15 days from the completion of the periods of publication, submit their claims accompanied by the relevant documents to the PEA.

When the claims of the third party about ownership, as well as about the conditions of expropriation offered are verified to be legally supported, the PEA proceeds with the expropriation, while also respecting these rights.

In valuing the private properties that are expropriated or other real rights of third persons that are subject to expropriation, the commission will consider the nature of the asset, depreciated value, location, the initial value, and the purpose for which they are destined.

After the preliminary procedures for expropriation, the competent minister for urban development (Minister of Infrastructure and Energy) submits to the Council of Ministers the proposal for expropriation. The expropriation and the compensation value are determined in the Decision of the Council of Ministers.

It should be noted that the implementation of expropriation activities will be linked to the implementation of the project, to ensure that loss of assets and/or displacement does not occur

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<sup>7</sup> Public Expropriation Agency (PEA) has been established by

before the necessary mitigation measures and resources are in place. In particular, land and related assets will be taken only after compensation has been paid.

### 3.3.1 Land tenure and property rights

The land and property reform began in Albania at the beginning of the '90s, characterized by several laws on property and ownership of land rights such as Law No. 7501 "On the Land", Law No. 7843 "On Registration of Immovable Property" etc. Nevertheless, almost 30 years later, the reform is still ongoing, and some issues remain unsettled i.e. the first registration of properties, high legalization costs, complex administrative procedures, and a large number of property disputes in court. The deadline for the legalization of informal construction expired a long time ago and the National Cadastral Agency, part of which is also the ex-Agency on the Legalization of Informal Construction (ALUIZNI), has all the ownership data.

### 3.3.2 Resettlement Assistance

Law No. 22/2018 "On Social Housing" establishes the legal framework for the development of social housing programs in Albanian municipalities. Other laws on the assistance offered by the State to vulnerable groups can be used as a basis for the development of resettlement programs for vulnerable groups. The Expropriation law does not provide for any resettlement regime.

### 3.3.3 Compensation

The Expropriation Commission evaluates the affected properties and provides the relevant compensation, as approved by the Council of Ministers, following the DCM No. 138, dated 23.03.2000, "On the technical criteria for the assessment and calculation of the compensation number of private properties that are going to be expropriated for a public interest, of properties that are devaluated and of the rights of the third parties".

Properties are categorized as:

- Category no. 1 Construction objects: (a) residential structures and (b) any other structures rather than residential (warehouse, shops, etc.);
- Category no. 2 Agriculture land;
- Category no. 3 Construction land.

For (a) residential structures, the valuation is set as the average of sales and purchases, as determined by the National Cadastre Agency. In case such information is not available, the valuation is to be made based on the building costs, using the prices as provided by the National Dwelling Entity (Enti Kombetar i Banesave).

The valuation of the building cost method is also used for the compensation of industrial or agricultural objects.

The compensation price for agricultural land, forests, fruit trees, etc., is based on the average sales price of a similar transaction within the same cadastral area. This information is obtained from the Cadastre Office if such information is missing (i.e. there are no similar transactions). The compensation price is set based on the DCM No. 89, date 03.02.2016, "On the approval of the land map values in the Republic of Albania". The valuation for fruit and trees is made using the cost method (investments, number of plants, surface area, other expenses, etc.). The valuation of crops is based on expected productivity.

### **3.4 Informal construction crossing with the railway land surface belt**

Law No. 9317, dated 18.11.2004 “On the Railway Code of the Republic of Albania” defines the railway line and as a part of it, the railway belt that consists of the land surface of 5 m minimal width at both sides of the lowest point of the railway basement or 5m from the drainage channels both sides of the railway”.

As per Article 18 of the same Law, any form of construction along the railway belt is forbidden, except those that facilitate the railway line. Any construction that is required to be made along the railway belt, including railway crossings, is subject to the prior approval of the Albanian Railway Authority (Hekurudha Shqiptare).

Other limitations exist for the protection of the railway line as provided in article 35/d of Law No. 9317. The Railway Code prohibits any kind of construction along the railway line, closer than 25 meters from the line, outside urban areas. In urban areas, it is allowed to build residential buildings and other buildings, along the railway line belt, at a distance of 25 to 100 meters from the railway belt.

For the construction of any type of object located in urban areas outside the railway line belt, and at a distance of up to 25 meters from this belt, permission from the Albanian Railway Authority is required.

A lot of informal constructions were built in the last 20 years in Albania due to internal migration from rural to urban areas. To allow occupiers to legalize the informal constructions, Law no. 9482, dated 03.04.2006 “On Legalization, Urbanization Planning and Integration of Unauthorized Buildings” was approved to formalize these informal constructions and develop the relevant areas.

A recent decision of the Council of Ministers, issued under the Law 9482/2006, no. 280 as amended in 2016, provides a list of those informal buildings exempted from the legalization process. Section II, 2/b of the DCM provides that informal buildings/constructions cannot be formalized when they affect the railway system/lines or cross the existing railway protection belt defined by the Railway Code. The railway protection belt consists of the land on both sides of the railway line, with a width of 100 meters, starting from the outer extremity of the railway line.

### **3.5 EIB/EBRD standards**

#### **3.5.1 EIB STANDARD 6 — INVOLUNTARY RESETTLEMENT**

EIB projects sometimes involve land acquisition and/or restrictions on land use, which can result in the temporary or permanent displacement of people from their original places of residence or their economic activities or subsistence practices. A situation when affected individuals or communities do not have the right to refuse such displacement is referred to as involuntary resettlement. Standard 6 seeks to avoid involuntary resettlement in the first instance and minimize and define the appropriate mitigation measures that should be in place to counter the adverse impacts of involuntary resettlement. It also aims to assist all affected persons so they can improve or at least restore their socioeconomic and cultural conditions.

This Standard applies to all components of operations financed by the EIB, including associated facilities, which result in involuntary resettlement.

Standard 6 shall not apply to instances where resettlement is considered voluntary and conducted as an open market transaction.

##### **3.5.1.1 EIB Guidance on resettlement and good practice**

The European Investment Bank (EIB) guides resettlement as part of its Environmental and Social Standards (ESS), which are aligned with international best practices and standards. The EIB's approach emphasizes protecting the rights and well-being of affected communities during projects involving involuntary resettlement. Here are key aspects of EIB's guidance on resettlement and good practices:

#### 1. Policy and Principles

**Respect for Rights:** EIB emphasizes respect for human rights, including the principle of Free, Prior, and Informed Consent (FPIC) where applicable, particularly for indigenous peoples or communities with customary land rights.

#### 2. Environmental and Social Impact Assessment (ESIA)

**Incorporation into Project Design:** EIB requires comprehensive ESIA to assess potential social impacts, including those related to land acquisition and resettlement.

**Early Identification:** ESIA identifies potential risks and impacts on affected communities, guiding the development of mitigation measures and resettlement plans.

#### 3. Resettlement Action Plans (RAPs)

**Preparation and Implementation:** EIB mandates the preparation of Resettlement Action Plans (RAPs) for projects involving land acquisition and involuntary resettlement.

**Components of RAPs:** RAPs include provisions for fair compensation, livelihood restoration, housing assistance, and access to essential services for affected persons.

#### 4. Stakeholder Engagement

**Meaningful Consultations:** EIB emphasizes meaningful consultations with affected communities throughout the resettlement process, ensuring their participation in decision-making.

**Transparency and Information Disclosure:** Stakeholders are provided with clear and accessible information about project impacts, mitigation measures, and their rights and entitlements.

#### 5. Grievance Redress Mechanism (GRM)

**Establishment of GRM:** EIB requires the establishment of a Grievance Redress Mechanism (GRM) to address complaints and grievances related to resettlement issues.

**Accessibility and Fairness:** The GRM must be accessible, transparent, and capable of resolving grievances in a fair and timely manner.

#### 6. Monitoring and Reporting

**Monitoring Compliance:** EIB monitors the implementation of RAPs and compliance with resettlement requirements throughout the project lifecycle.

**Reporting Requirements:** Project proponents are required to report regularly on resettlement activities, monitoring findings, and outcomes to ensure accountability and transparency.

#### 7. Capacity Building and Institutional Support

**Building Capacity:** EIB supports capacity building among project proponents, implementing agencies, and affected communities to enhance understanding of resettlement processes and rights.

**Institutional Strengthening:** EIB promotes institutional strengthening and regulatory frameworks at national and local levels to improve land governance and ensure compliance with resettlement

standards.

## 8. Continuous Improvement

**Learning and Adaptation:** EIB promotes continuous learning from project experiences and stakeholder feedback to improve resettlement practices and outcomes.

By adhering to these guidance principles and practices, project proponents can effectively manage resettlement activities in alignment with EIB standards, promoting sustainable development and safeguarding the rights and well-being of affected communities

### 3.5.2 EBRD PR5

Under EBRD’s Environmental and Social Policy<sup>8</sup>, the involuntary resettlement issues are covered by PR5, the main points of which are the following:

- Avoid or, when unavoidable, minimize, involuntary resettlement by exploring alternative project designs;
- Mitigate adverse social and economic impacts from the land acquisition or restrictions on affected persons’ use of and access to assets and land by (i) providing compensation for loss of assets at replacement cost; and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation and the informed participation of those affected;
- Restore or, where possible, improve the livelihoods and standards of living of displaced persons to pre-displacement levels;
- Improve living conditions among physically displaced persons through the provision of adequate housing, including the security of tenure at resettlement sites.

#### 3.5.2.1 EBRD Guidance on resettlement and good practice

EBRD issued in 2017 guidance on resettlement best practices<sup>9</sup>, which sets out the process by which the beneficiary can fulfill the requirements of the EBRD PR5 when projects involve resettlement. PR5 is based on the Land Acquisition and Involuntary Resettlement Performance

The guidance provides practical advice to face the difficulties that are commonly encountered in the resettlement process, including the following:

**Legislative Review:** Identification of the national regulations dealing with the protection of the most vulnerable groups (e.g. poor people, people lacking legal title of land, ethnic and/or cultural minorities, etc.). The beneficiary must identify the areas in which the national regulations fail to meet the EBRD PR5 applicable standards and attempt to “fill in the gaps”;

**Census:** The beneficiary must undertake a census to identify the individuals and households that may be benefiting from the resettlement. Conducting the census too early may necessitate additional or repeated steps as the residents and the economic activities may change over time. A late census may result in opportunities for some individuals to move onto the land to obtain benefits from the resettlement process. That is why preparing and undertaking a census requires careful timing;

**Socio-Economic Survey:** Each project and each PAP have their characteristics and therefore it is

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<sup>8</sup> EBRD Environmental and Social Policy, 2019

<sup>9</sup> <https://www.ebrd.com/news/2017/ebd-launches-new-resettlement-guidance-and-good-practice-publication.html>

expected that no two socio-economic surveys will be exactly alike. That is why the guidance suggests the involvement of skilled experts, who should be independent of stakeholders and, wherever possible, locals;

**Asset Inventory and Valuation:** This is the most important and among the most difficult issues in the resettlement process. PAP assets inventory such as informal housing and/or land are difficult to value using traditional methods of calculation. The guidance recommends considering alternative valuation methods (e.g. the cost of replacing the building materials, the damage to agricultural assets, etc.), and allowing PAPs to select their valuers, where practical. The assets, including affected land, should be rigorously documented, including aerial photography, to avoid attempts by opportunistic individuals to artificially increase their potential benefits;

**Livelihood Restoration:** Once the resettlement has been achieved, the beneficiary must be ensured that the livelihoods of affected people have been correctly restored. The livelihood restoration issues cover more than a simple economic restoration and may involve cultural and familial considerations (e.g. interruption of the passage to school, to agricultural land, etc.). The guideline suggests a combination of providing options to affected people at each step of the process careful documentation of the beneficiary's efforts and results; and

**Importance of appropriate consultations:** Major impediments to the completion of the project (e.g. problems with the assets inventory, assets valuation, livelihood restoration, etc.) can be avoided by obtaining the opinion of PAPs and stakeholders and involving them to take an active role in shaping the resettlement process.

### 3.6 Main findings and suggestions / GAP Analysis

Some existing gaps between the domestic legislation and the EBRD are provided below. A more detailed gap analysis summary is provided in Appendix 9.1.

The Albanian law provides regulation only for people having legal rights over the properties and focuses on assets that may be expropriated or temporarily occupied properties for the public interest.

- The law provides no regulation on restrictions resulting in people experiencing loss of access to physical assets or natural resources;
- The law imposes no requirements for avoiding and/or minimizing physical and/or economic displacement;
- A resettlement/livelihood restoration plan nor the implementation of a socio-economic survey is required by the Albanian legislation in force. The law is also silent regarding consultations with affected persons or informing vulnerable groups;
- No specific provision on the compensation of registration costs and transfer taxes is provided;
- Public consultations are not required before expropriation. Only those having formal legal rights over the affected properties are consulted once the expropriation process has been initiated;
- Relocation costs and assistance for vulnerable groups are not foreseen by the Expropriation law, however, vulnerable persons are entitled to social welfare assistance;
- Consultation of communities regarding the loss of public amenities is not provided;

The law does not apply to those who have a claim to land that is recognized or recognizable under national laws and those who have no recognizable legal right or claim to the land. Furthermore, those belonging to these categories are not entitled to any compensation or livelihood restoration assistance (except social housing);

No requirements for the monitoring of the expropriation process are provided.

**Table 3-3 Gap analysis between national and EBRD requirements**

No.	National regulations	EBRD standards	EIB ESS	Standard to be applied / comment
1	The Albanian law provides regulation only for people having legal rights over the properties and focuses on assets that may be expropriated or temporarily occupied properties for the public interest.	EBRD includes PAP that has formal and/or informal rights.	The EIB requires that formal landowners be duly compensated for any land acquired for projects it finances. Compensation should be based on fair market value or according to agreed-upon valuation methods that are transparent and equitable.	EBRD/EIB standards to be applied.
2	The law provides no regulation on restrictions resulting in people experiencing loss of access to physical assets or natural resources	EBRD standards foresee these issues	ESIA identifies potential restrictions or changes in access to these assets and resources that may occur due to project activities.	EBRD/EIB standards to be applied; The Consultant will pay special attention to the PAP that may be affected by the land use restriction from the limitation of the unauthorized crossings. Side roads, underpasses, and overpasses will be built to avoid/minimize land use restriction
3	The law imposes no requirements for avoiding and/or minimizing physical and/or economic displacement;	EBRD standards foresee these issues	The EIB emphasizes the importance of preventing or minimizing physical and economic displacement wherever possible. This includes considering alternative project designs or locations that could reduce the need for displacement	EBRD/EIB standards to be applied; The Consultant (helped by the affected municipalities) will scrutinize all kinds of potential physical and/or economic displacement. Anyway, the only physical and/or economic displacement may occur concerning the land surface required for the proposed new freight station of Prrrenjas and Pogradec; The Consultant will pay special attention to the PAP that may be affected by the land use restriction from the limitation of the unauthorized crossings. Side roads, underpasses, and overpasses will be built to avoid/minimize economic displacement.
4	A resettlement/livelihood restoration plan nor the implementation of a socio-economic survey is required by the Albanian legislation in force. The law is also silent regarding consultations with affected persons or informing vulnerable groups	EBRD standards include a careful socioeconomic survey and early consultation with vulnerable groups	For projects where displacement cannot be avoided, the EIB requires the development and implementation of a Resettlement Framework or Action Plan. This framework outlines procedures for identifying affected persons, assessing their losses, and providing adequate compensation and resettlement assistance.	EBRD/EIB standards to be applied; However Albanian Law “On EIA” requires a public hearing before the delivery of the Environmental Consent; The Consultant (helped by the affected municipalities) will identify all the affected persons, including vulnerable ones.
5	No specific provision on the compensation of registration costs and transfer taxes is provided	EBRD standards foresee this compensation	EIB-financed projects must comply with national laws and regulations regarding land acquisition, including requirements related to registration fees and transfer taxes. The compensation provided by the EIB should cover these costs as part of	EBRD/EIB standards to be applied

			ensuring full and fair compensation to affected landowners.	
6	The expropriation law, as amended through Article 19, provides for compensation in cash and in-kind, which was not the case before	EBRD standards include physical compensation	Overall, the EIB aims to provide fair and adequate compensation to mitigate the adverse impacts of projects it finances, using both cash and in-kind compensation methods as appropriate to ensure the effective resettlement and rehabilitation of affected persons and communities.	EBRD/EIB standards to be applied; The land surface required for railway line improvement may be compensated by the land surface being free from railway line relocation; The land surface required for the proposed new freight station of Prrrenjas and Pogradec may be compensated in cash (at the free market price) and therefore the landowner may buy agricultural land.
7	Public consultations are not required before expropriation. Only those having formal legal rights over the affected properties are consulted once the expropriation process has been initiated	EBRD standards apply to all the PAP at the early stages of the project development	Consultations may begin during the scoping and feasibility studies of the project. This initial phase involves identifying potential project impacts, including land acquisition and resettlement issues, and engaging with stakeholders to gather their input and concerns.	EBRD/EIB standards to be applied to this category of PAP; However Albanian Law “On EIA” requires a public hearing before the delivery of the Environmental Consent; The Consultant (helped by the affected municipalities) will scrutinize all kinds of claims on the ownership of the affected land surfaces.
8	Relocation costs and assistance for vulnerable groups are not foreseen by the Expropriation law, however, homeless persons are entitled to social welfare assistance	EBRD standards apply to all PAP	Relocation costs and assistance for vulnerable groups are included in the European Investment Bank (EIB) standards and guidelines for projects that involve displacement or resettlement of communities.	EBRD/EIB standards to be applied to this category of PAP; However, no homeless persons are affected by the Project; No relocation is needed for the proposed project; Anyway, the Consultant (helped by the affected municipalities) will scrutinize all potential impacts on the vulnerable groups.
9	Consultation of communities regarding the loss of public amenities is not provided	EBRD standards include the loss of public amenities	ESIA identifies potential restrictions or changes in access to these assets and resources that may occur due to project activities.	EBRD/EIB standards to be applied to this category of PAP; The Consultant has already taken into consideration this issue. Side roads, underpasses, and overpasses will be built to resolve this issue.
10	The law does not apply to those who have a claim to land that is recognized or recognizable under national laws and those who have no recognizable legal right or claim to the land. Furthermore, those belonging to these categories are not entitled to any compensation or livelihood restoration assistance (except social housing)	EBRD standards apply to all PAP	The EIB’s standards promote inclusivity and fair treatment for all affected persons and communities, regardless of their legal status regarding land tenure.	EBRD/EIB standards to be applied to this category of PAP; The Consultant will pay special attention to the PAP that may be affected by the land surface required for the construction of the proposed side roads, underpasses, overpasses, and the proposed new freight station in Prrrenjas and Pogradec.
11	No requirements for the monitoring of the expropriation process are provided	Monitoring of the expropriation process is required	Monitoring of the expropriation process is required.	EBRD/EIB standards to be applied

## 4 Eligibility, Evaluation, and Entitlement

At the time of preparation of this LARF, the detailed design for the rehabilitation of the railway line Rogozhinë - Pogradec was still in the functional analysis stage and the full impact of the land acquisition could not be fully assessed.

Taking into consideration the construction processes required for the railway line rehabilitation works, the permanent land acquisition is expected to result from the construction of new stations (e.g. Elbasan, Prrejas - 2 stations), the opening of several short side roads alongside the railway line, the horizontal alignment improvements (direct occupation of the area for the radius curve improvement), vertical alignment improvements (overpasses and underpasses), level crossing improvements (widening of level crossings, and building of access roads), etc. Additional land may be required by the contractor for construction works, borrow pits, landfills, storage areas, etc. which are expected to result in temporary land acquisition only.

However, considering the geographic conditions, land acquisition is expected to include land, crops, and perennial trees, as well as some auxiliary structures and rural infrastructure. It may affect access to land; however, it is not expected that the land acquisition process for this section will affect any business (unrelated to agriculture) or cause any physical displacement.

RPF/LARF has been prepared to capture the entitlements based on the estimated impacts.

### 4.1 Persons and Entities Eligible for Compensation and Assistance

According to this RPF/LARF, the following persons and entities are entitled to compensation as prescribed in the RPF/LARF, if present in the Project area before the cut-off date:

- Persons or legal entities who are formal owners of any affected property;
- Persons or legal entities that are recognized users, under the provisions of national laws, of any affected property;
- Persons or legal entities who are formal lessees of any affected property
- Persons or legal entities that are unregistered owners and informal users of, privately or publicly owned, affected agricultural or construction land, or part of the land;
- Persons that are users of the affected property but have no legal rights to the property – squatters;
- Persons or legal entities owners of the crops that are affected by the Project (regardless of the status of the land where it is planted);
- Persons or legal entities owners of the perennial plants and trees such as fruit-bearing trees and vineyards, that are affected by the Project (regardless of the status of the land where it is planted);
- Persons or legal entities owners of vineyards and orchards that have not given yield yet, and are affected by the Project (regardless of the status of the land where it is planted);
- Persons or legal entities owners of the nursery which have not given yield yet, and are affected by the Project (regardless of the status of the land where it is planted);
- Persons or legal entities owners of the structures affected by the Project (auxiliary buildings, fences, wells, irrigation systems, etc.) regardless of the status of the land on which the structures are located;

- Workers, agricultural possessors, and farmers on the affected property, whose incomes and livelihoods are permanently or temporarily under the impact of the Project;
- Communities or households whose access to their buildings, commonly held resources and amenities are affected by the Project;
- Persons or legal entities that are formal owners, lessees, or legal users under the provision of RC law, or unregistered owners and informal users of land, and who are affected by the Project because of the temporary occupation of the land;
- Persons or legal entities owners of property who are not citizens/residents of the Republic of Albania;
- Vulnerable groups, and individuals belonging to those groups, persons below the poverty line following national laws, women-led households, single parents, elderly, disabled persons, or those with long-term health problems) which are affected by the Project;
- Compensation must be shared between spouses according to title documentation or the Family Code in the silence of title documentation. This also includes co-habitants who have already agreed on having property ownership and inheritance at a notary office. Ensure that all programs, including those related to livelihoods restoration, are equally accessible to both men and women; Persons or legal entities whose losses cannot be determined or foreseen at this stage of the Project (includes persons who have title over buildings affected by the project).

## 4.2 Census and Cut-off Date

The Albanian Railways is required to carry out census and socio-economic baseline surveys to establish the number of people whose livelihoods will be affected and property to be compensated.

The census date is usually also a cut-off date for eligibility claims. The cut-off date is determined (i) as foreseen in applicable legislation, or (ii) using the end date of the census or of the asset inventory (whichever is the latest).

The census should cover the total affected population and should be accompanied also by an asset inventory which is a detailed measurement survey evaluating affected assets. The socio-economic baseline survey can be derived from a sample survey and is critical in identifying the current socio-economic, cultural, and political profile of the affected persons; their levels of overall resilience or vulnerability; and ensuing degrees and sorts of impacts.

The census of the asset inventory and the socio-economic survey should be ideally done in parallel. Cut-off dates determine the eligibility for compensation of PAPs. Therefore, they represent the actual date that the PAPs' assets and infrastructure at a particular site were recorded during the census survey. Assets such as land, structures, and others, that are created, encroached on, or acquired by individuals or groups, after the cut-off dates, will not be eligible for compensation. Issuance of a cut-off date requires the simultaneous clear, public, and accessible disclosure of the imminent project activities on the site concerned and their relevant implications for people's lives. As the cut-off dates will be specified in the RAP/LARP, they will be discussed and agreed upon with the IFI (EBRD) as part of the RAP/LARP preparation process. A census may be revisited in cases when a long time has elapsed between the census undertaking and the implementation of the RAP/LARP.

### 4.3 Entitlement Matrix

An entitlement matrix is prepared based on EIB/EBRD procedures for eligibility criteria, and to overcome the gaps noted in the section 3.6. All displaced persons as per EIB (Standard 6 Eligibility Criteria):

- a. Persons with formal legal rights to land or assets (including customary and traditional rights recognized under national laws);
- b. Persons who do not have formal legal rights to land and/or assets, but who have claims to land or assets that are recognized or recognizable under national laws or customary and traditional rights;
- c. Persons who occupy/use the land and/or assets but have no recognizable legal rights or claim to it/them.

And EBRD classification for displaced persons (paragraph 18 of PR5) with or without legal title to their property is eligible for compensation.

**Table 4-1 Specific compensation entitlements**

Asset acquired	Type of project affected right or property loss	Category of PAP	Entitlement	Implementation Modalities
<b>Land</b>	Loss of agricultural land, less than 40%	Owner with a formal title (including those that have a claim to land)	Free registration of land parcels according to Albanian legislation, before expropriation, and Cash compensation for affected land at replacement cost (equivalent to the market value of the property, sufficient to replace the lost assets and cover transaction costs).	Provide replacement property (for example, agricultural or commercial sites) of equal or greater value, or cash compensation at full replacement cost where appropriate.
	Loss of agricultural land, more than 40%	The title holder (formal user of land)	Registration of land parcels according to Albanian legislation, before expropriation, free of costs, and Cash compensation for affected land at a replacement cost or land plot of similar size and characteristics with a secure tenure status, and Livelihood restoration assistance including job training.	Provide replacement property (for example, agricultural or commercial sites) of equal or greater value, or cash compensation at full replacement cost where appropriate.
		Informal user	Assistance in the lease of alternative land/ property.	Finding an alternative location given with the right to use with secure tenure.
	Loss of construction land	Title holder	Registration of land parcels according to Albanian legislation, before expropriation, free of costs; and Cash compensation for affected land at a replacement cost.	Provide replacement property (for example, agricultural or commercial sites) of equal or greater value, or cash compensation at full replacement cost where appropriate.
		Informal user	Assistance in the lease of alternative land/ property.	Finding an alternative location given with the right to use with secure tenure.
	<b>Structures</b>	Loss of residential structure	Title holder with a building permit or with the legal right to register the structure.	Registration of structure according to Albanian legislation, before expropriation, free of costs and Cash compensation for residential structure at replacement value and Moving allowance and compensation for other expenses related to resettlement and Assistance to obtain a building permit for a new structure.

Asset acquired	Type of project affected right or property loss	Category of PAP	Entitlement	Implementation Modalities
		Occupant without the legal right to register the structure/ informal user	Cash compensation at replacement value and moving allowance to the owner.	Transfer of property right or expropriation process.
	Loss of non-residential structure	Title holder with a building permit or with the legal right to register the structure.	Cash compensation at replacement value and moving allowance.	Transfer of property right or expropriation process.
		The user is without legal right to register the structure.	Right to demolish the building and collect construction materials.	Compensation not foreseen.
<b>Commercial Property</b>	Loss of place of business activity	Owner	The same is applicable for residential property.	In cases where land acquisition affects commercial structures, the affected business owner is compensated for (i) the cost of re-establishing commercial activities elsewhere; (ii) lost net income during the period of transition; and (iii) the costs of the transfer and reinstallation of the plant, machinery or other equipment, as applicable.
	Loss of business and/or rent	Owner	Compensation for the cost of re-establishing the commercial activity and compensation for loss of income.	In cases where land acquisition affects commercial structures, the affected business owner is compensated for (i) the cost of re-establishing commercial activities elsewhere; (ii) lost net income during the period of transition; and (iii) the costs of the transfer and reinstallation of the plant, machinery or other equipment, as applicable. Furthermore, provide transitional support to economically displaced persons, as necessary, based on a reasonable

Asset acquired	Type of project affected right or property loss	Category of PAP	Entitlement	Implementation Modalities
				estimate of the time required to restore their income-earning capacity, production levels, and standards of living.
<b>Standing Crops</b>	Loss of annual crops	Owner/User	Right to harvest crops or cash compensation for annual crops at replacement value.	Cash compensation in case crops could have not been harvested. Furthermore, provide 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.
	Loss of perennials and non-fruit trees	Owner/User	Right to collect production and cash compensation at replacement value.	Cash compensation. Furthermore, provide 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.

## 5 Grievance Redress Mechanism

The potential for disputes has been reduced considering that the reconstruction of the railway line, does not affect the PAPs to the extent where houses or other dwellings need to be dislocated, but rather a relatively small portion of their land.

Grievance redress procedures envisaged in the Albanian legislation include the negotiation of settlements encouraged by the Expropriation Law (Article 6); if an agreement is not reached when a decision on expropriation is passed by the Council of Ministers, the affected owner has the right to appeal to the Administrative Court. This right concerns only the amount of compensation offered and not the decision of expropriation itself.

To comply with EIB/EBRD standards, a more inclusive Grievance Redress Mechanism must be established. The procedure is summarized here but is also available in the Stakeholder Engagement Plan (SEP) which was also developed for the Project.

The following principles will apply to grievance management:

- Any grievance related to land acquisition, or any other matter will be registered, acknowledged within 7 working days and tracked until it is closed;
- The grievance management system will include at least one level of review/appeal, to reach an amicable settlement wherever possible without resorting to a judicial review;
- Grievances will be processed and responded to within 30 working days.

### 5.1 Grievance management

The grievance procedure is designed to be effective, easy, understandable and without associated costs to the complainant. Registers of grievances will be established in locations close to potentially affected people. The investor will be responsible for handling the grievances in a timely fashion. It should be possible to register grievances in headquarters, municipal and local offices, and websites. A grievance leaflet will be prepared to tell people about the process. The leaflet needs to be written in easily accessible language. Also bearing in mind the length of the corridor, information on the procedure, as well as the Public Grievance Form (a format provided under section 9.3), will be available on notice boards in the affected communities, on local communities' websites and will be distributed during the consultation meetings.

The existence of these registers, as well as avenues and procedures to lodge a complaint (where, when, to whom, etc.), will be broadly communicated to the public. The grievance is managed by a two-tier system as described below:

#### 5.1.1 First Level of Grievance Management

Albanian Railways needs to establish a registry of grievances. PAPs will be able to submit grievances directly with the Albanian Railway company (a sample Grievance Form is attached as Annex 2). All grievances will be recorded in a register and assigned a number and acknowledged within seven (7) days. It will have all necessary elements to disaggregate the grievance by gender of the person logging it as well as by type of grievance.

Each grievance will be recorded in the registry with the following information:

- Description of grievance.
- Date of receipt/acknowledgment returned to the complainant.

- Description of actions taken (investigation, corrective measures); and
- Date of resolution and closure/provision of feedback to the complainant.

Any grievance can be brought to the attention of the Albanian Railways, personally or by telephone, or in writing by filling in the grievance form (by post, email, or personal delivery) to the address/number as bellow:

Contact person: Mr. Eriton Hasaj, Communication and Social Manager  
HEKURUDHAT SHQIPTARE S.A. (HSH)  
Rruga Egnatia, Nr. 3 Durrës  
Email: [projekte@hekurudha.al](mailto:projekte@hekurudha.al);  
[www.hekurudha.al](http://www.hekurudha.al)  
Tel / Mob: +355 672221452

The Albanian Railway will collect all the grievances and will make all reasonable efforts to address the complaint upon the acknowledgment of grievance. If the Albanian Railways is not able to address the issues by immediate corrective action, a long-term corrective action will be identified. The complainant will be informed about the proposed corrective action and follow-up of corrective action within 30 working days upon the acknowledgment of the grievance.

For each grievance, a relevant file will be opened, including the following elements:

- initial grievance sheet (including the description of the grievance), with an acknowledgment of receipt handed back to the complainant when the complaint is registered;
- grievance monitoring sheet, mentioning actions taken (investigation, corrective measures);
- closure sheet, one copy of which will be handed to the complainant after he/she has agreed to the resolution and signed-off.

If the Albanian Railways is not able to address the particular issue raised through the grievance mechanism or if action is not required, it will provide a detailed explanation /justification on why the issue was not addressed. The response letter will also contain an explanation of how the person/organization which raised the complaint can proceed with the grievance in case the outcome is not satisfactory.

The closeout at this first level will be sanctioned by a document, whereby the complainant acknowledges receipt of the proposed resolution and mentions whether he/she is satisfied or not.

### 5.1.2 Second Level of Grievance Management

If the complainant is not satisfied with the implemented corrective action and/or a justification on why the corrective action is not required, the complaint will be directed to the Grievance Committee, which shall function as a third-party independent mediator. This would be the second level of grievance management, processing those grievances that the first level is not able to resolve.

The Grievance Committee will include one member of each Municipality in which the understudy railway passes through, two representatives of the affected people and one representative of an independent CSO, or highly regarded lawyer or other people.

The Committee will re-evaluate previously carried corrective action and/or the justification on why an action is not required, and reconsider alternatives to address the complaint adequately. The

complainant will be informed about the proposed alternative corrective action and follow-up of alternative corrective action within 3 months upon the acknowledgment of grievance.

At all times, complainants may seek other legal remedies following the legal framework of Albania, including formal judicial appeal.

The complaints should be addressed effectively and in due time, using an open, transparent, understandable, and friendly process that is readily accessible and culturally appropriate to the affected communities.

## 6 Consultation and disclosure

As part of the ESIA public consultation and disclosure process, the RPF/LARF will be disclosed by Albanian Railway.

### 6.1 Disclosure of documents

All documents identified for disclosure will be prepared and published in Albanian and English language. As per EBRD requirements, the ESIA disclosure package, which includes this LARF, will be publicly disclosed for 120 days for comments. After the disclosure period, all comments received will be evaluated and incorporated into the final LARF.

ESIA disclosure package must be available to the public throughout the Project. Versions in the Albanian language will be published on the websites of the Albanian Railways and of the relevant affected local municipalities. All announcements in local newspapers and media will be made in Albanian in a non-technical vocabulary and language. All documents shall be presented to PAPs in the process of expropriation, particularly to vulnerable groups. Project impacts to their property and their rights must be explained, as mentioned earlier. Hard copies of the documentation shall be available in the affected municipalities. Albanian Railways is responsible for all disclosures of the documents.

### 6.2 Public consultation

Public consultation is an essential element of policy preparation and review as good policy development is built on openness. Stakeholder and public inputs provide feedback and evidence to support evaluations, impact assessments, the preparation of initiatives and political decisions. Public consultation is crucial for all impact assessments, evaluations and fitness checks. The legislative framework for participatory decision-making processes in Albania is set in the Rules of Procedures of the Council of Ministers (DCM 584/2003, amended) and, more importantly, and in more detail, in Law No. 146/2014 on Public Notification and Consultation.

The Albanian Railways will establish an ongoing relationship with the affected communities from as early as possible in the project planning process and will maintain it throughout the life of the Project. To this purpose, representatives of the Albanian Railways have been invited and attended the initial stakeholders' consultation with the affected municipalities during September 2023. Further and more detailed information on public consultations is presented in the Stakeholder Engagement Plan.

Documents shall be disclosed and available for public insight no later than 14 days before public consultations and sufficient time shall be left for submitting remarks after public consultations. All public consultations shall be announced through the local newspaper and media and on the internet portal of the Project Promoter. Additional activities are also recommended, depending on the scope of the project:

- Public meetings with relevant stakeholders, relevant international or local institutions, local municipalities, etc., are recommended occasionally during Project planning and implementation. Such consultations can be helpful if a problem is encountered during project design or implementation, as advice and remarks given at such consultations can lead to reaching mutually acceptable solutions and avoid resistance to project implementation;
- Meetings with local communities to include all comments and concerns of PAPs

(individuals, households, business subjects) in the earliest stages of the Project.

- Individual meetings with PAPs regarding specific cases. These meetings can also be organized when needed upon request by PAPs.
- Albanian Railways will publish a Project description which includes the grievance form and contact details for submitting grievances, on its website (<https://hsh.com.al/index.php/ankesa/>).
- Land Acquisition and Resettlement Plan will be publicly disclosed to the local communities at least 30 days before the start of the expropriation process.
- In line with the construction timeline, Albanian Railways Project Implementation Unit (PIU) will organize meetings in local communities and with the affected owners of land parcels along the corridor where works will be carried out, to present the planned construction works, safety risks (during construction and operation) and expected construction nuisances, as well as foreseen mitigation measures and the grievance mechanism. These meetings will also serve as platforms for potentially affected people to ask questions and provide suggestions for further mitigation measures. The meetings will be announced through the local media, on the Albanian Railways website, and as recommended at the local level to inform the affected communities (e.g., through letters, announcements on bulletin boards, by phone, etc.).
- Project leaflets will be developed and disseminated to residents living or working in the affected communities, before construction. The leaflets will include a brief overview of the Project, dates when the works are expected to commence, possible construction-related nuisances, a description of the grievance management procedure and contact details for submitting grievances.
- Albanian Railways will continue to inform the public through its website, the media and in other appropriate ways on all significant project achievements and issues (environmental, H&S and social).

## 7 Monitoring and Reporting

Efficient expropriation and resettlement depend on the dedication and capacities of all institutions responsible for the preparation and implementation of the process of displacement. It is of imperative importance that Albanian Railways appoint a person responsible for resettlement and preparation of the expropriation and resettlement process, to coordinate the activities of expropriation between the government agencies, municipalities and ministries at an early stage of the project.

### 7.1 Institutional Monitoring

Albanian Railways will also keep a database of resettlement and expropriation with all information about the affected persons and property (including contact information), which would include all cases of expropriation and the stage of completion in the process of expropriation for each case (expropriation proposition submitted and/or signed, compensation offers prepared and/or delivered to PAPs, agreements regarding the compensation, compensation payment, additional assistance provided, grievances or initiated court procedures, etc.).

Some institutions have additional obligations in the monitoring of the resettlement process, particularly the Albanian Railways, the affected local municipalities as well as contractors. The table below provides for roles and responsibilities in this process:

**Table 7-1 Roles and responsibilities**

Tasks	Responsible entity
<b>Disclosure of LARF</b>	Albanian Railways
<b>Public notification about the start of expropriation and associated actions during all phases of expropriation</b>	Ministry of Infrastructure and Energy, Albanian Railways and local municipalities
<b>Communication and consultation with PAPs</b>	Albanian Railways and local municipalities
<b>Activities before the commencement of works</b>	Albanian Railways and local municipalities
<b>Assisting in land acquisition and resettlement</b>	Albanian Railways and local municipalities
<b>Compensation payment, payment of additional assistance for bridging the gaps (national versus EBRD standards)</b>	Albanian Railways
<b>Grievance management</b>	Albanian Railways
<b>Monitoring and reporting on expropriation and resettlement</b>	Albanian Railways; external consultants
<b>Monitoring and reporting in respect of the land acquisition and/or temporary land occupation carried out after construction commencement if required</b>	Contractors, Albanian Railways, and external consultants

### 7.2 Monitoring of Land Acquisition Process

Monitoring measures should be designed to endure that at a minimum livelihood and standard of living of displaced persons are restored to pre-project levels. To this end, the project promoter will conduct internal periodic monitoring to ensure that the efficiency of the expropriation process and the level of satisfaction of PAPs could be assessed. The frequency of monitoring will be adjusted

to reflect the external reporting required by EBRD and the stage of the expropriation process. The following table presents a list of indicators to be collected during the monitoring process and through the life of the Project.

**Table 7-2 Monitoring indicators**

Indicator	Source of information	Frequency
<b>Input and key performance indicators</b>		
<b>No public discussions and consultations scheduled and held on LARP</b>	SEP implementation	Quarterly
<b>% of purchased land in relation to needed land acquired for the project, including total expropriated area and land area per person;</b>	Financial records	Quarterly
<b>No of completed compensation payments</b>	Financial records	Quarterly
<b>No replacement properties given</b>	Census and grievance management	Quarterly
<b>No of PAPs affected by exercising its right of ownership on buildings and land;</b>	Census and grievance management	Quarterly
<b>No and amount of payment for loss of income;</b>	Financial records	Quarterly
<b>No of households where both spouses / co-habitants receive compensation.</b>	Census / Financial Records	Quarterly
<b>Amount and/or type of assistance provided to vulnerable people</b>	Census and grievance management	Quarterly
<b>No and type of grievances, including legal actions arising from expropriation (submitted cases, resolved cases, the time needed for their resolution)</b>	Census and grievance management	Quarterly
<b>Output indicators (to be tracked against data from the socio-economic census)</b>		
<b>No and % of persons with improved household income</b>	Data management system	Monthly
<b>No and % of persons having received cash compensation in the period with distribution by compensation type and be classes of amounts</b>	Data management system	Monthly
<b>No and % of individual compensation agreements signed in the period</b>	Data management system	Monthly
<b>No and % of households harvesting agricultural products for personal consumption in the post resettlement situation against the pre-settlement one</b>	Monitoring Reports on Resettlement Activities	Quarterly
<b>No and % of households with increased monthly expenditure levels</b>	Data management system	Quarterly
<b>No and % of businesses re-established in the period, with distribution as relevant, as well as their income restoration</b>	Monitoring Reports on Resettlement Activities	Quarterly

During construction works, the Contractor may need to temporarily occupy privately owned land. Particularly concerning storing the material required for the rehabilitation works for the railway.

This process is going to be managed by the Contractor, however certain provisions will be introduced in the works and supervision contracts to ensure the temporary lease of land does not negatively affect the landowners and should restore it to its original condition for future agricultural productions.

The Project Promoter will include provisions in the Tender Documents which will subsequently be transferred into the Contract for Construction works setting as mandatory compliance with the provisions of this LARF to the extent applicable. Such arrangements shall be included in the Contract for Supervision Consultancy services also.

As a minimum, the Contractor will be obliged to notify the Albanian Railways via the Supervision Consultant of any upcoming need for temporary occupancy of land along with the draft lease agreement with the landowner. The lease agreement will be subject to Albanian Railways before “No Objection” to ensure that the provisions of the contract follow the principles of this LARF.

The Consultant engaged to supervise the civil works will have the obligation to monthly monitor the implementation of these contracts (regular payment, restoration of the land as per the lease contract once the lease has ended) and report back to the Project Promoter.

### **7.3 Reporting**

Albanian Railways shall provide an Initial Monitoring Report on the implementation of the RAP/LARP at the time of the Loan condition effectiveness and periodical Monitoring Reports annually thereafter, during the life of the project as part of the Annual Reporting to EBRD.

Albanian Railways will also report annually to the EBRD on any similar issues falling under its responsibility. It should be noted that the project promoter may need also to publicize some of the above-mentioned indicators as a response to a formal information request filed in line with the relevant information access legislation.

Implementation of RAP/LARP will be considered completed when the adverse impacts of resettlements have been addressed in a manner that is consistent with the relevant plan and requirement outlined in the mentioned IFI’s (EBRD) policies on involuntary resettlement.

## 8 Preparation of RAP/LARP and Implementation

### 8.1 Objectives of RAP/LARP

The objective of any RAP/LARP shall be to specify the procedures to follow and what specific actions to take to properly acquire land and compensate people affected by the Project, by allowing and providing adequate participation, consultation and full functioning of the grievance mechanism. Displaying due regard for the equal protection of women and vulnerable the RAP shall outline measures to:

- mitigate the negative impacts of resettlement and identify potential development benefits;
- assure that the rights and interests of project-affected people are respected and protected, in particular, those deemed vulnerable;
- establish the entitlements of all categories of affected people, including the host communities;
- introduce any additional accompanying measures for vulnerable affected persons, if relevant;
- document all compensation measures and relocation activities;
- establish procedures to document all compensation measures and relocation activities and guarantee due process to the affected people, such as meaningful consultation, adequate information to the affected people and sufficient notice before eviction, together with a free and independent grievance mechanism;
- establish the organizational arrangements and procedures to monitor the implementation of resettlement plans and take corrective actions as necessary.

### 8.2 LARP preparation, approval and implementation schedule

Based on this LARF, considering the extent of the impact in terms of land acquisition and resettlement, LARP will be prepared. LARP preparation shall be based on up-to-date and reliable information about the proposed land acquisition and its impacts on the displaced persons and other adversely affected groups, as well as any legal issues involved in resettlement.

It shall include at minimum the following:

- Description of the project and identification of the project area;
- Identification of project activities that give rise to displacement, being economical and physical ones;
- Identify the Cut-off date;
- Consider alternatives to avoid or minimize displacement and establish meaningful consultations with affected people with regards to acceptable alternatives;
- Establish mechanisms to minimize displacement adverse effects on persons and communities, to the extent possible, during project implementation;
- Provide a comprehensive socio-economic baseline assessment including:
  - census survey covering current owners of land in the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and displacement assistance;
  - the magnitude of the expected total or partial loss of assets, and the extent of displacement, physical or economic, information on vulnerable groups or persons;

- standard characteristics of physically displaced households, if any, including a description of production systems, labour, and household organization;
- baseline information on livelihoods (including, as relevant, production levels and the income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population.
- Establish a database of PAPs with information on all affected people and property (including contact details);
- Provide references to the gaps in the legal framework as noted in this LARF, as well as to any changes in the legislation which came into force after the LARF is published that cover eminent domain and resettlement; note the gaps between the changed legislation and PR 5 requirements, and the mechanisms to bridge those gaps;
- Establish an institutional framework, institutional responsibility for implementation, eligibility, valuation of and compensation for losses and the methodology to be used in valuing losses;
- Establish grievance procedures, implementation arrangements, monitoring, evaluation and cost and budget.

The first draft of LARP shall be submitted to the EBRD for review and confirmation. After it has been confirmed, it will be disclosed (version in the Albanian language) by the Project Promoter in the communities affected by the Project and on the internet portal of the Project Promoter, and advertised in the local newspapers, followed by public consultations with local communities and stakeholders. Project Promoter shall also issue summarized information contained in the LARP for public disclosure to ensure that affected people understand the compensation procedures and know what to expect at various stages of the project (for example, when an offer will be made to them, how long they will have to respond, grievance procedures, legal procedures to be followed if negotiations fail). Public consultation outcome shall be documented and reported with the final LARP document and sent to EBRD for “no objection”. Upon receiving the “no objection”, the final LARP will be again advertised in the local newspapers and published in the community(s) affected by the Project and on the internet portal of the Project Promoter and EBRD and made available throughout the Project.

No activities on construction works can commence until and unless compensation has been paid, or appropriate budget set aside on an escrow account or account alike or replacement property administered to PAPs.

### 8.3 LARP implementation responsibilities

Implementation of LARP is an obligation of the Ministry of Infrastructure and Energy and Albanian Railways according to the responsibilities described in section 0 above. They shall monitor overall implementation, collaborate with the municipalities in whose territory the works are taking place, collaborate with Contractors and disclose information to PAPs and communities.

An overview of the responsibilities and arrangements for implementing the requirements of the LARP is provided below:

**Table 8-1 Organisational responsibilities and arrangement for LARP implementation**

Task	Responsible entity
Preparation of expropriation study	HSH (through independent consultants)

<b>Conduction of the socio-economic survey and census</b>	HSH (through independent consultants)
<b>Land and asset inventory/valuation of the property</b>	HSH (through independent evaluators)
<b>Information disclosure to all PAPs and communities</b>	HSH
<b>Direct communication with and visits to owners and occupants</b>	HSH
<b>Conducting negotiated settlements before the expropriation</b>	HSH
<b>Provision of assistance to vulnerable persons/households as necessary</b>	HSH in cooperation with the Ministry of Health and Social Protection
<b>Payment/provision of compensation packages</b>	HSH
<b>Assessing and providing livelihood restoration assistance</b>	HSH in cooperation with Regional Agricultural Directorates
<b>Monitoring and reporting concerning expropriation</b>	HSH
<b>Monitoring and reporting in respect of temporary land occupation carried out after construction commencement</b>	Contractors
<b>Grievance management</b>	HSH and the Grievance Committee

## 8.4 Resettlement costs and budget

At the moment of drafting this LARF, the estimates of the required land are not available for the whole project and precise costs of resettlement are not possible to be estimated at this stage. Since an expropriation study and valuation of properties, as well as the census, have not been conducted to date, the detailed breakdown of compensation per categories of land or assets is not possible and available at this stage of the project preparation.

The cost of land acquisition will need to be covered by the Albanian state budget. To this moment, due to the above reasons, no budget for expropriation has been allocated by the Albanian government.

### 8.4.1 Financial Resources

Land Acquisition/Resettlement Strategy:

- Financial resources to cover costs related to acquiring land, compensating affected landowners or communities, and providing livelihood restoration support.
- Funds are needed for conducting socio-economic surveys, land valuation assessments, and preparing resettlement action plans (RAPs) or equivalent documents.
- Budgets include funds for implementing resettlement activities, such as constructing resettlement sites, providing infrastructure, and ensuring community support services.

Stakeholder Engagement Process:

- Financial resources to cover expenses for organizing and conducting stakeholder consultations, workshops, and public meetings.
- Costs for preparing and disseminating information materials, including project brochures, newsletters, and websites.

- Funds support initiatives to build capacity among stakeholders, including training programs and workshops on project impacts, mitigation measures, and grievance mechanisms.

#### Grievance Redress Mechanism:

- Initial costs to establish grievance mechanisms, including setting up complaint reception offices, toll-free hotlines, and online platforms.
- Ongoing financial resources are required for staffing grievance handling teams, maintaining communication channels with stakeholders, and processing and resolving grievances.
- Budgets cover expenses for monitoring the effectiveness of grievance mechanisms, conducting periodic reviews, and reporting on grievance outcomes.

#### Human Resources

- Human resources include project managers, resettlement specialists, and legal experts who oversee the implementation of resettlement activities.
- Teams to engage directly with affected communities, conduct consultations, and facilitate negotiations with landowners and stakeholders.
- Experts in land valuation, socio-economic assessment, and livelihood restoration provide specialized support during the resettlement process.
- Human resources include engagement specialists or community liaison officers who coordinate stakeholder consultations and manage communication with affected communities.
- Experts to deliver training sessions and workshops to enhance stakeholders' understanding of project impacts, mitigation measures, and grievance procedures.
- Monitoring and Evaluation Team to monitor the performance of grievance mechanisms, analyze trends in grievance submissions, and recommend improvements to enhance effectiveness and responsiveness.

#### **8.4.2 Grievance Management in LARP**

All complaints regarding property/land acquisition will be processed through the grievance management mechanism laid out in this document and elaborated in Section 6 of this LARF.

## 9 Appendices

### 9.1 Legislative Framework Gap Analysis

Issue	National regulations	EBRD standard	Standard to be applied / GAP and/or Comment (GAP/COMMENT)
<b>Involuntary resettlement</b>	Albanian Legislation in general including the Expropriation Law of the Republic of Albania, does not recognize the term involuntary resettlement. Issues related to land acquisition in the public interest are regulated by Law No. 8561 on Expropriation.	EBRD Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and economic displacement (loss of assets or resources, and/or loss of access to assets or resources that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition <sup>1</sup> and/or restrictions on land use.	Gaps regarding physical and economic displacement, as well as displacement of those who do not have formal legal rights to the land and structures which they occupy are discussed further in the table. GAP/COMMENT: The law focuses on properties and assets which may be expropriated or temporarily occupied, in the public interest. The law recognizes affected people who have formal legal rights.
<b>Land acquisition/restriction of access</b>	The law regulates the right of the state to expropriate properties of natural or juridical persons in the public interest, (Article 1), against fair compensation (Article 2). In addition, compensation is to be provided for the devaluation of properties that are not the object of expropriation (Article 4). The law regulates the temporary occupation of land in Articles 27 and 28 (e.g. for construction works, setting up construction sites, etc.), for up to 2 years (Article 33), against set compensation (Article 30).	Involuntary resettlement occurs as a result of: 1. Land acquisition which includes both outright purchases of property and purchases of access rights (i.e. rights of way) 2. Imposition of restrictions that result in people experiencing loss of access to physical assets or natural resources.	Solutions for overcoming restrictions that result in loss of access to physical assets or natural resources, have to be considered and defined, on a case-by-case basis, for a particular project. GAP/COMMENT: Restrictions that result in people experiencing loss of access to physical assets or natural resources are not covered by Albanian legislation.
<b>Scope of impact (Project design)</b>	There are no legal requirements in Albanian legislation for avoiding or at least minimizing physical and/or economic displacement. However, in practice, resettlement and expropriation are avoided or minimized during project design, in the context of minimizing costs.	Consideration of feasible alternative project designs to avoid or at least minimize physical and/or economic displacement, while balancing environmental, social, and economic costs and benefits.	Ensure that minimization of physical and /or economic displacement is investigated during project design and maximized to the extent practically possible. Whenever possible, integrate the consideration of resettlement issues in the EIA process. GAP/COMMENT: There are no legal requirements in Albanian legislation for avoiding or at least minimizing physical and/or economic displacement. However, in practice, resettlement and expropriation are avoided or minimized during project design, in the context of minimizing costs.

Issue	National regulations	EBRD standard	Standard to be applied / GAP and/or Comment (GAP/COMMENT)
<b>Planning Process</b>	<p>According to the expropriation law, the application for expropriation in the public interest, submitted by the expropriation beneficiary to the competent ministry, has to include a detailed list of properties to be expropriated and which are affected by devaluation, their location, information about individuals who have formal legal rights on these properties, including owners and third persons (Article 10). Ownership or other formal legal rights on land and structures are recorded in the Immovable Property Registration Office (Law on Registration of Immovable Property -7843), through the Albanian Immovable Property Registration System. All issues regarding property rights have to be resolved before the expropriation payment is made; in case of disputes, the affected parties turn to the court to decide who will receive compensation, which has been deposited into a special account (Article 16). Those with formal legal rights are informed about the expropriation process through direct notification and publication of the application of expropriation (Art. 14 and 15). Third persons can submit their claims on affected properties, within 15 days from the last day of the publication (Article 15).</p>	<p>A socio-economic baseline assessment shall be carried out on the people affected by the project, including impacts related to land acquisition and restrictions on land use. The assessment will identify impacts within a project’s social context and the needs and rights of the affected people and develop appropriate actions to minimize and mitigate resettlement impacts. A detailed census is carried out to (i) identify persons who will be displaced by the project; (ii) determine who will be eligible for compensation and assistance; and (iii) take inventory of affected land and property. The census should take into account the needs of seasonal resource users who may not be present in the project area during the time of the census. Additional requirements apply to consultations that involve Indigenous Peoples as well as individuals belonging to vulnerable groups necessary actions to ensure that vulnerable groups are not disadvantaged in the resettlement process, are fully informed and aware of their rights, and can benefit equally from the resettlement opportunities and benefits. These groups should be identified through the process of environmental and social assessment (as outlined in PR 1).</p>	<p>The implementation of a census/ survey and development of a LARF/LARP for each project that requires land acquisition (physical or economic displacement) is necessary. This process needs to ensure all categories of affected people (not only those with formal legal rights) are informed and consulted in a meaningful way. If vulnerable groups are identified during the survey, it may be necessary to make special provisions to include them in the consultation process. GAP/COMMENT: Albanian legislation does not require the development of specific resettlement/livelihood restoration plans, nor the implementation of a census / socio-economic survey. All affected persons are informed about the upcoming expropriation through the publication of the application for expropriation. However, there are no requirements for consultations with any affected persons or making special provisions for informing/consulting vulnerable groups. All persons who do not have formal legal rights on land and structures located in the project area are not eligible for compensation or resettlement assistance according to the Expropriation law and therefore there is no cutoff date for eligibility.</p>
<b>Cut-off date</b>	<p>Persons who have formal legal rights on land and structures, as registered by the Immovable Property Registration System, are entitled to compensation<sup>13</sup>. Preliminary valuations (inventory) of properties/assets, take place before the application for</p>	<p>In the absence of specific national government procedures, the cut-off date for eligibility as foreseen in the applicable legislation and project timeline as appropriate shall be established. Often the most practicable cut-off date is during the baseline assessment or census. Information</p>	<p>The date when the census is carried out should be agreed with the implementing agency and specified in the LARP as the cutoff date for eligibility for compensation and resettlement for all persons who do not have formal legal rights on land and structures located in the project area. Affected people must be informed about the cut-off date.</p>

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	<p>expropriation is submitted to the relevant Ministry (Article 10). Final valuations are performed by the Ministry commission (Article 17) and submitted with the proposal for expropriation to the Council of Ministers.</p>	<p>regarding the cut-off date will be well documented and communicated throughout the project area. Setting a cut-off date will provide clarity as to eligibility for compensation and assistance. Persons moving into the project location after the cut-off date are not entitled to compensation or other assistance.</p>	
<b>Negotiated settlements</b>	<p>Negotiated settlements are encouraged by the Expropriation Law. Article 6, states that when the owner agrees to transfer his/her property to the state, under conditions (compensation) offered by the competent ministry, expropriation is considered completed. The owner has to inform the competent ministry within 15 days of being notified (publication) whether he/she accepts the offer (Article 16). If an agreement is not reached, after a decision on expropriation is passed by the Council of Ministers, the affected owner has the right to appeal to the court regarding the amount of compensation (Article 24).</p>	<p>Negotiated settlements help avoid expropriation and eliminate the need to use governmental authority to remove people forcibly. Negotiated settlements can usually be achieved by providing fair and appropriate compensation and other incentives or benefits to affected persons or communities, and by mitigating the risks of asymmetry of information and bargaining power.</p>	<p>Negotiated settlements, even before the expropriation process is initiated (before the application for expropriation is made public), should be explicitly encouraged in the RAP/LRF.</p>
<b>Compensation at replacement cost</b>	<p>The Expropriation law states that compensation is to be provided based on a final valuation of affected properties by the Ministry Commission for Expropriation, as defined by the Decision of the Council of Ministers (Articles 17 and 18). This article explicitly states that the depreciation of structures and assets is to be taken into account. Temporary occupation of property is also possible according to the Expropriation law, against a set compensation (Article 30). Compensation rates are provided by the Property</p>	<p>All displaced persons and communities will be offered compensation for loss of assets at full replacement cost and other assistance. This is intended to restore, and potentially improve, their standards of living and/or livelihoods to pre-displacement levels. The measures can be based on land, resources, wages, and/or business activities. Standards for compensation will be transparent and consistent within the project. Compensation will be provided before displacement or imposition of access restrictions. Where livelihoods of displaced persons are land-based, or where land is collectively owned, land-</p>	<p>The RAP/LRF must describe the valuation method in detail and specify that compensation will include the registration cost in the Immovable Property Registration System, or other relevant register, any administrative fees, and/or transfer taxes. Depreciation of structures and assets should not be taken into account during valuations.</p> <p>GAP/COMMENT: The law does not specifically mention compensation for the costs of any registration and transfer taxes. Although the EBRD standards include the option of physical compensation, the application of the Albanian Law standard is mandatory. The land surface required for the proposed new</p>

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	Restitution and Compensation Agency of the Republic of Albania, based on recent market transactions in neighboring areas.	based compensation, shall be offered, when feasible, taking into account seasonal and agricultural timing requirements. Opportunities shall be provided to displaced persons and communities to derive appropriate development benefits from the project.	freight station of Lezhe shall be compensated in cash (at the free market price).
<b>Compensation in kind/cash</b>	The physically displaced persons will be offered a choice of options for adequate housing with security of tenure so that they can resettle legally without having to face the risk of forced eviction. Compensation in kind will be offered instead of cash compensation where feasible. This applies to those who have customary and traditional rights recognized under the laws of the country; to claimants who, before the cut-off date, do not have formal legal rights to land, but who have a claim to such land or assets, for example, through adverse possession; and to those who have no recognizable legal right or claim to the land they occupy.	Article 19 of the Expropriation Law, as amended, provides for compensation in cash and <i>kind</i> .	Affected people should be able to receive in-kind compensation whenever it is feasible and when this form of compensation is their preferred choice. The new provisions of the Law provide for compensation in kind alongside compensation in cash GAP/COMMENT: The Expropriation law does not specify whether compensation is provided in cash or kind. Certain provisions of the law imply that compensation is provided in cash.
<b>Provision of adequate housing/shelter with security of tenure</b>	Decree no. 814/2004, adopted based on the Law on Social Programs for the Housing of Inhabitants of Urban Zones, establishes housing norms/standards and the minimum living area per person.	Adequate housing or shelter can be measured by quality, safety, affordability, habitability, cultural appropriateness, accessibility, and locational characteristics. Adequate housing should allow access to employment options, markets, and basic infrastructure and services, such as water, electricity, sanitation, health care, and education. New resettlement sites built for displaced persons will offer, at a minimum, pre-displacement living conditions and where achievable, sustainable and cost-effective opportunities to improve the standard of living.	During the development of the RAP, when compensation is provided in the form of replacement housing, affected people should be consulted in defining standards for adequate housing. Those who do not have formal legal rights to properties have to be resettled to appropriate accommodation and have to have security of tenure, i.e. through signed contracts. Such contracts must include all members of the affected household, to ensure that they are all protected from forced evictions. GAP/COMMENT: The expropriation law does not include any provisions about resettlement sites.

Issue	National regulations	EBRD standard	Standard to be applied / GAP and/or Comment (GAP/COMMENT)
		Security of tenure exists if resettled persons are protected from forced evictions to the greatest extent possible.	
<b>Other resettlement assistance</b>	According to Law No. 9355 on social assistance and services, vulnerable citizens of Albania are entitled to various forms of social welfare payments or a range of community-based services (public and private).	Other resettlement assistance, such as skills training, access to credit, and job opportunities should be made equally available to men and women and adapted to their needs. Relocation assistance suited to the needs of each group of displaced persons, with particular attention paid to the needs of the poor and the vulnerable, shall be offered.	Arrange for relocation costs to be compensated in cash or organize transport for people and all of their belongings/assets (specified in the RAP). Vulnerable groups should receive assistance with their specific needs. This should be done in cooperation with social service departments (municipal or state). At a minimum, vulnerable groups should have access to documentation, education, health, and social services. Specific assistance has to be defined on a case-by-case basis for a particular project. GAP/COMMENT: Provision of relocation costs and specific resettlement assistance for vulnerable groups are not foreseen by the Expropriation law.
<b>Eligibility for compensation /resettlement and entitlements in case of physical displacement</b>	The Expropriation law foresees compensation to be paid to those who have formal legal rights (Category 1) for land, and buildings of every kind of a permanent nature (Article 8), against fair compensation (Article 2). Law No. 9232 on Social Programs for the Housing of Inhabitants of Urban Zones establishes the legal framework for the development of social housing programs in Albanian municipalities. The law defines the administrative regulations and procedures that will ensure the planning, management, and distribution of social housing to vulnerable people, in line with their income and the level of state support.	Persons: (i) who have formal legal rights to the land (including customary and traditional rights recognized under national laws); (ii) those who do not have formal legal rights to land at the time of the census, but who have a claim to land that is recognized or recognizable under national laws shall receive Compensation for land at full replacement cost In the case of physical displacement, replacement property of equal or higher value with equivalent or better characteristics and advantages of location or cash compensation at full replacement value and relocation assistance. (iii) who have no recognizable legal right or claim to the land they occupy should receive: Compensation for lost assets (such as crops, irrigation infrastructure, and other improvements made to the land) other than land, at full replacement cost.	Assist persons in Category 2 to acquire a formal legal status before expropriation (over land and structures), in which case they move into Category 1 and are entitled to compensation as per the Expropriation law. The applicable law is: Law no.9482 on legalization, urban planning, and integration of unauthorized buildings (legalization of structures erected on untitled land, except when the land in question is for public purposes) In the case of legalization of structures, the previous registered owners are entitled to compensation for land as per Law No. 9235 on Property return and compensation. In case of physical displacement, at a minimum, provide some form of social (low rent) housing for Category 3. Calculate the construction value of their structures and reduce their rent to correspond to the value of the structure they owned or pay cash compensation. This category is typically the most vulnerable, therefore resettlement assistance must be provided (see below). GAP/COMMENT: Those who have a claim to land that is recognized or recognizable under the national laws (Category 2) and those who have no recognizable legal right or claim to

Issue	National regulations	EBRD standard	Standard to be applied / GAP and/or Comment (GAP/COMMENT)
		<p>In case of physical displacement, a choice of options for adequate housing with security of tenure so that they can resettle legally without having to face the risk of forced eviction and other resettlement assistance.</p>	<p>the land (Category 3) are not recognized by the Expropriation law. The provisions of Law No.9232” On Social Programs for the Housing of Inhabitants of Urban Zones” should be used as a basis for ensuring that those who are adversely affected by resettlement (usually belonging to Category 3) receive appropriate accommodation. However, it should be noted that the need for social apartments at the country level is great, while resources for constructing new apartments are scarce. EBRD standards to be applied;                      The Consultant (with the assistance of the affected municipalities) will scrutinize all kinds of potential physical and/or economic displacement;                      Anyway, the only physical and/or economic displacement that might occur about the land surface required for the proposed new freight station of Lezhe;                      The Consultant will pay special attention to the PAP that may be affected by the land use restriction from the limitation of the unauthorized crossings. Secondary roads, underpasses, and overpasses will be built to avoid/minimize economic displacement.                      The Consultant will pay special attention to the PAP that may be affected by the land surface required for the construction of the proposed secondary roads, underpasses, overpasses, and the proposed new freight station in Lezhe.</p>
<p><b>Vulnerable groups</b></p>	<p>Article 5 of the Law on Social Programs for the Housing of Inhabitants of Urban Zones specifies categories of vulnerable groups that are entitled to social housing, i.e. those who have not benefitted from buying state-owned apartments (privatization); where heads of household are divorced women or widows; single-parent families; retired elderly people who do not receive state assistance; various groups of disabled individuals; families with many children;</p>	<p>The necessary actions will be taken into account to ensure that vulnerable groups are not disadvantaged in the resettlement process, are fully informed and aware of their rights, and can benefit equally from the resettlement opportunities and benefits. These groups should be identified through the process of environmental and social assessment. Vulnerable groups refer to people who, by gender identity, ethnicity, age, disability, economic disadvantage, or social status may be more adversely affected</p>	<p>During the census, it is necessary to identify vulnerable groups and assess their needs related to resettlement and relocation assistance, including access to specific services. Consultations can be held in the form of focus groups to consult with and address the needs of specific groups. Social welfare and other appropriate services should be involved in resettlement planning and implementation to ensure that vulnerable groups have access to all services available to them under the laws of Albania (social welfare, education, health care).                      GAP/COMMENT: There are no special requirements in Albanian legislation for organizing consultations and relocation</p>

Issue	National regulations	EBRD standard	Standard to be applied / GAP and/or Comment (GAP/COMMENT)
	<p>young couples whose combined age is no greater than 55; families who relocated for employment reasons; orphans under 30 years of age.</p>	<p>by project impacts than others and who may be limited in their ability to claim or take advantage of project benefits. Vulnerable individuals and/or groups may also include people living below the poverty line, the landless, the elderly, women and children-headed households, refugees, internally displaced people, ethnic minorities, natural resource-dependent communities, or other displaced persons who may not be protected by national and/or international law.</p>	<p>assistance for vulnerable groups. However, persons who are homeless are entitled to social welfare assistance, which includes placement in shelters and access to other services available under national and local social welfare laws. EBRD standards to be applied to this category of PAP; However, no homeless persons are affected by the Project; No relocation is needed for the proposed project; Anyway, the Consultant assisted by the affected municipalities will scrutinize all potential impacts on the vulnerable groups</p>
<b>Joint property</b>	<p>Men and women have equal rights in Albania (Article 18 of the Constitution of the Republic of Albania and Law no. 9198 on Gender Equality in Society), including the possibility of having formal legal rights on properties. According to the Family Code of Albania, if formal legal rights over properties/assets have been acquired during the marriage, the law assumes they are shared equally between the spouses unless a different agreement is formally registered with the court (Articles 73-76). Furthermore, according to current national legal framework, more precisely Article 164 of the Family Code, co-habitants are free to agree to having property ownership and inheritance at a notary office.</p>	<p>The documentation for ownership or occupancy, such as title deeds and lease agreements (including the bank accounts established for payment of compensation), should be issued in the names of both spouses or single heads of households, as relevant. Other resettlement assistance, such as skills training, access to credit, and job opportunities should be made equally available to men and women and adapted to their needs.</p>	<p>Specify in the RAP/LRF that compensation must be shared between spouses according to title documentation or the Family Code in the silence of title documentation. Ensure that all programs, including those related to livelihood restoration, are equally accessible to both men and women (specified in the RAP/LRF).</p>
<b>Legal assistance</b>	<p>There is no requirement for providing free legal assistance to persons affected by expropriation or resettlement, under the Expropriation law. The GoA adopted a Law on the provision of free legal aid, which entered into force in April 2009, however, not much progress has been made regarding its implementation.</p>	<p>Displaced people shall be offered legal assistance to enable them to complete administrative requirements before land acquisition and, if needed, to seek redress from the courts.</p>	<p>Affected people should be informed about and provided with access to free legal assistance, either through municipal departments or through NGOs (specified in the RAP/LRF). GAP/COMMENT: Some municipalities have departments that provide free legal assistance to the most vulnerable citizens. Apart from that, there are several NGOs in Albania providing legal assistance, particularly to the most vulnerable groups of the population.</p>

Issue	National regulations	EBRD standard	Standard to be applied / GAP and/or Comment (GAP/COMMENT)
<b>Timing Compensation</b>	If a compensation agreement has been reached, the transfer of property and payment/provision of compensation is executed within 15 days from the notification of the affected owner that he/she accepts the offer (Article 16). If not, compensation is provided based on a decision on expropriation of the Council of Ministers, within three months, or after the court decision (Article 23).	Compensation (alternative housing and/or cash compensation) has to be provided before relocation.	The RAP should specify that compensation is provided before the relocation of affected people.
<b>Loss of public amenities</b>	There is no specific requirement in Albanian legislation for consulting affected communities regarding the loss of public amenities.	Where a project involves the loss of public amenities, a meaningful consultation shall be undertaken, by PR 10, with the locally affected community to identify and, where possible, agree upon a suitable alternative.	The institutions tasked with setting up and maintaining specific public amenities that are affected by land acquisition should consult local communities on how to replace them (specified in the RAP). GAP/COMMENT: There is no specific requirement in Albanian legislation for consulting affected communities regarding the loss of public amenities. EBRD standards to be applied to this category of PAP; The Consultant has already taken into consideration this issue. Side roads, underpasses, and overpasses will be built to resolve this issue.
<b>Eligibility for compensation / live hood restoration and entitlements in case of economic displacement</b>	The Expropriation law foresees compensation to be paid to those who have formal legal rights for land, and buildings of every kind of a permanent nature (Article 8), against fair compensation (Article 2)	If land acquisition causes loss of income or livelihood Category 1 and Category 2, should receive compensation for loss of assets and access to assets, at full replacement cost, replacement property of equal or greater value, or cash compensation at full replacement cost. Category 3, should receive: loss of assets other than land, at full replacement cost. All three categories should receive: -compensation for the cost of re-establishing commercial activities elsewhere; -compensation for lost net income during the period of transition; -compensation for the costs of the transfer and	Assist persons in Category 2 to acquire a formal legal status before expropriation (over land and structures), in which case they move into Category 1 and are entitled to compensation as per the Expropriation law. The applicable law is: Law no. 9482 on legalization, urban planning, and integration of unauthorized buildings (legalization of structures built on untitled land, except when the land in question is for public purposes) In the case of legalization of structures, the previous registered owners are entitled to compensation for land as per Law No. 9235 on Property return and compensation. In case of economic displacement, provide those belonging to Category 3 with access to adequate commercial space, with security of tenure, to restore their economic activities and livelihoods. Ensure that all categories are promptly

Issue	National regulations	EBRD standard	Standard to be applied / GAP and/or Comment (GAP/COMMENT)
		<p>reinstallation of the plant, machinery or other equipment;</p> <p>-transitional support based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living;</p> <p>-additional targeted assistance (credit facilities), training, or job opportunities) and opportunities to affected persons whose livelihoods or income levels are adversely affected (owners of businesses and employees are eligible).</p>	<p>compensated in cash or in-kind (before they lose access to their properties/assets) so that lost net income and the need for transitional support are minimized/avoided. Arrange for relocation costs to be compensated in cash or organize transport of equipment and other assets. Facilitate access to existing services that could assist the affected persons whose livelihoods or income levels are adversely affected to restore their living standards. This could be done in cooperation with the Albanian National Employment Service.</p> <p>GAP: Those who belong to Categories 2 and 3 are not entitled to any compensation or livelihood restoration assistance by the Expropriation law. In addition, all three categories are not entitled to costs of re-establishing commercial activities, lost net income, transitional support, transport of equipment, or other targeted assistance. Assistance to offset any loss of a community’s commonly held resource is also not specifically regulated by Albanian legislation.</p> <p>EBRD standards to be applied;</p> <p>The Consultant will pay special attention to the PAP that may be affected by the land use restriction from the limitation of the unauthorized crossings. Side roads, underpasses, and overpasses will be built to avoid/minimize land use restriction</p>
<p><b>Grievance procedure</b></p>	<p>There is no specific requirement for establishing an independent grievance mechanism, according to the Expropriation Law or other Albanian legislation. The law does foresee the rights of affected citizens (those with formal legal rights) to appeal to courts against the decision on expropriation passed by the Council of Ministers, however only with regard to the level of compensation they are entitled to (Article 24).</p>	<p>An effective grievance mechanism shall be established as early as possible in the process. It will be consistent with this PR and with the objectives and principles of PR 10 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. It will include a recourse mechanism designed to resolve disputes impartially.</p>	<p>Define a project-specific grievance mechanism in the RAP/LRF. Depending on the scale of the project or the general vulnerability status of affected families, involve any available institutions in the process, e.g. the ombudsman, human rights groups, etc.</p> <p>GAP/COMMENT: In practice, those with formal legal rights become aware that expropriation is to take place, during the phase of fieldwork and collection of ownership documentation, in preparation for the application for expropriation</p>

Issue	National regulations	EBRD standard	Standard to be applied / GAP and/or Comment (GAP/COMMENT)
<b>Information disclosure and public consultation</b>	<p>According to Article 14 of the Expropriation law, those who have formal legal rights are directly notified about the acceptance of the application for expropriation by the competent Ministry (within 10 days) and invited to negotiate the compensation package.</p> <p>According to Article 15, the application is also published in the Official Journal, in a newspaper with national circulation, and in a local newspaper for one week.</p>	<p>The information contained in the RAP and/or the LRF shall be summarized for public disclosure to ensure that affected people understand the compensation procedures and know what to expect at the various stages of the project. Consultation will continue during the implementation, monitoring, and evaluation of compensation payment and resettlement to achieve outcomes that are consistent with the objectives of this PR.</p>	<p>Plans for consultation with all project-affected people, including host communities, should be agreed with them and incorporated in the RAP/LRF.</p> <p>GAP/COMMENT: The Expropriation law does not require public consultations to be held with any categories of project-affected people, before expropriation. Once the expropriation process is initiated, only those with formal legal rights are consulted through a one-on-one negotiation process. However Albanian Law “On EIA” requires a public hearing before the delivery of the Environmental Consent; The Consultant (with the assistance of the affected municipalities) will scrutinize all kinds of claims on the ownership of the affected land surfaces.</p>
<b>Monitoring</b>	<p>There are no requirements for monitoring the expropriation/resettlement/livelihoods restoration process, under Albanian legislation.</p>	<p>Monitoring of the resettlement and livelihood restoration process will be carried out following PR 1 and should involve the participation of key stakeholders such as affected communities.</p>	<p>Define indicators and monitoring mechanisms in the RAP / LRF.</p> <p>GAP/COMMENT: EBRD standards to be applied.</p>

## 9.2 Structure of Resettlement Action Plan (RAP)/Land Acquisition and Resettlement Plan (LARP)

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### 9.3 Sample grievance form

Reference No:	Date:
<b>Full Name</b>	
<b>Contact Information</b>	<input type="checkbox"/> <b>By Post: Please provide a mailing address:</b> _____ _____ _____
<b>Please mark how you wish to be contacted (mail, telephone, e-mail).</b>	<input type="checkbox"/> <b>By Telephone:</b> _____ <input type="checkbox"/> <b>By E-mail</b> _____
<b>Description of Incident or Grievance:</b>	<b>What happened? Where did it happen? Who did it happen to? What is the result of the problem?</b>
<b>Date of Incident/Grievance</b>	
	<input type="checkbox"/> <b>One-time incident/grievance (date _____)</b> <input type="checkbox"/> <b>Happened more than once (how many times? _____)</b> <input type="checkbox"/> <b>On-going (currently experiencing problem)</b>
<b>What would you like to see happen to resolve the problem?</b>	
<b>Signature:</b> _____	
<b>Please return this form to be defined later.</b>	