KOSOVO CADAstral AGENCY

Environmental and Social Management Framework (ESMF) for Kosovo Real Estate & Geospatial Infrastructure Project (P164555)

November 2, 2018, Prishtina
1. Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>BP</td>
<td>Business Plan</td>
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<td>CEO</td>
<td>Chief Executive Officer</td>
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<td>CR</td>
<td>Cadastral Reconstruction</td>
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<td>EA</td>
<td>Environmental Assessment</td>
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<td>EIA</td>
<td>Environmental Impact Assessment</td>
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<td>ESMF</td>
<td>Environmental and Social Management Framework</td>
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<td>EU</td>
<td>European Union</td>
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<td>EULEX</td>
<td>European Union Rule of Law Mission in Kosovo</td>
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<td>EUSR</td>
<td>EU Special Representative</td>
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<td>GoK</td>
<td>Government of Kosovo</td>
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<td>HPCC</td>
<td>Housing and Property Claims Commission</td>
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<td>HPD</td>
<td>Housing and Property Directorate</td>
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<td>IBRD</td>
<td>International Bank for Reconstruction and Development</td>
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<td>IDA</td>
<td>International Development Association</td>
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<td>IDP</td>
<td>Internally displaced person</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<td>IPRR</td>
<td>Immovable Property Rights Register</td>
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<td>KCA</td>
<td>Kosovo Cadastre Agency</td>
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<td>KCB</td>
<td>Kosovo Consolidated Budget</td>
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<td>KCDS</td>
<td>Kosovo Cadastre Development Strategy</td>
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<td>KPA</td>
<td>Kosovo Property Agency</td>
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<td>KPCC</td>
<td>Kosovo Property Claims Commission</td>
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<td>KPCVA</td>
<td>Kosovo Property Comparison and Verification Agency</td>
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<td>MCO</td>
<td>Municipal Cadastre Office</td>
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<td>MESP</td>
<td>Ministry of Environment and Spatial Planning</td>
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<td>PDO</td>
<td>Project Development Objective</td>
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<td>PVAC</td>
<td>Property Verification and Adjudication Commission</td>
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<td>RECAP</td>
<td>Real Estate Cadastre and Registration Project</td>
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<td>REGIP</td>
<td>Real Estate &amp; Geospatial Infrastructure Project</td>
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<td>SDI</td>
<td>Spatial Data Infrastructure</td>
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<td>SSP</td>
<td>Status Settlement Proposal</td>
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<td>WB</td>
<td>World Bank</td>
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2. Executive Summary

After the declaration of independence of the Republic of Kosovo on February 17, 2008, a constitution based on the EU-endorsed Status Settlement Proposal (SSP) was approved by the Kosovo Assembly in June 2008. At the same time, the European Union Rule of Law Mission in Kosovo (EULEX), was set up to support the Kosovo judiciary, customs and policing. Kosovo became a member of the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (IBRD) on June 29, 2009.

Kosovo Cadastral Agency (KCA) was established in 2000. It is an executive agency under the Ministry of Environment and Spatial Planning (MESP) and is responsible for developing and implementing cadastre services in Kosovo. Additionally, KCA is the authority that is responsible for the development of the legal framework and the coordination of its implementation relating to the cadastre and other matters concerning the land information system in the Kosovo. The KCA’s areas of competence are geodesy, surveying, geographical information systems, real property registration, mapping and legal issues related to land administration. Kosovo has a decentralized land administration structure whereby the Municipal Cadastral Offices (MCOs) fall under the authority of the municipality, rather than a more centralized structure (i.e. under the KCA). KCA will be responsible for implementing Real Estate & Geospatial Infrastructure Project (REGIP).

Between 2000 and 2003, various international donors provided funds to digitize records and register immovable properties. The electronic Immovable Property Rights Register (IPRR) was launched in 2005. In the fall of 2008, at the request of the donors and based on a longer-term vision, KCA prepared and implemented the Kosovo Cadastre Development Strategy (KCDS) for 2009-2011. Subsequently, the KCA prepared and implemented a Business Plan (BP) for 2009 to 2014, which was approved by the Government of Kosovo (GoK) in June 2009, and was to be supported from Kosovo Consolidated Budget (KCB) and the donors.

Apart from the regular activities and numerous projects supported from donors, certainly the most important part of the reform is the World Bank (WB) financed Real Estate Cadastre and Registration Project (RECAP) itself, whose main objective was to enhance the land administration system for the purpose of securing property rights and developing an efficient real property market. RECAP’s implementation started on July 1, 2011 and was closed in 2018. The project supported preparation and implementation of a Business Plan for KCA 2013-2017, whereas the new strategy and BP are planned to be developed with continued support from the proposed WB financed Real Estate & Geospatial Infrastructure Project (REGIP). Many of the activities financed under RECAP will continue to be supported through REGIP.

The overall development objective of REGIP is to strengthen the capacity of the cadastral system in Kosovo to develop the land and property markets, national spatial data infrastructure, and improve tenure security. Similar to RECAP, REGIP has been classified as an Category B and triggers the WB’s safeguard policy on Environmental Assessment (WB’s Operational Policy on OP 4.01). No major adverse environmental impacts are anticipated under the project. No major direct social impacts are anticipated under the project, although certain indirect risks are there mostly associated with the
mandate of another institution in the land sector namely Kosovo Property and Verification Agency (KPCVA) and potential return of pre-1999 cadastral documents that were removed from Kosovo.
3. Baseline Information

Kosovo is the youngest country in Europe—both based on its new statehood and the average age of its population—with all the accompanying opportunities and challenges. In terms of opportunities, Kosovo is a potential candidate for membership in the European Union (EU). In terms of challenges, post-conflict fragility, including lack of full international recognition, continue to hamper Kosovo’s growth and development to its full potential. Kosovo’s gross domestic product (GDP) grew by an estimated 3.4 percent in 2016, supported by strong domestic demand. Robust domestic consumption drove growth, aided by investment, mostly private and including foreign direct investment (FDI) from the diaspora. The negative contribution from net exports has been a feature of growth but was lower than in previous years due to lower oil prices. Consistent with strong consumption and the need to rebalance towards more export- and industry-driven growth, services were the key driver of growth, followed by agriculture, with lower growth of industry.

Kosovo’s economy shrank during the global financial crisis but so did poverty in absolute terms. In the post-global financial crisis period, the Kosovar economy grew consistently above the Western Balkans’ average, albeit from a low base and reaching only 11 percent of EU average per capita income in 2015. Kosovo’s GDP per capita grew from US$1,088 in 2000 to US$3,562 in 2015. From 2012 to 2015, they poverty rate measured in purchasing power parity (PPP) fell from 5.7 in 2012 to 2.9 in 2015. During the same period, consumption of the bottom 40 percent of the population rose at 3.5% versus 1.6% for the general population, leading to reduced inequality and greater shared prosperity. Despite significant progress, Kosovo is the third-poorest country in Europe, with almost a fifth of the population living below the national poverty line in 2015. Therefore, eliminating extreme poverty and promoting the income growth of the bottom 40 percent will remain important goals for Kosovo. Addressing these challenges requires a complex agenda that would bring together improving the efficiency of and access to public services, increasing the degree of formality in the economy, and creating jobs by supporting private sector growth and development.

Sectoral Background. Securing property rights remains critical for improving Kosovo’s growth and development as well-defined rights are the cornerstone of a vibrant market economy. Without a complete and up-to-date cadastre and clearly defined legal rights, there is too much risk for the private sector and citizens to invest. This, in turn, depresses investment, raises interest rates, and fuels the informal economy. Securing property rights also improves state land management which can help the Government take stock of its assets and release unused or underutilized assets to the private sector. This increases domestic and foreign investors’ access to land—an important factor of production—and enhances the allocative efficiency of the economy. Moreover, secure property rights are not only crucial for economic prosperity but also social stability. In a post-conflict country like Kosovo, clear legal rights help stabilize the social situation and facilitate a return to normalcy. One significant challenge involves the ongoing negotiations for the return of pre-1999 cadastral documents. Overall, the lack of tenure security and accurate, current ownership information hinders potential investments and land market transactions, creates uncertainty, and generates disputes.

Since 2011, with the support of the World Bank and other development partners, the land and

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property sector in Kosovo has undergone a substantial transformation. Under the Kosovo Real Estate Cadastre and Registration Project (RECAP), the Kosovo Cadastre Agency (KCA) has made considerable progress in introducing a modernized land administration system, securing property rights, and improving the business environment. While achieving these results has taken some time due to the need to build legal and technical procedures for registration and IT system development, RECAP’s progress means that future investments in land administration and property rights will progress much more expeditiously, now that more solid legal, technical and capacity foundations are in place. The most notable achievements include: (a) a significant improvement in Kosovo’s ranking in the World Bank Doing Business Index for Registering Property from 73 (DB 2012) to 34 (DB 2018); (b) systematic updating of cadastral and registration records (called cadastral reconstruction) has taken place in 30% of the priority cadastral zones of Kosovo; (c) increased land market efficiency, with the time to register a transaction dropping by 65% from 30 days before RECAP to under 10 days as of December 2017; and (d) the introduction of a national spatial data infrastructure (NSDI) with an NSDI Strategy approved as well as the establishment of a national Geoportal with access to datasets from seven institutions, including the KCA.

RECAP has laid the foundation for the next phase of investments and reforms that would focus on improving public sector service delivery and strengthening private sector competitiveness through: (a) investments to advance ICT and geospatial infrastructure that improve availability, affordability, and transparency of public services in order to better serve citizens and businesses; (b) further cadastral reconstruction to improve the security of tenure; (c) policy and legal reforms that help improve the operating environment; and (d) capacity building initiatives to improve decision-making, particularly with the use of geospatial data.

30% of priority cadastral zones corresponds to roughly 15% of the territory of Kosovo.
4. Project Description (WB)

4.1 Background

The Government of Kosovo (GoK) will enter into a US$ 16.5 million Financing Agreement with the International Development Association (IDA) to finance the Real Estate and Geospatial Infrastructure Project (P164555), which will disburse over a period of five years. The proposed Project aims to continue to assist the GoK to strengthen the infrastructure and capacity of the cadastral services in Kosovo to develop the land and property markets, national spatial data infrastructure, and improve tenure security. The Kosovo Cadastral Agency (KCA) is the implementing agency of REGIP project.

4.2 Project Objective

The Project Development Objective (PDO) is to increase the quality and transparency of land administration and geospatial data and services. The REGIP project design aims to build on the progress made under RECAP and make new investments to increase access to public services and make the property market more secure.

4.3 Overall Project Description

Under RECAP, cadastral reconstruction (CR) has been completed for 30% of priority zones (total number of priority zones estimated at 450 cadastral zones). Under REGIP cadastral reconstruction is planned for another 30% of this priority zones. Therefore, with RECAP and REGIP, 60% of the priority zones, including the key economic areas will be covered. Capital investments in IT systems and spatial data infrastructure are also planned. The goal is to ensure that Kosovo has a state of the art IT systems backing land and property market services, which are the cornerstone of a vibrant market economy. Further investments in spatial data infrastructure (SDI) are planned as they can help government agencies become more efficient, support private sector development, and spur job creation and growth. Investments in SDI will also help Kosovo comply with the EU INSPIRE directive, an EU accession requirement. Furthermore, the Geoportal is open to the public so it will help improve market transparency and support the availability of key datasets (parcels, addresses, orthophotos etc.) in Kosovo.

REGIP will also finance the design and launch of e-services for citizens, public agencies, and specialized users like banks and notaries. This would improve access to public services, a key project objective. Additionally, REGIP will support policy, legal and institutional reform to cement the sustainability of KCA and ensure the health of the land and property market in Kosovo. Also planned are the support on public outreach to ensure that property registration through cadastral reconstruction is maximized. Special attention will be paid to strengthening women’s property rights. The Project will also finance capacity building initiatives at KCA to ensure that infrastructure and services delivered are in line with European practices.

4.4 KCA Components (Components A, B, C, and D)

Component A: KCA Policy, Legal, and Institutional

The objective of Component A is to provide legal and institutional support to KCA. This component will support the development of an updated KCA strategy and business plan that would inform and
guide the future development of cadastral and geospatial data and services in Kosovo. The component will also support KCA to develop the new Draft Cadastre Law. Among other things, the Draft Cadastre Law will be shaped to include provisions that promote women’s property rights.

**Component B: Cadastral Reconstruction**

The objective of this component is to continue the systematic registration and updating of cadastral information i.e. cadastral reconstruction that was started under RECAP. This component will support cadastral reconstruction work (updating of cadastral records) for 30% of priority cadastral zones i.e. a total of 130 cadastral zones. The component will also enhance the national geodetic framework, initiate development of a utility cadastre, link the building register to other registers, and provide reengineering of the remaining MCOs, particularly those in the Serbian-majority northern municipalities. Under this component there are six subcomponents: (i) cadastral reconstruction; (ii) services for data quality improvement; (iii) support for the national geodetic framework; (iv) development of the utility cadaster; (v) development of the building register; and (vi) office reengineering.

**Component C: ICT and Geospatial Infrastructure**

The objective of this component is to make critical IT investments in KCA systems and to support the implementation of KCA’s IT and NSDI Strategies. With respect to the KCA IT strategy, the component will make investments in further development of the Kosovo Land Information System towards a Service Oriented Architecture (KCLIS-SOA) to simplify business processes, the implementation of the legal changes and institutional reform over the project period, development of e-services, greater interoperability with other government systems and registers through the Government e-Gateway (under development), technical assistance for quality assurance, quality control and improve cybersecurity, hardware supply and technical training. With respect to the Kosovo NSDI strategy, investments will be made to improve the availability and quality of the services by upgrading the NSDI Geoportal and making it interoperable with other Government registers. This component has four subcomponents: (i) KCLIS-SOA further development; (ii) KCA digital archive; (iii) sustainability of the KCA’s unit for information and communication technologies; and (iv) support to the national spatial data infrastructure.

**Component D: Project Management, Capacity Building, Public Outreach, Monitoring & Evaluation**

The objective of this component is to provide support for project implementation, conduct public outreach to promote property registration, and increase the capacity of KCA to do its work. This component will support the KCA Project Implementation Unit (PIU), technical training and capacity building, public outreach, and monitoring and evaluation. Under this component, there are four subcomponents: (i) PIU and donor coordination; (ii) monitoring and evaluation; (iii) customer satisfaction surveys; and (iv) technical training and capacity building.

**4.5 Project Beneficiaries**

The Project’s direct beneficiaries include the citizens in the 30% of the priority zones that will undergo cadastral reconstruction. Additionally, IT system upgrades and the launch of e-services will benefit all citizens and businesses of Kosovo as more information and services will be available online. IT system roll-out and e-services would also be discussed for the politically sensitive northern municipalities.

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4. The Service-Oriented Architecture (SOA) allows to re-combine existing functions to meet changing customer requirements, to develop new functions rapidly and to scale operations to meet different levels of demand.
which to-date have not connected to national systems and service provision tends to be low. E-services geared towards specialized users such as commercial banks and notaries will benefit these users and also have a positive impact on the speed, quality, and accuracy of service delivery. Investments in the priority geospatial datasets and the Geoportal will benefit the public and private sectors in Kosovo as the use of these datasets is expected to reduce the time and cost of decision-making while also improving the quality of these decisions. This investment can also help Kosovo diversify its economy, support job creation, and provide valuable input for environmental and disaster risk management.

5. Purpose and Scope of Environmental and Social Management Framework (ESMF)

The purpose of this ESMF is to ensure that investments and activities (technical assistance) to be financed under REGIP will not create adverse impacts on the local environment and local communities, and that any residual and/or unavoidable impacts will be adequately mitigated in line with the World Bank’s safeguard policies. The scope of this ESMF covers all components under REGIP described above, and aims to integrate environmental and social management into the entire implementation cycle.

This ESMF is also intended to serve as a practical tool to guide identification and mitigation of potential environmental and social risks and impacts of investments and activities that will be financed under the Project. The ESMF has been developed as a guiding document since the detailed activities and their scope, to be financed under the project, were not known at the time of project Appraisal. The ESMF sets forth the legal requirements of Kosovo as well as the World Bank safeguards policies that the project activities will need to comply with during implementation.

The goals of this ESMF are to enable early screening for potential risks and impacts and guide the development of appropriate instruments to prevent, minimize, mitigate or compensate adverse environmental and social risks and impacts and to enhance beneficial impacts. Specific ESMF objectives are to:

- establish clear procedures and methodologies for the environmental and social planning, review, approval and implementation of activities to be financed under the REGIP;
- specify appropriate roles and responsibilities, and outline the necessary reporting procedures, for managing and monitoring environmental and social risks and impacts related to activities to be implemented;
- determine the training, capacity building and technical assistance needed to successfully implement the provisions of the ESMF;
- establish grievance redress mechanisms (GRM) and other communication mechanisms to provide an avenue for people to voice any concerns they have or negative impacts they face;
- establish the Project funding required to implement the ESMF requirements; and
- provide practical information resources for implementing the ESMF.

6. Project Institutional Framework

This ESMF is the document that will be used and implemented by KCA. This implementing entity fully recognize the importance of coordinating and cooperating with each other on all aspects related to
ESMF application to REGIP. Section 6.1 below give an overview of institutional and legislative frameworks governing the structure of the implementing entity, as well as information on how it evolved historically.

6.1. Institutional and Legislative Framework of KCA

The KCA was established in 2000. It is an executive agency under the Ministry of Environment and Spatial Planning (MESP) and is responsible for developing and implementing cadastre services in Kosovo. Additionally, KCA is the authority that is responsible for the development of the legal framework and the coordination of its implementation relating to the cadastre and other matters concerning land information system in the Kosovo. The KCA’s areas of competence are geodesy, surveying, geographical information systems, real property registration, mapping and legal issues related to land administration. It is important to note that maintenance and registration of the immovable properties is executed by the Municipal Cadastral Offices (MCOs), which are under the organization of the Municipalities.

Since it was established, KCA has achieved considerable results. A great contribution for the existing achievements is given also by donors: Norway, Sweden, Switzerland, EU, German GIZ, Japanese JICA and the World Bank.

Even though KCA’s achievements have been considerable and significant, the field of cadastre requires further development and progress. A developed and strong cadastral system contributes directly to the economic development of the country, especially in field of market economy.

Legislative Framework

The functioning of the cadastral system in Kosovo is based on a series of laws and regulations. Responsibilities of KCA and MCOs are regulated by Law on Immovable Property Rights Register (IPRR) and Law on Cadastre No. 04/-L-013.

The responsibilities of the KCA derives from Article IV of Law on Cadastre no. 04/-L-013. KCA acts as an Executive Agency within the Government of Kosovo, namely MESP. KCA is led by the Chief Executive Officer (CEO) of the KCA, who is elected in accordance with the rules in force for the appointment of senior civil servants of the civil services. Therefore, the CEO of the KCA reports to the Minister of Environment and Spatial Planning. KCA is responsible for the cadastre and has the authority to issue guidelines regarding all cadastral activities for the management of the national computerized system that collects, processes, and distributes cadastral data. As the central institution, KCA is responsible for the certification of the MCO staff that perform cadastral surveys as well as to license the companies and surveyors for performing cadastral surveys.

Based on Article 5 of the Law on Cadastre No. 04/-L-013, MCOs are responsible for the operation of cadastre and MCOs shall perform all activities in compliance with the competences delegated by the central level, with the provisions of this Law and Administrative Instructions issued by KCA and MESP.

Institutional Framework Reform

The Interministerial Committee for Land Administration and NSDI (IMCLA) was established in 2009. KCA as a secretariat of the Committee organizes the meetings twice per year, including separate coordination meetings with donors (World Bank, Government of Norway and European Commission).

The Law on Cadastre outlines the responsibilities of KCA and MCOs. KCA has regular contact with MCOs and client groups. A supervision function and quality control concept have been established
within KCA to monitor the work of MCOs. Standards and procedures for reconstruction of cadastral information have been also established.

KCA is responsible for the National Spatial Data Infrastructure (NSDI) where the draft law for NSDI has been prepared in March 2015 and currently is waiting for the approval from the Assembly of Republic of Kosovo. With support of the World Bank funds from project for Real Estate Cadastre and Registration Project (RECAP) the strategy of NSDI for Republic of Kosovo is also developed in 2015. After the end of donor support 2017 the KCA’s sustainability has come to the forefront and remains a challenge. Despite efforts with the preparation of a new Law on Cadastre in 2017, the issue of adding elements of a “vertical structure” to KCA’s relationship with MCOs still remains contentious.

**Strategy for the future**

Kosovo Cadastral Agency has worked in accordance with the Business Plan and strategy 2013-2017 and the new strategy will be developed. Beside regular tasks and responsibilities of KCA further goals will be: e-cadastre, governance, legislation, business processes definition, resources management, customer/user orientation and cooperation with all involved stakeholders.

7. **Legal and regulatory Framework related to property issues**

7.1 **Applicable International Treaties and/or Obligations**

The Republic of Kosovo concludes international agreements and becomes a member of international organizations. Also participates in international cooperation for promotion and protection of peace, security and human rights.

International agreements ratified by the Republic of Kosovo become part of the internal legal system after their publication in the Official Gazette of the Republic of Kosovo. They are directly applied except for cases when they are not self-applicable and the application requires the promulgation of a law. Ratified international agreements and legally binding norms of international law have superiority over the laws of the Republic of Kosovo.

7.2 **Constitution**

The Constitution of Republic of Kosovo is adopted on 9 April 2008 with amendments I - XXII (Official Gazette of Republic of Kosovo no.25, date 7 September 2012) amendment XXIII (Official Gazette of Republic of Kosovo no.7, date 26 March 2013) end amendment XXIV (Official Gazette of Republic of Kosovo no.20, date 5 August 2015).

Based on Constitution, the Republic of Kosovo exercises its authority based on the respect for human rights and freedoms of its citizens and all other individuals within its borders.

When it comes to property rights it is regulated by the article 46, where the right to own property is guaranteed. Use of property is regulated by law in accordance with the public interest. No one shall be arbitrarily deprived of property. The Republic of Kosovo or a public authority of the Republic of Kosovo may expropriate property if such expropriation is authorized by law, is necessary or appropriate to the achievement of a public purpose or the promotion of the public interest, and is followed by the provision of immediate and adequate compensation to the person or persons whose property has been expropriated. Disputes arising from an act of the Republic of Kosovo or a public authority of the Republic of Kosovo that is alleged to constitute an expropriation shall be settled by a competent court.
When it comes to responsibility for environment, it is regulated by article 52, where nature and biodiversity, environment and national inheritance are everyone’s responsibility. Everyone should be provided an opportunity to be heard by public institutions and have their opinions considered on issues that impact the environment in which they live. The impact on the environment shall be considered by public institutions in their decision-making processes.

7.3 Applicable National Laws
The primary relevant laws and legislations framing property issues in the Republic of Kosovo are:

- Law on the Establishment of an Immovable Property Rights Register, No. 2002/05 (2002);
- Law on Mortgages, No.2002/4 (2002);
- Law on Inheritance in Kosovo, No.2004/26 (2004);
- Law on the Privatization Agency of Kosovo; No. 03/L-067 (2008);
- Law on out Contentious Procedure, No. 03-L-007 (2008);
- Law on Property and Other Real Rights, No.2009/03/L-154 (2009);
- Law on Use Management and Maintenance of Building Joint Ownership, No.03/L-139 (2009);
- Law on Cadastre, No. 04/-L-013 (2011)
- Law on the Condominium, No.04/L-134 (2012);
- Law on Obligational Relationship, No. 04/L-077 (2012);
- Law on Enforcement Procedure, No. 04/L-139 (2012);
- Law on Construction, No.04/L-110 (2012);
- Law on General Administrative Procedure, No.05/L-031 (2016);
- Law on the Prevention of Money Laundering and Combating Terrorist Financing, No.05/L-096 (2016)
- Law on Kosovo Property Comparison and Verification Agency, No. 05/L-010 (2016)

7.4 Environmental Protection Laws (note: for KCA sub-component)
The basic legal acts for management of hazardous materials in buildings, mitigation measures and its proper disposal are:

- The Law on Waste (No. 04/L-060), adopted on January 9, 2007 with by-laws: the Administrative Instruction No. 07/2009 for management of wastes containing asbestos of the Ministry of Environment and Spatial Planning of the Republic of Kosovo (MESP) the Administrative Instruction 02/2011 on Waste management of Fluorescent Tubes Containing Mercury of the MESP
The Law on Chemicals (No. 02/L-116); on April 27, 2007

The Law on Biocide products (No. 03/L-119), on May 27, 2008 (acc. to directive 98/8/EC)

The Law on Environmental Protection (No. 03/L-025), on February 26, 2009

The Law on Integrated Prevention Pollution Control (No. 03/L-043), adopted on March 26, 2009

The Law on Air protection from pollution (no. 03/L-160) on Feb 25, 2010

The Law on Environmental impact assessment (no 03/l-214), on Sept 23, 2010

The Law on Nature protection (no. 03/L-233), on Sept 30, 2010

The Law on Construction (no. 04/L-110) on May 31, 2012

The Law on protection from noise (no. 02/L-102) on March 30, 2007

The Law on Integrated Prevention Pollution Control (No. 03/L-043), adopted on March 26, 2009


Code of Construction (under approval by Parliament) The main goal of the codes is to implement an environmental legislation fully complying with EU standards.

Law on Environmental protection regulates environment protection. It aims reduction of any harm to environment and also urges protection of natural resources emphasizing as such need for conservation of resources and their sustainable management. Law on Environmental impact assessment gives a thorough description of the type of projects/initiatives that need full and licensed EIA.

As the project does not fall under the category of projects that require approved EIA, as per Kosovar legislation, this allows to proceed with project implementation without getting an approval on project EIA.

Also as the Project component and subcomponents does not foresee any construction works, no additional permits are required. Still, if in any phase of the project KCA decides to undertake small construction works such reengineering of the municipal cadastral offices or any similar work, the following activities to be undertaken in line with World Bank policies are:

1.) Identification of the scope of works for the location
2.) Completion of the environmental and social screening checklist
3.) Preparation of adequate due diligence (EMP)
4.) Disclosure and consultations on the EMP
5.) Integration of the EMP in the bidding and contractual documents
6.) Implementation of EMP by Contractor
7.) Supervision of EMP compliance by Supervisor, PIU and World Bank

But still, since there are not any construction works foreseen within the REGIP components and subcomponents, no additional permits will be needed.
If in any later stage KCA decides to do small scale construction works such as re-engineering of Municipal Cadastral Office, this can be done with simple Agreement of Understanding between the KCA and MCO, same as it was in RECAP project.

7.5 Land (and Cadastre) Legislation

The functioning of the cadastral system in the Republic of Kosovo is based on a series of laws and regulations passed after 1999 by the Assembly of Kosovo and proclaimed by the Interim Administration (UNMIK) until 15 June 2008 where the Constitution of Kosovo entered into force, where the right to own the property is guaranteed, and use of property is regulated or will be regulated by law in accordance with the public interest. With Constitution the right to adopt and proclaim laws belongs to the Assembly of the Republic of Kosovo.

The basic law on property and other real rights (2009/03/L-154) are adopted from Assembly of Kosovo on July 15, 2009. The other most important Law which deals with Cadastre is the Law on Cadastre No. 04/-L-013. Another very important law for land and real property management is the Law on the Establishment of Immovable Property Rights Register (2002/22 and 2003/27). Other regulations related to cadastre have been adopted (e.g. the Law on Mortgages (2002/4). There are prepared draft laws for NSDI and new Law on Cadastre which are expected to be promulgated during 2018.

The responsible body for drafting the administrative instructions on implementation of the laws enacted by Kosovo Assembly for property issues is the Ministry of Environment and Spatial Planning.

Some of the law that regulate Land/Cadastre:

- Law no. 2002/05 on the establishment of an immovable property rights register
- Law No. 02/l-96 on amendments and additions to Law No. 2003/25 on Cadastre
- Law on cadastre No. 04-L/013
- Law Nr. 04/L-071 on address system
- Law on Cadastre No. 2003/25 (old Law on cadastre)
- Law on amendments and additions to Law No. 2003/13 IPRR
- Law on mortgages No.2002/4

Some of the Administrative Instructions that regulate Land/Cadastre:

- Administrative Instruction on registration of Property in both spouses’ names 017-2018
- Administrative Instruction No. 11 for tariffs for products and services offered by Kosovo Cadastral Agency
- Administrative Instruction MESP – No. 18/2015 for registration of immovable property expropriation
- Administrative Instruction for Cadastral Surveying including GNSS-Technologies
- Administrative Instruction Nr. 05/2012 on Fees for Services and products provided by Municipal Cadastral Offices and Licensed Surveying Companies
7.6 The World Bank’s Environmental and Social Policies

The major document regulating the WB’s environmental safeguard policy is OP 4.01 Environmental Assessment, which is one of ten safeguard policies that the projects submitted for the Bank financing are to comply with.

Ten safeguard policies and the +1 policy on Access to Information represent the framework of safeguard mechanisms applied by the WB for the sake of interests of beneficiaries, clients, stakeholders and that of the Bank. Applying these policies allows avoiding adverse impacts on the environment and people’s lives, minimizing and mitigating potential unfavorable environmental and social project impacts:

1) Environmental Assessment (OP 4.01)
2) Natural Habitats (OP 4.04)
3) Pest management (OP 4.09)
4) Physical Cultural Resources (OP 4.11)
5) Forests (OP 4.36)
6) Safety of Dams (OP 4.37)
7) Involuntary Resettlement (OP 4.12)
8) Indigenous Peoples (OP 4.10)
9) Projects on International Waterways (OP 7.50)
10) Projects in Disputed Areas (OP 7.60)
11) +1. Access to Information Policy (not a safeguards policy per se)

The first six policies are environmental policies and they are taken as focus during preparation of the Environmental Assessment. The seventh and eighth are social, and the ninth and tenth are legal.

The objectives of 10+1 safeguard policies are to:

- avoid negative impacts where possible; otherwise minimize, reduce, mitigate, compensate;
- match level of review, mitigation and oversight to level of risk and impacts;
- inform the public and enable people to participate in decisions which affect them;
- integrate environmental and social issues into project identification, design and implementation.

Principles of OP 10+1:

✓ In case of discrepancy between the requirements of OP 10+1 and those of the national legislation norms, the more stringent ones prevail; and
✓ In case of conflict between the OP 10+1 and the national environmental requirements, the WB policies will prevail (even, if some parts of the project are financed by the Government of Kosovo or third parties).

The Project will not finance any activities with significant or irreversible environmental impacts, and, therefore, has triggered the World Bank Environmental Safeguard Policy OP 4.01, with classification as Environmental Category "B" – partial assessment.

The main project interventions refer to support only data processing and modeling activities, public awareness and capacity building, but without any renovation and remodeling works of office spaces. While the environmental impact of the project will be largely positive, some adverse impacts may be generated.

This Project triggers only OP 4.01 on Environmental Assessment, related to the potential construction works and also the social impacts that need to be assessed for this given Project. In order to meet the requirements of the OP 4.01 this ESMF is prepared prior to Appraisal.

The ESMF provides guidelines to determine when Environmental Impact Assessments (EIAs), and/or Environmental Management Plans (EMP)/EMP Checklists should be prepared; as well as their preparation, implementation and monitoring. The document also includes Environmental Guidelines for different types of proposed sub-projects, provides guidance on potential impacts and generic mitigation measures to be undertaken for sub-projects at all stages – from identification and selection, through the design and implementation phase, to the monitoring of
Lessons Learned on Safeguards from the RECAP:

During implementation of ongoing RECAP project, the environmental impacts of the project were minor and/or indirect. The RECAP project had some small-scale construction works connected to buildings renovation in MCO’s and KCA, reconstruction and office layout reengineering. No new buildings were constructed during the project. To allow the flexibility to accommodate exterior office expansion or to address environmental hazards as they have encountered (e.g. asbestos), the project is rated as environmental assessment Category B according to World Bank Operational Policy 4.01 and simple Environmental Management Plans (EMPs) in the format of EMP checklist was prepared for all construction sites. These checklists were integrated into bidding documents and contracts for both works and supervision, to facilitate its implementation during the course of works. Environmental impacts during the phase of construction work were mainly concentrated in the working area and were a result of preparation works (like demolition of the existing walls, and waste removal). These activities might cause limited air pollution, noise disturbance and small pollution. In this regard certain measures have been taken in order to reduce this pollution, like the follow up of all procedures foreseen by The Law for Construction and the Law on Waste, but in general no major social risks took place.

During the construction works, in addition to the effects /impacts which were foreseen, other issues of concern are linked with creation of waste leftover from construction materials, local air pollution, leakages of polluted waters, as well as with requirements toward safety at work. To avoid, when possible, and/or mitigate these impacts a set of measures has been proposed, like fulfillment of all the normative foreseen for construction work, waste management, reduction of air pollution and noise.

Involuntary Resettlement (OP 4.12) for interventions was not triggered during RECAP project implementation, since are not generated any land acquisition and/or involuntary resettlement.

7.7 Gap Analysis between National Legal Framework and World Bank Policies

The World Bank requires environmental assessment (EA) of projects proposed for Bank financing to help ensure that they are environmentally sound and sustainable, and thus improve decision making (OP 4.01, January 1999). EA is a process whose breadth, depth, and type of analysis depend on the nature, scale, and potential environmental impact of the proposed project. EA evaluates a project’s potential environmental risks and impacts in its area of influence; examines project alternatives; identifies ways of improving project selection, siting, planning, design, and implementation by preventing, minimizing, mitigating, or compensating for adverse environmental impacts and enhancing positive impacts; and includes the process of mitigating and managing adverse environmental impacts throughout project implementation. The World Bank favors preventive measures over mitigation or compensatory measures, whenever feasible.

Pursuant to the World Bank requirements in perspective of environmental assessment (EA) of projects proposed for Bank financing, Kosovo has advanced legislation which is in harmony with the necessary requirement in the context of OP 4.01.
Important laws and their description are listed in the following:

The Law on Environmental Protection 2002/8 is a centerpiece of Kosovo’s legal and regulatory environmental framework. The fundamental purpose of the present law is to establish a basic legal framework that will promote an increasingly healthy environment for the people of Kosovo through the gradual introduction of the Environmental Standards of the European Union. The law addresses the prevention and reduction of pollution, environmental monitoring and highlights, among others, the principles of rational use of natural resources. Environmental pollution is subject to penalty by this law.

This Law stipulates that a public authority that is planning the construction of a major work or project shall, first of all, conduct an Environmental Impact Assessment (EIA) and to file with the MESP a report summarizing the findings of that EIA Report, if such a project or work has a significant potential for causing Environmental Damage. In what concerns the Project, none of its activities are projected to possess such potential for causing environmental damage, therefore the EIA is not required.

The Law NO.03/L-214 On Environmental Impact Assessment regulates procedures for identification, assessment, reporting and administration of the environmental impacts of a proposed project, in order that during decision making process by the MESP for issuing the Environmental Consent, to provide all relevant information regarding the environment. All other works rehabilitations, reconstructions and small constructions do not require EIA according to national legislation. Therefore, for the type of activities planned under this Project no EIA of other type of environmental study is required.

The natural protected areas are governed by directorates, according to the Law on Nature Protection (2010/03-L-233). Directorates for management of national parks, natural parks, natural monuments of special importance are established by the MESP, while other categories of protected areas are run by municipality founded authorities. Authorisation for interventions and activities in the strict reserve, special areas, national park, nature park, monument of nature, shall be issued by the Ministry. Authorisation for works and interventions in the landscape and protected monument of architecture of the parks, issues administrative authority or competent municipal authority. Authorisation shall be issued by the decision. Appeals on decision of the administrative authority or competent municipal authority may be submitted to the Ministry. Therefore, for the type of activities planned under this Project no EIA of other type of environmental study is required.

The Law on the Inspectorate of Environment, Waters, Nature, Spatial Planning And Construction (04/L-175) regulates the principles, organization and inspection supervision, coordination of surveillance inspection, rights, duties, powers of inspectors, rights, obligations and supervision entities, the procedure for performing inspection and other important issues dealing with inspection supervision. The scope of this Law deals with the duties and powers of inspectors under the supervision of environmental fields, water, nature, urban planning and construction within the bodies of local and central level including Municipal Inspectorate for Construction and Municipal Inspectorate for Environmental Protection. Under this law the State Inspectorate of Nature Protection carries out inspection supervision and control through inspection in the nature by implementing legal and sub-legal acts related to the protection of nature. Inspectorate for nature protection also carries out its duties and responsibilities in protecting nature, by harmonizing its activity with the requirements of the European Union for “NATURE – 2000”
network. Therefore, for the type of activities planned under this Project no EIA of other type of environmental study is required.

The Law on Construction No. 2004/2015 determines the main requirements for design, construction, and use of construction materials, professional supervision, as well as procedures for construction permits, use permits and building inspection. The provisions of this Law regulate the design and building conditions regarding the public safety and protection of environment in Kosovo, and they are also applicable to other building objects, unless provided otherwise by this Law or by administrative instruction. Therefore, for the type of activities planned under this Project no EIA of other type of environmental study is required.

Speaking of health and safety issues, Occupational Safety, Health and Working Environment Law (2003) pursues as its main objective is to prevent occupational injuries and diseases at the workplace and to protect the working environment. It regulates working conditions at a workplace, rights of employees and employer obligations, in general. Nor does it specify those issues, except for general emergency situations like fire at a workplace, electrical hazards, and so on. It does not cover any specific issues related to infrastructure deployment. As far as the REGIP is concerned, none of its activities go against provisions of this Law which will be fully applied in the sub-projects implementation.

The Law on Waste (2012), a National Strategy on Waste Management and a Five-Year Plan on Waste Management (2013-2017) with actions based on the Strategy form the core of the solid waste management (SWM) legislature. Per this legislature, Kosovo has established a regionalized waste collection and disposal system. Most recently, it has initiated changes to the system of billing and collection that are intended to improve the financial performance of the sector.

The Republic of Kosovo has a highly developed legal system to manage environmental issues that implementation of various projects may impact. The existing legal provisions are meeting the WB’s safeguard requirements when it comes to construction works. The project may contain small construction works (if in any stage KCA foresees reengineering of MCO-s or similar), but there will be no impacts on environment and it is not expected any additional permits.

For the state regulation when it comes to the responsible bodies, are as follows:

Assembly
The Assembly is the legislative body directly elected by the people. There are two important functions related to the environment namely:
- the Committee for Agriculture, Forestry, Rural Development, Environment and Spatial Planning;
- Advisory Board on Environment

Government
The Government exercises executive power in accordance with the Constitution and the law. It proposes draft laws and amendments to existing laws and Acts, and may give its opinion on draft laws that are proposed by other bodies.

Ministry of Environment and Spatial Planning (MESP)
The Ministry’s mandate is defined by Regulation No. 02/2011 for administrative responsibilities of the Office of the Prime Minister and other Ministries. It has the following responsibilities regarding environmental protection:
- compiles and follows up the implementation of policies and programmes identifying and reducing environmental pollution
- participates in the development of strategic documents; • Co-ordinates activities to promote policies
- sets environmental norms and standards and issues instructions meeting international standards
- oversees the implementation of these standards including inspection and other services as necessary
- manages the use and development of environmental infrastructure
- promotes community participation, initiatives and development activities
- develops policies, implements laws and supervises environmental protection activities, including water resources, air, soil and bio-diversity
- encourages and participates in developing and implementing public information campaigns and other promotional activities to raise public awareness and compliance with environmental protection standards
- supervises and assesses the state of the environment, particularly the impact of industrial activity, of public services and of economic activity
- develops policies for managing water resources and supervises their implementation.

**Municipalities**

The Municipalities enact local environmental action plans (LEAPs) and programmes for environmental protection according to their own specific interests. In designing LEAPs and programmes, the public, NGOs, professional organisations and business community are actively encouraged to participate. The Municipalities report to the Ministry about the implementation of these plans and programmes. To reduce the negative impacts upon the environment and in some cases to reduce costs, two or more Municipalities can jointly develop and adopt their plans and programmes.

### 8. Potential Environmental and Social Impacts and Risks of the Project

**Social Aspects.** Similarly to REGIP, the Project activities do not require any relocation or resettlement, nor will they cause any physical or economic displacement. Most of the investments consist of the provision of goods and services, as well as rehabilitation of small-scale infrastructure. Although the project does not support any activities related to the actual process of receiving, verifying, and comparing the pre-1999 cadastral documents (which will be within KPCVA’s role), it recognizes the potential risks that such activities may entail, including those related to increased insecurity of tenure and land market disruptions. With regard to mitigation measures, public awareness activities, meaningful consultations, and establishment & maintenance of project level Grievance Redress Mechanism (GRM) play an important role. Some of these mitigation measures are financially supported through the project components to ensure their adequate implementation.

Although KCA is the main and sole implementing entity for REGIP, there is a possibility that KPCVA might join the project in the future. If such situation arises, this ESMF would be updated to reflect such changes in the implementation arrangements of REGIP, as well as describe risks and propose appropriate mitigation measures.
Per the Law currently governing KPCVA, said agency has a responsibility of comparing and verifying pre-1999 cadastral documents once they are returned. However, KPCVA does not have the right IT infrastructure to deal with the volume of data. At the same time, the need to harmonize KPCVA and KCA processes to better serve people in Kosovo once the documents are returned still remain, but are not covered under the current design of REGIP. In case KPCVA joins the project in the future, the project may consider financing: (i) IT infrastructure, which will, inter alia, allow for better coordination with KCA, and, hence, ensure coordination and alignment, throughout the comparison and verification process, with KCA; and (ii) training and technical assistance, which will, inter alia, support standards setting, secondary regulations, and communications – all to prepare KPCVA to implement its additional mandate, while ensuring that, where applicable, environmental and social considerations are incorporated into such technical assistance, in accordance with the World Bank’s safeguards policies.

REGIP’s current design will only provide technical assistance to KCA and it will not finance implementation of any activities in the land sector of Kosovo that may directly be linked or contribute to the implementation of KPCVA’s mandate on comparison and verification of cases or their enforcement. It is not known whether the scanned copies of the pre-1999 documents would return to Kosovo during the lifetime of this project. Potential return of the documents is a broader policy matter that goes well beyond the activities financed under REGIP.

Summary of Social Risks/Impacts and Mitigation Measures

<table>
<thead>
<tr>
<th>Risk / Issue</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased insecurity of tenure and land market disruptions:</td>
<td>1) Public awareness activities, meaningful consultations, and establishment &amp; maintenance of project level GRM;</td>
</tr>
<tr>
<td>In December 2016 the KPCVA Law was passed, changing the nature of the former Kosovo Property Agency and creating the new Kosovo Property Comparison and Verification Agency.</td>
<td>2) Active outreach to project beneficiaries by KCA to increase trust and transparency in the cadaster processes;</td>
</tr>
<tr>
<td>Since then, one of the Agency’s mandates is to process the pending return of pre-1999 cadastral documents. The return of these documents could help fill certain gaps in the Kosovo cadastre. At the same time, if the pre-1999 documents are not properly integrated into the Kosovo cadastre, it could potentially reduce tenure security and cause disruptions in the property market. This, in turn, could affect the sustainability of cadastre reconstruction (CR) investments already made in 30% of Kosovo’s priority cadastral zones under the previous</td>
<td>3) Establishing and maintaining a formal mechanism of coordination between KCA and KPCVA.</td>
</tr>
<tr>
<td>4) As of the date of this ESMF, REGIP has unallocated funds in the amount of USD 0.5 million that could be used to support KPCVA at a later date. For details, please see the Project Appraisal Document of REGIP (P164555).</td>
<td></td>
</tr>
</tbody>
</table>
**Environmental Aspects.**

The direct project area would include the additional 30% of the priority cadastral zones of Kosovo (roughly 15% of territory) where cadastral reconstruction activities are planned. The specific areas will be selected in discussion with the KCA, MESP, and MCOs. In addition, upgrading the cadastre IT system and digitizing all cadastral records will have national coverage, and the launch of e-services and the investments in priority geospatial datasets are online activities that will be available to everyone: citizens, private sector, and public sector.

The anticipated minor civil works have associated environmental impacts would typically include: dust, noise, on-site safety and waste management. The above impacts are to be successfully mitigated through application of the good engineering and construction practices, and with mitigation and monitoring measures as specified within this Environmental and Social Management Framework (ESMF) Site-specific Environmental Management Plans (EMPs) will be prepared in accordance with the ESMF provisions aiming to mitigate any environmental impacts, to provide the necessary environmental conditions, as well as guidelines and measures to be taken by small works contractors to ensure that health, safety and environmental standards were met.

Summary of main risks and potential mitigation measures is given in the table below.

<table>
<thead>
<tr>
<th>Impact</th>
<th>Risk / Issue</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noise generation</td>
<td>Noise generation poses a health risk to the workers and other building occupants</td>
<td>Limit works to daytime intervals that are in accordance with the local legislation</td>
</tr>
</tbody>
</table>
| Noise is a disturbance to other users of the building | Ensure non-interrupted use of building to other users or tenants  
Use machinery with appropriate attests  
No idling of machinery or vehicles on site |
| Dust generation | Dust generation poses a health risk to the workers and other building occupants and is also a nuisance to other building users  
Suppression of dust with water or covering materials and working areas that can generate dust; decrease speed in transport of such materials  
Demolition dust can be minimized through use of adequate covers for working areas, workers should use suitable protection equipment  
Use of chutes to remove waste from higher floors |
| Setting up of construction site and removal of site upon completion of works | Setting up of construction site and removal of site upon completion of works  
Plan to decrease disturbance to surroundings and neighbors (including plans to ensure proper traffic management on access roads to site)  
Fencing off the site or access to site with proper safety signs  
After completion of works, site will be restored to previous conditions and all wastes will be cleared in line with the provisions of this EMP, all machinery will also be removed from site |
| Old equipment or waste that can be reused | Old equipment or waste that can be reused  
Try to reuse or recycle all generated wastes as much as possible; in the event that reuse is not possible, dispose of wastes at designated landfill sites.  
It is forbidden to burn or use for fuel all wastes, including painted wooden parts of doors and windows |
| Construction waste | Construction waste  
Separation of all types of waste streams, reuse and recycling wherever possible  
Disposal of wastes that cannot be reused or recycled, transport and disposal of wastes at designated landfill site and in cooperation with the local waste management company; no open burning or illegal disposal of wastes.  
Hazardous wastes (smaller quantities of paints, oils, etc.) will be stored separately, in accordance with |
relevant legal requirements, following labeling procedures and will be handed over to the designated and authorized company or agency.

| Removal of materials that may contain asbestos (or other hazardous materials, such as mercury-containing light-bulbs) | Removal of materials that may contain asbestos (or other hazardous materials, such as mercury-containing light-bulbs) | Removal of materials that contain asbestos will be carried out in line with the local legislation, including construction standards, work safety issues, air borne emissions of hazardous pollutants and disposal of waste and hazardous waste (in the event that there is no local legislation, the Directive 2003/18/EC of the European Parliament will be used, that amends and supplements Directive of the Council 83/477/EEC on worker protection from workplace asbestos exposure risks: threshold values of airborne dust particles is 0.1 fiber/cm³; also use the Good Practice Note: Asbestos: Health Issues at Workplace and Community; World Bank). |

**Step 1: Screening Of Sub-Project Activities and Sites**

Prior to going to the field, KCA/PCO staff in cooperation with others professional experts, will carry out the initial screening in the field, through the use of the Environmental and Social Screening Form (see below) The screening form, when correctly completed, will facilitate the identification of potential environmental and social impacts, the determination of their significance, the assignment of the appropriate environmental category the determination of appropriate environmental and social mitigation measures, and the need to conduct an Environmental and Social Impacts Assessments/Environmental and Social Management Plans. To ensure that the screening form is completed correctly for the various project locations and activities, training should be provided to members of the KCA/PCO/MCO/O staff as part of strengthening community level structures. This will be funded on need basis using funding from the systems and capacity building component. The screening form needs to be completed for each activity that is proposed to be funded under the project.
# Administrative and institutional data

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| **1.** | Sub-project title  
*Name of rehabilitation sub-project* |
| **2.** | Sub-Project location |
| **3.** | Type of works  
(simple reconstruction, larger reconstruction, new construction) |
| **4.** | Contact details *(of the person responsible for the application in front of the Institution):*  
*Name of responsible person*  
*Contact details:* |

# Project screening criteria

<table>
<thead>
<tr>
<th>Issue</th>
<th>Yes/No</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>5.</strong></td>
<td>Will the project require acquisition of land that is privately owned?</td>
<td>[ ]</td>
</tr>
<tr>
<td><strong>6.</strong></td>
<td>Is the project found on the list of projects that must undergo a full environmental assessment study based on Kosovo legislation</td>
<td>[ ]</td>
</tr>
</tbody>
</table>
| **7.** | Will the project impact any natural areas, habitats or forests? *(clearing of sites)*  
Are there any water bodies that could be directly impacted *(especially in cases where wastewater is released into this river)* | [ ] | IF yes, the activity is not eligible for financing as it triggers additional WB safeguards policies. |
| **8.** | Will the project be carried out in a historic and protected building? | [ ] |
| **9.** | Will the project contain small scale reconstruction works? | [ ] | * Use the Simple Checklist EMP format provided in section 8 of the ESMF |
| **10.** | Will the project contain works that will go beyond the existing footprint of the building, or go beyond small scale reconstruction works? | [ ] | * Develop a site specific Environmental and Social Management Plan following guidance from the WB team and the Law on EIA. |

<table>
<thead>
<tr>
<th>FINAL SUBPROJECT CATEGORY ASSIGNMENT</th>
<th>I</th>
<th>II</th>
<th>III</th>
<th>IV</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
</tbody>
</table>
Step 2: Assigning Appropriate Environmental and Social Categories

The environmental and social screening form, when completed, will provide information on the assignment of the appropriate environmental and social category to a particular activity for each of the projects components and subcomponents. The KCA/PCO will be responsible for assigning the appropriate environmental category to the proposed REGIP funded sub-projects consistent with the requirements.

The categories are as follows:

Subproject of Category I: activities that trigger additional safeguards policies, correspond to a level of impact assigned to World Bank Category A, require a Profound EIA as per the local laws, and other projects that are not eligible for financing.

Subproject of Category II: activities that require a site specific ESMP and need to follow the requirements of the local legislation, with lesser environmental impacts, localized to a given site.

Subproject of Category III: activities with minimal environmental impacts that can use the prefabricated Checklist EMP

Subproject of Category IV: no further environmental and social due diligence required.

Step 3: Carrying Out Environmental and Social Work

After reviewing the information provided in the environmental and social screening form, and having determined the appropriate environmental category, the KCA/PCO will determine whether;

(a) the application of simple mitigation measures outlined in the Environmental and Social Checklist will suffice for Category III;
(b) a comprehensive Environmental and Social Management Plans (ESMP), will need to be carried out, using the World Bank guidelines for Category II; or
(c) no additional environmental and/or social work will be required for Category IV or,

(d) the subproject is not eligible for financing and should be rejected as per Category I.
Checklist Environmental Management Plan EMP to be used if Environmental Screening Form Question 8 is positive.

A) GENERAL PROJECT AND SITE INFORMATION

<table>
<thead>
<tr>
<th>INSTITUTIONAL &amp; ADMINISTRATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country</td>
</tr>
<tr>
<td>Project title</td>
</tr>
<tr>
<td>Scope of project and activity</td>
</tr>
<tr>
<td>Institutional arrangements</td>
</tr>
<tr>
<td>(Name and contacts)</td>
</tr>
<tr>
<td>WB (Project Team Leader)</td>
</tr>
<tr>
<td>Project Management</td>
</tr>
<tr>
<td>Local Counterpart and/or</td>
</tr>
<tr>
<td>Recipient</td>
</tr>
<tr>
<td>Implementation arrangements</td>
</tr>
<tr>
<td>(Name and contacts)</td>
</tr>
<tr>
<td>Safeguard Supervision</td>
</tr>
<tr>
<td>Local Counterpart Supervision</td>
</tr>
<tr>
<td>Local Inspectorate Supervision</td>
</tr>
<tr>
<td>Contractor</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SITE DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of site</td>
</tr>
<tr>
<td>Describe site location</td>
</tr>
<tr>
<td>Who owns the land?</td>
</tr>
<tr>
<td>Description of geographic, physical, biological, geological, hydrographic and socio-economic context</td>
</tr>
<tr>
<td>Locations and distance for material sourcing, especially aggregates, water, stones?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LEGISLATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify national &amp; local legislation &amp; permits that apply to project activity</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PUBLIC CONSULTATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify when / where the public consultation process took place</td>
</tr>
</tbody>
</table>

| INSTITUTIONAL CAPACITY BUILDING |
Will there be any capacity building? [ ] N or [ ] Y if Yes, Attachment 2 includes the capacity building program.

**B) SAFEGUARDS INFORMATION**

### ENVIRONMENTAL /SOCIAL SCREENING

<table>
<thead>
<tr>
<th>Activity</th>
<th>Status</th>
<th>Triggered Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Building rehabilitation</td>
<td>[ ] Yes [ ] No</td>
<td>See Section A below</td>
</tr>
<tr>
<td>B. Minor new construction</td>
<td>[ ] Yes [ ] No</td>
<td>See Section A below</td>
</tr>
<tr>
<td>C. Individual wastewater treatment system</td>
<td>[ ] Yes [ ] No</td>
<td>See Section B below</td>
</tr>
<tr>
<td>D. Historic building(s) and districts</td>
<td>[ ] Yes [ ] No</td>
<td>See Section C below</td>
</tr>
<tr>
<td>E. Acquisition of land</td>
<td>[ ] Yes [ ] No</td>
<td>See Section D below</td>
</tr>
<tr>
<td>F. Hazardous or toxic materials</td>
<td>[ ] Yes [ ] No</td>
<td>See Section E below</td>
</tr>
<tr>
<td>G. Impacts on forests and/or protected areas</td>
<td>[ ] Yes [ ] No</td>
<td>See Section F below</td>
</tr>
<tr>
<td>H. Handling / management of medical waste</td>
<td>[ ] Yes [ ] No</td>
<td>See Section G below</td>
</tr>
<tr>
<td>I. Traffic and Pedestrian Safety</td>
<td>[ ] Yes [ ] No</td>
<td>See Section H below</td>
</tr>
</tbody>
</table>

### C. MITIGATION MEASURES

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>PARAMETER</th>
<th>MITIGATION MEASURES CHECKLIST</th>
</tr>
</thead>
</table>
| 0. General Conditions          | Notification and Worker Safety   | (a) The local construction and environment inspectorates and communities have been notified of upcoming activities  
(b) The public has been notified of the works through appropriate notification in the media and/or at publicly accessible sites (including the site of the works)  
(c) All legally required permits have been acquired for construction and/or rehabilitation  
(d) All work will be carried out in a safe and disciplined manner designed to minimize impacts on neighboring residents and environment.  
(e) Workers’ PPE will comply with international good practice (always hardhats, as needed masks and safety glasses, harnesses and safety boots)  
(f) Appropriate signposting of the sites will inform workers of key rules and regulations to follow.  
(g) Employers engagement  
(h) Correct procedures for design and security  
(i) Regular elimination of wastes |
| A. General Rehabilitation and/or | Air Quality                      | (a) During interior demolition (pneumatic drilling/wall destruction) process dust shall be suppressed by ongoing water spraying and or installing dust screen enclosures at site.  
(b) Keep demolition debris in controlled area and spray with water mist to reduce debris dust. |

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5 Land acquisitions includes displacement of people, change of livelihood encroachment on private property this is to land that is purchased/transferred and affects people who are living and/or squatters and/or operate a business (kiosks) on land that is being acquired.

6 Toxic / hazardous material includes but is not limited to asbestos, toxic paints, noxious solvents, removal of lead paint, etc.
### Construction Activities

- **Construction Activities**
  - (c) The surrounding environment shall be kept free of garbage and solid waste (clay) to minimize dust.
  - (d) There will be no open burning of construction / waste material at the site.
  - (e) There will be no excessive idling of construction vehicles at sites.

### Acoustic Environment

- **Acoustic Environment**
  - (a) Construction noise will be limited to restricted times agreed to in the permit.
  - (b) Use of adequate methods and equipment for construction in inhabitant area.
  - (c) During operations the engine covers of generators, air compressors and other powered mechanical equipment should be closed, and equipment placed as far away from residential areas as possible.

### Water Quality

- **Water Quality**
  - (a) The site will establish appropriate erosion and sediment control measures such as e.g. hay bales and / or silt fences to prevent sediment from moving off site and causing excessive turbidity in nearby water runoffs.

### Waste Management

- **Waste Management**
  - (a) Waste collection and disposal pathways and sites will be identified for all major waste types expected construction activities.
  - (b) Solid waste will be collected and disposed properly in accordance with Environmental Legislation of RA.
  - (c) The records of waste disposal will be maintained as proof for proper management as designed.
  - (d) Whenever feasible the contractor will reuse and recycle appropriate and viable materials (except asbestos).

### B. Wastewater Treatment System

- **Water Quality**
  - (a) The approach to handling sanitary wastes and wastewater from building sites (installation or reconstruction) must be approved by the local authorities.
  - (b) Before being discharged into receiving waters, effluents from individual wastewater systems must be treated in order to meet the minimal quality criteria set out by national guidelines on effluent quality and wastewater treatment.
  - (c) Site vehicles and machinery will be washed only in designated areas where runoff will not pollute natural surface water bodies.

### C. Historic Building(s)

- **Cultural Heritage**
  - (a) If the building is a designated historic structure, very close to such a structure, or located in a designated historic district, notification shall be made and approvals/permits be obtained from local authorities and all construction activities planned and carried out in line with local and national legislation.
  - (b) It shall be ensured that provisions are put in place so that artifacts or other possible “chance finds” encountered in excavation or construction are noted and registered, responsible officials contacted, and works activities delayed or modified to account for such finds.

### D. Acquisition of Land

- **Land Acquisition Plan/Framework**
  - (a) If expropriation of land was not expected but is required, or if loss of access to income of legal or illegal users of land was not expected but may occur, that the Bank’s Task Team Leader shall be immediately consulted.
  - (b) The approved Land Acquisition Plan/Framework (if required will be implemented.

### ACTIVITY | PARAMETER | MITIGATION MEASURES CHECKLIST
---|---|---
**E. Toxic Materials** | Asbestos management | (a) If asbestos is located on the project site, it shall be marked clearly as hazardous material.
(b) When possible the asbestos will be appropriately contained and sealed to minimize exposure.
(c) The asbestos prior to removal (if removal is necessary) will be treated with a wetting agent to minimize asbestos dust.
(d) Asbestos will be handled and disposed by skilled & experienced professionals.
(e) If asbestos material is be stored temporarily, the wastes should be securely enclosed inside closed containments and marked appropriately. Security measures will be taken against unauthorized removal from the site.
(f) The removed asbestos will not be reused.
---| Toxic / hazardous waste management | (a) Temporarily storage on site of all hazardous or toxic substances will be in safe containers labeled with details of composition, properties and handling information.
(b) The containers of hazardous substances shall be placed in an leak-proof container to prevent spillage and leaching.
(c) The wastes shall be transported by specially licensed carriers and disposed in a licensed facility.
**F. Affected forests, wetlands and/or protected areas**

| Protection | (a) All recognized natural habitats, and protected areas in the immediate vicinity of the activity will not be damaged or exploited, all staff will be strictly prohibited from hunting, foraging, logging or other damaging activities.  
(b) Adjacent wetlands and streams shall be protected from construction site run-off with appropriate erosion and sediment control feature to include by not limited to hay bales and silt fences  
(c) There will be no unlicensed borrow pits, quarries or waste dumps in adjacent areas, especially not in protected areas. |

**G. Disposal of medical waste**

| Infrastructure for medical waste management | (a) In compliance with national regulations the contractor will insure that newly constructed and/or rehabilitated health care facilities include sufficient infrastructure for medical waste handling and disposal; this includes and not limited to:  
▪ Special facilities for segregated healthcare waste (including soiled instruments “sharps”, and human tissue or fluids) from other waste disposal; and  
▪ Appropriate storage facilities for medical waste are in place; and  
▪ If the activity includes facility-based treatment, appropriate disposal options are in place and operational |

**H. Traffic and Pedestrian Safety**

| Direct or indirect hazards to public traffic and pedestrians by construction activities | (b) In compliance with national regulations the contractor will insure that the construction site is properly secured and construction related traffic regulated. This includes but is not limited to  
▪ Signposting, warning signs, barriers and traffic diversions: site will be clearly visible and the public warned of all potential hazards  
▪ Traffic management system and staff training, especially for site access and near-site heavy traffic. Provision of safe passages and crossings for pedestrians where construction traffic interferes.  
▪ Adjustment of working hours to local traffic patterns, e.g. avoiding major transport activities during rush hours or times of livestock movement  
▪ Active traffic management by trained and visible staff at the site, if required for safe and convenient passage for the public.  
▪ Ensuring safe and continuous access to office facilities, shops and residences during renovation activities, if the buildings stay open for the public. |

**I. Site Investigation Works Execution**

| Protection of natural environment and biodiversity | (a) Minimizing staff presence and vehicle traffic,  
(b) Sticking to existing roads and tracks as much as possible,  
(c) Taking out all waste after completion of the assignment  
(d) Executing safety routing for staff and by-passers, securing work areas and restricting access during hazardous activities (e.g. during use of explosives for seismic investigations) |

### D) ENVIRONMENTAL MONITORING PLAN

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<th>How</th>
<th>When</th>
<th>Why</th>
<th>Cost</th>
<th>Who</th>
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<tr>
<td>During activity preparation</td>
<td>site access management availability of waste disposal facilities</td>
<td>job site</td>
<td>check if design and project planning foresee diligent procedures</td>
<td>At start of contract</td>
<td>safety of general public, timely detection of waste disposal bottlenecks</td>
<td>marginal, within budget</td>
<td>Contractor, PMU</td>
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Interested parties will have the opportunity to address the issues related to this document personally to each KCA and KPCVA offices, via the official email of the Agency, through HQ telephone numbers and regional offices, faxes, and through official documents which may also be sent by mail.

Implementation of the Checklist EMPs and Site Specific ESMPs

The due diligence documentation will be prepared by the PIU or the final applicant, or a third party hired to complete such due diligence. It will be approved and endorsed by the Kosovo authorities and reviewed and approved by the World Bank team, followed by disclosure and public consultations. The final versions will be integrated into the bidding documents for works and for supervision contracts. The selected contractors will be responsible for implementing the provisions set forth in the Checklist EMP or ESMP while the supervisor will provide sections on ESMP compliance in their regular reports. The final responsibility in implementing the ESMPs and Checklist EMPs lies with the Project Implementation Unit.
9. **Consultation**

The KCA office will prioritize consultations with different groups of direct and indirect stakeholders in proposed project areas. Raising public awareness of proposed activities will form part of the wider consultation process. When needed, separate meetings will be held with women and men at municipality level. Every effort will be made to seek the views of vulnerable groups, including women, especially female-headed households, and the landless about proposed subprojects and their likely impacts.

As a first step, stakeholders need to be identified. These will fall into two categories: (i) *Direct stakeholders*, who will be directly affected by the Project (i.e. different groups within communities, especially vulnerable groups including women and landless) and (ii) *Indirect stakeholders*, who have an interest in the Project, or who could influence its outcome (e.g. national and local government agencies, donors and NGOs).

Following stakeholder identification, participatory methods, such as focus group discussions and semi-structured interviews may be used to conduct meetings with representatives from each group both to inform the development of the ESMF and to consult stakeholders through the lifetime of the Project. A written record of main points discussed in all meetings must be made and filed for easy retrieval at the select MCOs, where such meetings/consultations may take place, as well as the central KCA agency in Pristina.

KCA will continue to engage with already functioning Stakeholder Working Group throughout the implementation of the ESMF. Said group primarily consists of international organizations involved in the land sector in Kosovo.

10. **Approval and Disclosure**

Draft Environmental and Social Management Framework disclosure occurred on October 26, 2018 by its posting for consultations.

Consultation meeting on draft ESMF took place on November 2, 2018 at premises of KCA in Pristina with participation of representatives of project partners, project beneficiaries, national environmental authorities, NGO’s and the implementing entities.

After the meeting, on the basis of input from participants as well as received comments on draft ESMF posted two weeks earlier for consultation, there were made relevant corrections both in the main text and annexes of the ESMF to better meet stakeholders’ concern. The Report on Consultation on the Draft ESMF with interested parties is presented in Annex 1 and 2.

Final version of the Environmental and Social Management Framework approved by World Bank is to be posted on World Bank’s InfoShop for its disclosure as well as on websites of KCA respectively.

11. **Risk Mitigation Measures**
The main mitigation measures for the identified risks will be ensuring that project beneficiaries and project affected people are actively involved. In this regard, there are two main tools through which this can be achieved: (i) raising public awareness and carrying out mandatory public displays of project information; and (ii) establishment of a viable grievance redress mechanism. The mitigation measures mentioned above will be financed through REGIP proceeds. The strategy, frequency, and detailed responsibilities of implementing the mitigation measures will be elaborated in the Project’s Operational Manual.

As mentioned above, although the project will not support the actual process of receiving, verifying, and comparing the pre-1999 documents, it recognizes that potential risks associated with KPCVA’s role in the land market in Kosovo, which may include insecurity of tenure and land market disruptions.

12. Monitoring and Evaluation Framework

M&E

The objectives for environmental and social monitoring will be:

1. To alert project authorities and to provide timely information about the success or otherwise of the REGIP process outlined in this ESMF in such a manner that changes to the system can be made if required.

2. To make a final evaluation in order to determine whether the mitigation measures designed into the project activities have been successful in such a way that the pre-project environmental and social condition has been restored, improved upon or worsened. Environmental and social monitoring may be carried out two different levels i.e. central level (KCA), Local level (MCO).

Roles and Responsibilities

Successful implementation and monitoring of the environmental and social management framework rely on collaboration of different stakeholders at the central and local level. This is necessary because the implementation of the activities require inputs, expertise and resources from all the concerned parties working together. The following sections outline some of the selected activities to be done by each stakeholder in the environmental activities.

(a) Local level:

At community level, members of the project will be responsible for monitoring most of the social and environmental mitigation measures with support from the Project Implementation Unit. The members of KCA/PCO will provide the support depending on the mitigation measure and the sectors in which the community is working. For example, communities engaged at the Cadaster Reconstruction Commission (CR) implementing the CR will receive support from the PCO, KCA in perspective of EMSF.

(b) National level:

KCA/PCO will be responsible for monitoring the synchronizations of recommended environmental and social mitigation measures within the sites for REGIP component implementation. The KCA/PCO will also undertake time to time follow-ups with its experts to monitor implementation of the environmental policies. The KCA/PCO will also facilitate monitoring visits by the Ministry of environment and spatial planning and other relevant interested stakeholders. A number of
indicators would be used in order to determine the status of affected people and their environment (land being used compared to before, level of participation in project activities compared to before, etc.).

Therefore, the projects process will set three major socio-economic goals by which to evaluate its success: - Affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it; - Has the pre-project environmental state of natural resources, bio-diversity and flora and fauna, been maintained or improved upon, and - The local communities remain supportive of the project.

13. Description of Project-specific Grievance Redress Mechanism

**Project-level Grievance Redress Mechanism (GRM).** Transparency and accountability will be core elements of the Project. Building on their existing practices, a comprehensive project-level GRM will be set up both by KCA to monitor feedback received from beneficiaries and provide a formal avenue to appeal against ownership changes citizens do not agree with. GRM will also be supported through REGIP components, especially through public awareness raising activities. The GRM will be supported by an information campaign, and possible training for KCA staff will be conducted. KCA will have designated focal points who will be responsible for monitoring and responding to all feedback, and the information gathered will also be used to improve services provided and to mitigate against negative social impacts on individuals. It provides a mechanism that allows for the identification and resolution of issues affecting the project, including safeguards-related complaints pertaining to this ESMF and the World Bank's safeguards policies as a whole. By increasing transparency and accountability, the GRM aims to reduce the risk of the project inadvertently affecting citizens/beneficiaries and serves as an important feedback and learning mechanism that can help improve project impact. The GRM established under the Project will be accessible to all, including ethnic, religious, gender, and other special groups. The GRM will focus not only receiving and recording complaints but also on how complaints are resolved. While feedback should be handled at the level closest to the complaint, all complaints should be registered by KPZVA’s and/or KCA’s pertinent department or its local offices (i.e. MCOs) in various municipalities, and follow the basic procedures to be set in the Project’s Operational Manual. The Project will establish the following channels through which citizens/beneficiaries/project affected people can make complaints regarding project funded activities:

a) A dedicated email address  
b) A dedicated phone line  
c) On the project website  
d) Feedback boxes located at each local cadaster office  
e) Letters sent to a dedicated address  
f) Verbal or written complaints to project staff (directly or through project meetings). (If project stakeholders provide verbal feedback/complaint, project staff will lodge the complaint on their behalf, and it will be processed through the same channels)  
g) Periodic project meetings set up at the municipality level, each of which include women.

The Project shall ensure flexibility in the channels available, make sure that different contact points are available for a person to make a verbal complaint.
Once compiled, a focal point at KCA will be responsible for sorting the feedback. Below are examples of categories that could be used to sort the complaints:

<table>
<thead>
<tr>
<th>No.</th>
<th>Classification</th>
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<tbody>
<tr>
<td>Category 1</td>
<td>Social Safeguards, including land ownership disputes, loss of livelihood disputes, delays in compensation (if any)</td>
</tr>
<tr>
<td>Category 2</td>
<td>Environmental Safeguards</td>
</tr>
<tr>
<td>Category 3</td>
<td>Grievances regarding violations of policies, guidelines and procedures</td>
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<td>Category 4</td>
<td>Grievances regarding contract violations</td>
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<tr>
<td>Category 5</td>
<td>Grievances regarding the misuse of funds/lack of transparency, or other financial management concerns</td>
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<td>Category 6</td>
<td>Grievances regarding abuse of power/intervention by project or government officials</td>
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<tr>
<td>Category 7</td>
<td>Grievances regarding implementing unit’s staff performance</td>
</tr>
<tr>
<td>Category 8</td>
<td>Reports of force majeure</td>
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<tr>
<td>Category 9</td>
<td>Suggestions</td>
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<tr>
<td>Category 10</td>
<td>Appreciation</td>
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</table>

If the complainant is known, pertinent implementing agency must communicate the proposed action to her/him via letter, email, or by phone as received. The complainants will also be informed on how she/he can appeal the action decided in the initial case.

Quarterly and annual progress reports (QPR and APR) shall include a GRM section which provide updated information on the following:

- Status of establishment of the GRM (procedures, staffing, training, awareness building, budgeting etc.)
- Quantitative data on the number of complaints received, the number that were relevant, and the number resolved
- Qualitative data on the type of complaints and answers provided, issues that are unresolved
- Time taken to resolve complaints
- Number of grievances resolved at the lowest level, raised to higher levels
- Satisfaction with the action taken
- Any particular issues faced with the procedures/staffing or use
- Factors that may be affecting the use of the GRM/beneficiary feedback system
- Any corrective measures adopted.

The above reporting requirements for QPRs and APRs will also be reported in Bank supervision mission Aide-Memoires that are made public in most cases.

13.1 Transparency and public information

One of the basic principles and goals of KCA is transparency and public awareness related to its mandate, work and responsibilities. KCA has a very sophisticated and clear method of informing parties regarding the procedures related to the claims filed with the KCA, as well as the information of other parties that might have an interest or any other request for information or service.

KCA has its information officers, which in principle has the responsibility to inform all parties and the public, based on their requests, as may be the case with the media, national and international
institutions, or any other party when requesting any specific information regarding the KCA mandate, including physical or legal persons.

Furthermore, the KCA has its own website where continuously publishes activities related to its work, also there is a possibility to contact KA through the email address which enables parties to be in constant communication to request different information. In addition, there are possibilities to contact the KCA through its phone lines at both the Central Office and there is phones of MCO’s as well.

In this regard, the Executive Office, which coordinates correspondence and requests of any kind in regard to property rights, cadaster, addresses geoinformation etc. plays an important role, which address the received requests to the respective units in order to prepare answers, replies or information regarding the received request. Subsequently the respective unit is obliged to return the information in the optimal time and within deadline.

In cases where the KCA intends to announce any important information for parties to be part of any legal procedure, the KCA publishes such information to notify parties through the publication letters at the visible spots at KCA and MCO.

KCA had always in consideration the Law on Access to Public Documents and in this regard has requests.

14. Conclusions

The ESMF is a necessary tool required to ensure that the Project even though it will be recognized overall as an environmentally positive project, some of its components may be implemented in a manner which would enhance ecological conditions in Municipalities and strengthen stakeholder institutions to perform better. The stakeholder institutions will include government of central and local authorities and community structures. The potential adverse impacts have been highlighted and possible mitigation measures suggested to guide the project actors. Institutions will need to be strengthened to be able to effectively participate in the project and their training needs as well as required logistics should be made available for the project to be successful.

15. Annexes
Annex 1 - List of participants in public consultations

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Annex 2 - Minutes of meeting from public consultations
The Ministry of Environment and Spatial Planning, respectively Kosovo Cadastral Agency is expected to begin the implementation of the project on property registration in the cadastre and spatial information infrastructure (REGIP).

This project is expected to be signed between the Ministry of Finance and the World Bank in the near future, depending on the negotiations, while one of the World Bank terms for each project funded by them is the drafting of a document titled "Environmental Management Framework and Social" aiming to ensure that the project will not have a negative impact on both the environment and the society.

To present the draft of the document in question with stakeholders that either indirectly or directly at one stage could be related to the project, as well as to discuss the impact of the project on the environment and society, on date 2 November 2018, Friday, beginning from 09:30 until 11:30 in the premises of the Kosovo Cadastral Agency, a round table discussion was held, organized by the Kosovo Cadastral Agency on the topic "Environmental Management Framework and Social - REGIP ".

The invitation for the meeting was sent to over 30 public institutions and nongovernmental organizations, with emphasis on those involved in property, environmental and social issues, including gender and community issues, and around 35 people attended the meeting from various institutions including representatives from the Ministry of Environment and Spatial Planning, the Ministry of Public Administration - the Association of Information Society, KPCVA, USAID, GIZ, Agency for Gender Equality, Kosovo Women's Network, The World Bank Office in Kosovo, the Chamber of Notaries, the Municipality of North Mitrovica, licensed surveyors, Kosovo Cadastral Agency, etc.
The meeting was opened by the Acting CEO of Kosovo Cadastral Agency Mr. Avni Ahmeti, who presented general activities of the Kosovo Cadastral Agency in general as well as activities related to REGIP project in particular. Subsequently, through interactive presentations and discussions, the meeting focused on the document in question, including its components and potential risks.

✓ Then a presentation was held by Mr. Denis Pitarka on the following points:

✓ Information on the World Bank’s environmental and social policies.

✓ Presentation of the Environmental Safeguard Management System (ESMF)

✓ Presentation of KCA activities and treatment of REGIP activities in perspective of ESMF

✓ Transparency and inclusiveness

✓ Conclusion

After a one-hour presentation and after a few minutes breaks, all attendees returned to the hall and the discussion began.

- Discussion section:

- **Mrs. Adriana Hogjić**, representative from the Municipality of North Mitrovica - Initially thanked the KCA for tackling the environmental and social aspect of their activities and at the same time expressed that they are ready to cooperate and contribute in the projects in the future.

- **Mrs. Sonila Jazo**, representative of Norwegian Mapping Authority Kartverket - Initially thanked KCA for their dedication in protection of environment and society. She also noted that it is a good act that KCA has the right to manage with the project presented and supported by the World Bank as a donor.

  - **Comment**: According to Sonila Jazo, regarding the risk of returning of pre-1999 cadastral documents, shall not be treated as a social safeguards nor as a project risk, since these documents will only support the possible gaps in the active cadastral and property records.

  - **Comment**: In the realization of this project there shall be wider involvement from all stakeholders that can contribute to the successful realization of this project.

  - **Comment**: the role of the Municipalities that will be involved in the realization of this project shall be crucial.
Mrs. Pranvera Alshiqi, representative from GiZ, asked about the criteria for selection of Cadastral Zones that are part of the Cadastre Reconstruction (CR).

- The answer to this question was given by Acting CEO of KCA, Mr. Avni Ahmeti who said that the selection of the CR Zones is done in cooperation with the Municipal Cadastral Offices based on the criteria of the volume of activities in the specific zone, respectively changes in poropety, amount of transaction, changes in the factual situation in the registers from the situation in the field.

- Mrs. Nertila Qarri Gerguri from Women’s Network, initially thanked KCA for the cooperation shown regarding the provision of information on cadastral data, namely statistics on the registration of common property ownership rights on behalf of both spouses and the registration of property rights in the name of the female gender. She gave a support to a document by appreciating the efforts to promote the women’s rights of property.

- Mr. Xhevat Azemi, USAID Property Rights Program of USAID in Kosovo has supported the drafting of the ESMF. He just said that maybe in the future, in the process of activities the legislation section may be changed since there are some new laws which waits for the approval in near future and this may have an effect on the property rights sector.

After this the consultation ended, and attendee agreed to meet in regular bases to strengthen the property sector in Kosovo, including social and environmental aspects as well.