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MAIN ROAD RECONSTRUCTION PROJECT, REHABILITATION AND UPGRADE OF THE DANILOVGRAD-PODGORICA ROAD SECTION STAKEHOLDER ENGAGEMENT PLAN



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LIST OF ACRONYMS

AESR	Annual Environment and Safety Report
CM	Cadastre Municipality
DSP	Detailed Spatial Plan
EBRD	European Bank for Reconstruction and Development
EIA	Environmental Impact Assessment
ESAP	Environmental and Social Action Plan
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
LARP	Land Acquisition and Resettlement Plan
MSDT	Ministry of Sustainable Development and Tourism
TA	Transport Administration of Montenegro
MTMA	Ministry of Transport and Maritime Affairs
NEPA	Nature and Environmental Protection Agency
NGO	Non-Governmental Organization
NTS	Non-Technical Summary
PCM	Public Consultation Meeting
PR	Performance Requirement
REAM	Real Estate Administration of Montenegro
TOR	Terms of Reference
SEIA	Strategic Environmental Impact Assessment
SEP	Stakeholder Engagement Plan
SUP	Spatial Urban Plan



1 INTRODUCTION

1.1 BACKGROUND

The European Bank of Reconstruction and Development (EBRD) is considering providing a loan to the Transport Administration of Montenegro (TA) for the rehabilitation, upgrade and works supervision of the approx. 51km 'Montenegro Main Roads Reconstruction Project', which is divided into three main sections:

- Section 1: Rehabilitation of the Rozaje-Spiljani road section (approx. 20km);
- Section 2: Rehabilitation and upgrade of the Tivat-Jaz road section (approx. 16km); and
- Section 3: Rehabilitation and upgrade of the Danilovgrad-Podgorica road section (approx. 15km).

This Stakeholder Engagement Plan (SEP) is for Section 3 of the road, the M-18 from Danilovgrad-Podgorica ('the Project'). This road rehabilitation and upgrade is being undertaken by TA, in accordance with national spatial planning laws and regulations, and the EBRD Performance Requirements (see Section 3).

This SEP describes the engagement activities being undertaken for the Project, during planning, construction and operation. It has been prepared alongside the Environmental and Social Impact Assessment (ESIA) for the Project.

Stakeholder engagement refers to a process of sharing information and knowledge, seeking to understand the concerns of others, and building relationships based on trust and collaboration. It is essential for the successful implementation of the ESIA and the Project itself.

This SEP builds on the SEPs developed previously by TA and the process described for this current project is expected to be replicated for future projects, such as Tivat Jaz. Stakeholder engagement processes to date have satisfied local requirements but will need some improvements to meet PR10 requirements. The Grievance mechanisms and monitoring are broadly aligned across previous SEPs established by the TA. The social manager will be responsible for ensuring this consistency and alignment in approach.

1.2 SEP OBJECTIVES

This SEP has been developed to provide a robust framework for stakeholder engagement throughout the life of the Project that is effective, meaningful, consistent, comprehensive, coordinated and culturally appropriate. It has been developed based on Montenegrin legislative requirements and the EBRD's Performance Requirements (PRs), specifically PR10: Information Disclosure and Stakeholder Engagement (see Section 3).

Stakeholder engagement is an ongoing process and this SEP will continue to be updated and adjusted as the Project progresses. Through the implementation of a well-planned stakeholder engagement process, the Project aims to:

- generate a good understanding of the Project amongst stakeholders;
- ensure timely information disclosure and engagement opportunities on an ongoing basis, including for those who may be more sensitive to Project impacts;
- engage with stakeholders regarding Project environmental and social risks and impacts; and the proposed measures to mitigate and manage them;
- manage expectations about the Project;
- discuss the grievance process for the Project, identifying the most appropriate mechanisms and providing feedback on issues raised;
- monitor stakeholder engagement activities, responding to feedback and comments; and
- create positive relationships with Project stakeholders.



1.3 SEP SCOPE

This SEP is organised as follows:

- Section 1: Introduction;
- Section 2: Project description;
- Section 3: Legal and policy framework for stakeholder engagement;
- Section 4: Stakeholder identification and analysis;
- Section 5: Summary of previous stakeholder engagement activities;
- Section 6: Grievance mechanism; and
- Section 7: Monitoring and reporting.
- Section 8: Contact Details
- Section 9: Appendices

Appendices:

Appendix 1: Grievance Form

Appendix 2: Grievance Registry

Appendix 3: TA grievance mechanism

Appendix 4: Public announcement/invitation to PCM1 – Daily newspaper "Pobjeda"

Appendix 5: Public announcement/Public discussion for Project 3 EIA

Appendix 6: National Regulatory Framework Addressing Stakeholder Engagement Process

Appendix 7: Feedback Form

Appendix 8: Socioeconomic Survey Questionnaire for Business and Affected Households (conducted along the M-18 in March and May 2019)

Appendix 9: Summary of Previous Stakeholder Engagement Activities (2008-2018)



2 PROJECT DESCRIPTION

The purpose of the Project is to rehabilitate and upgrade the M-18 Danilovgrad-Podgorica road in southern Montenegro. This section of road is approx. 15km in length and runs in a south-northwest direction. The road passes through two municipalities, Danilovgrad and Podgorica, and connects 11 main settlements.¹ The location of the Project is shown in Figure 1.

A full description of the Project is provided in the Supplemental Environmental and Social Impact Assessment for the Project, but in summary, the works to be undertaken are as follows:

- Widening of the existing 7m wide road to allow two-lanes of traffic in each direction. The expanded road will be 21m wide, plus a 2m safety zone on each side (25m in total);
- Reconstruction of 4 bridges, totalling 215m in length, and one new underpass, totalling 18m in length;
- Establishment of new pavements/sidewalks along the edge of the road in Danilovgrad (1.5m wide)² and Podgorica (2m wide)³.
- Construction of 7 new roundabouts;
- 3 new road junctions;
- Construction of 23 new bus stops;
- New lighting along the length of the road;
- New pedestrian crossings established at road junctions and near roundabouts; and
- Storm water drainage construction for the treatment of road runoff.

The upgraded road has been designed to improve traffic flow and road safety, reduce travel times, decrease flood risks and improve the protection of local water courses, namely the adjacent Sitnica and Susica rivers.

The Project has been evaluated as a 'Category A' investment according to the EBRD's Environmental and Social Policy⁴ as it could result in potentially significant environmental and/or social impacts, including direct and cumulative impacts, which are new and additional, and require a formalised environmental and social impact assessment (ESIA) to ensure that they are appropriately identified and assessed. This SEP supports the ESIA developed for the Project, summarising the engagement that has been undertaken with Project stakeholders to date, and the future activities that are to be implemented.

¹ There are additional smaller hamlets present, but these are considered to be part of the 11 main settlements, namely: Grlic, Glavica, Bandici, Donji Zagarac, Novo Selo, Jastrebo, Curilac (in Danilovgrad) and Beri, Gornja Gorica, and Tolosi (in Pogorica).

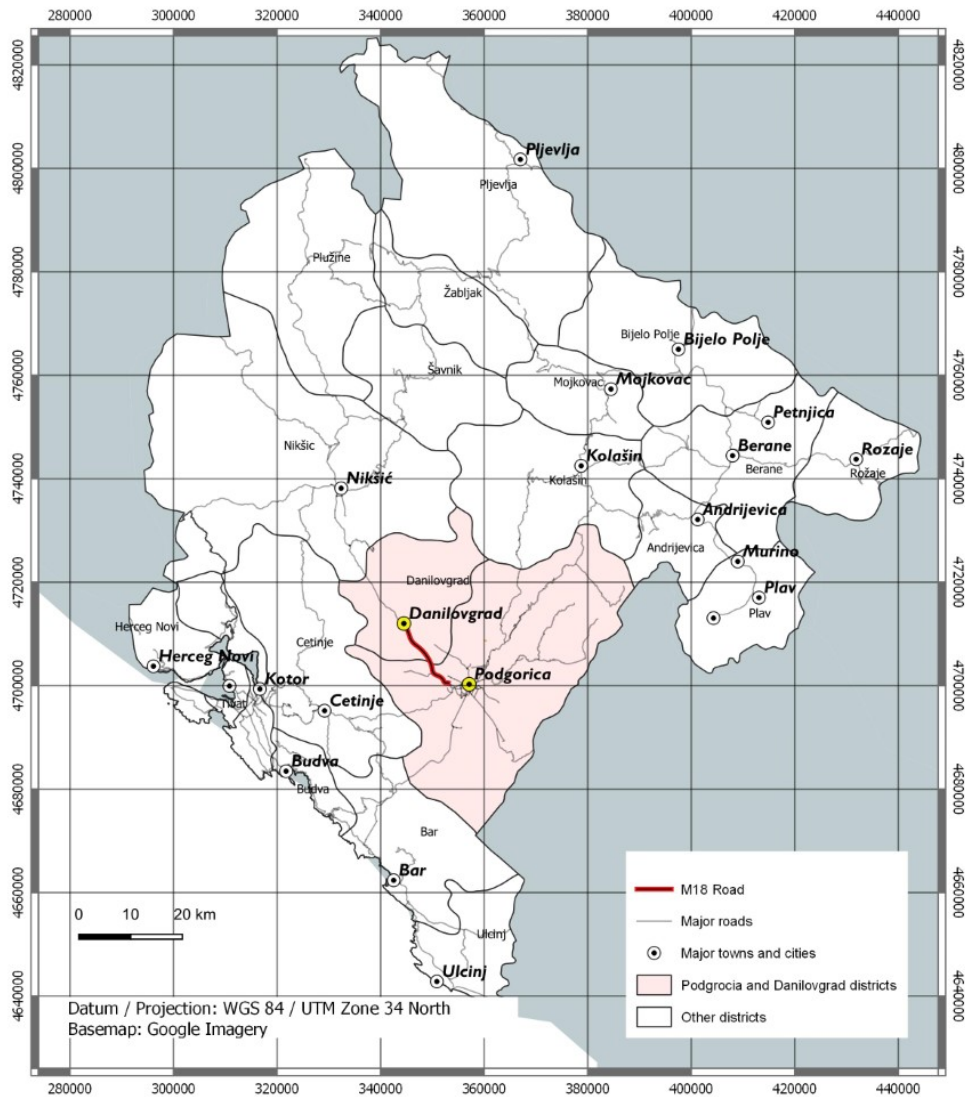
² Between km 114.592 to km 115+372

³ Between km 129+072.230 to km 129+632.450

⁴ European Bank for Reconstruction and Development (2019) *Environmental and Social Policy (ESP)*.



Figure 1 – Project Location



Earth Active (2019)



3 LEGAL AND POLICY FRAMEWORK FOR STAKEHOLDER ENGAGEMENT

The Project is being implemented in line with Montenegrin legislative requirements and Good International Industry Practice (GIIP), specifically the EBRD's Performance Requirements.⁵

3.1 NATIONAL REGULATORY REQUIREMENTS

Under national legislation, stakeholder engagement is required for the following activities: spatial planning, land expropriation and environmental impact assessments. Additionally, Montenegro has ratified a number of international treaties and conventions; and is in the process of transposing EU law into the national legal and policy framework. The *Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters* (1998) has been integrated into the national legal system since 2009. Public consultation is regulated in Montenegro under the following regulations:

- Constitution of Montenegro⁶
- Law on Environment⁷
- Law on Spatial Planning and Construction⁸
- Law on the Strategic Environmental Impact Assessment (SEIA)⁹
- Law on Free Access to Information¹⁰
- Law on Expropriation¹¹
- Law on the Environmental Impact Assessment (EIA)¹²

The **Law on Environment** states that everyone has the right to be informed about the state of the environment and to participate in the decision-making processes which could have an impact on the environment. Furthermore, Article 11 addresses the process of stakeholder engagement and disclosure, regarding environmental protection issues.

Article 11:

"Public institutions and administration bodies as well as local authorities responsible for environmental protection are obliged to inform the public about decision-making procedures in environmental matters in a timely manner, namely:

- 1. strategic assessment of the impact of plans and programs on the environment;*
- 2. assessment of the environmental impact;*
- 3. the procedure for issuing a permit for integrated pollution prevention and control through the approval of the operation of new or existing plants; and*
- 4. strategies, plans, programs and other documents in the field of environmental protection".¹³*

According to Article 13 of the **Law on EIA**, the competent authority (NEPA [for national projects] or the municipality's unit) must inform all stakeholders (interested authorities and interested public - including NGOs) about the request to decide on the need for an EIA, within 3 days after the request is submitted by the Project Developer. This notice is published in

⁵ As detailed in the European Bank for Reconstruction and Development (2019) *Environmental and Social Policy (ESP)*.

⁶ Official Gazette of Montenegro No. 001/07, 038/13.

⁷ Gazette of Montenegro No. 52/16.

⁸ Official Gazette of Montenegro No. 064/17, 044/18, 063/18.

⁹ Official Gazette of Montenegro No. 80/05, 40/11, 59/11, 52/16.

¹⁰ Official Gazette of Montenegro No. 044/12, 030/17.

¹¹ Official Gazette of Montenegro No. 55/00, 28/06, 21/08, 30/17.

¹² Official Gazette of Montenegro No. 80/05, 40/10, 73/10, 40/11, 27/13, 52/16.

¹³ Law on Environment (Article 72): Official Gazette of Montenegro No. 52/16.



newspapers and via electronic media for the interested public. Interested authorities and organisations are informed of the notice via mail, e-mail or fax. The notice is also published on the website of the NEPA or municipality unit.

All the aforementioned stakeholders may submit their opinions or comments to the competent authority within 5 days after receiving the notice/ the notice being published in the media.

The competent authority is obliged to consider all opinions and comments when deciding on the need for the EIA. The competent authority must inform all stakeholders about the decision within 3 days, via the same communication channels as above (electronic media, website such as the e-government portal, mail, e-mail or fax), as per Article 14 of the Law on EIA.

All stakeholders may submit an appeal on the decision, to the Ministry of Sustainable Development and Tourism, or to the Main Administrator of the Municipality. In the case of an appeal being accepted, the decision can be changed, or the competent authority must consider the decision again. In the case of an appeal being rejected, the stakeholder may submit an appeal to the Administrative Court. The same appeal procedure applies to the scoping phase of a project and for the approval phase of the EIA study.

The EIA Study has to be published on the website of the competent authority and on the e-Government portal on the day that the public hearing/consultation begins. The EIA study must be published at least 10 working days before the day of the public debate, as per Article 20 of the Law on EIA.

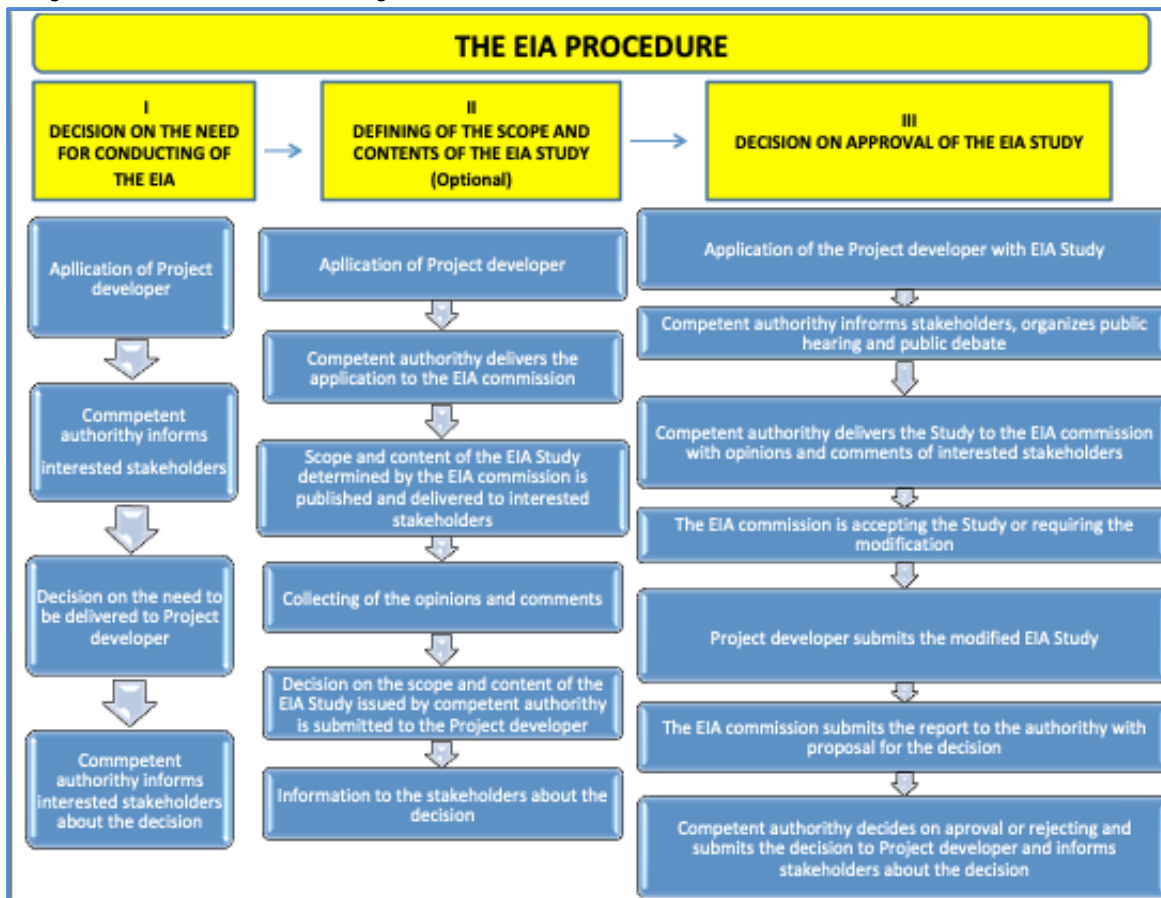
Explanation: 'Public hearing/ consultation' covers all the following activities: publishing of the notice in the media; sending of the notice by mail, e-mail or fax. Public debate must be organised on a specific day within the period of public hearing/consultation.

The public hearing/consultation shall be organised and conducted by the competent authority and shall last at least 30 days from the date of notification within the public/media as per Article 20 of the Law on EIA. The meetings are to be announced in electronic media and printed media (newspapers) which must be published in the area(s) that will be affected by the planned project.

The EIA Procedure is shown schematically in Figure 2 and complies with the EU EIA Directive (2011/92/EU).



Figure 2: EIA Procedure in Montenegro



Source: Official Gazette of Montenegro No. 75/18

The **Law on Expropriation** describes the process of expropriation. Public interest is established either through a separate law or by a decision made by the government. The proposal for determining public interest, which must include information on: properties that are to be affected; the purpose of expropriation; and other information relevant to the determination of public interest, is submitted by the Project to the Government of Montenegro, through the responsible Administrative Authority (the Real Estate Directorate).

After the adoption of the Act on the Determination of Public Interest, the proposal for expropriation is submitted to the responsible Administrative Authority - a unit in the municipality on whose territory the Project requiring expropriation is located.

The proposal for the expropriation of immovable property must contain:

- The name and address of the applicant for expropriation (user of expropriation);
- The immovable property for which expropriation is proposed and the place where such immovable property is located;
- The name of the owner of the immovable property for whom expropriation is proposed and his / her permanent residence or headquarters;
- The purpose for which expropriation is proposed;
- A statement from a cadastre of immovable property and other public records which contain information on property rights and other property data; and
- Proof that, in accordance with the law, the public interest in expropriation was established.

In the expropriation process the responsible Administrative Authority needs to hear from the owner of the immovable property, the facts related to the expropriation, prior to the expropriation decision.



Affected people are also in communication with the Real Estate Directorate's Commission for Value Assessment, when their land and assets are being appraised and when an offer for compensation is being made to them.

Other national laws and regulations of relevance to this Project are presented in Appendix 6.

3.2 INTERNATIONAL STANDARDS AND COMMITMENTS

The Project has committed to align with Good International Industry Practice (GIIP) and the EBRD's Environmental and Social Performance Requirements. The specific standard of reference for this SEP is Performance Requirement (PR) 10: Information Disclosure and Stakeholder Engagement. EBRD considers stakeholder engagement as being central to the successful management of risks and impacts on communities affected by project, as well as central to achieving enhanced community benefits.

3.2.1 EBRD PR10

EBRD PR10 outlines a systematic approach to stakeholder engagement that helps clients build and maintain over time a constructive relationship with their stakeholders. The process of stakeholder engagement is expected to start at the very beginning of project planning and continue through project execution. PR10 contains the following key elements:

Engagement during project preparation

- *Stakeholder identification and analysis:* A requirement to identify the various individuals or groups who are (i) affected or likely to be affected (directly or indirectly) by the project ("affected parties") or (ii) may have an interest in the project ("other interested parties"). Resources for public information and consultation should focus on affected parties, in the first instance.
- *Stakeholder engagement plan:* A SEP is prepared to outline how communication with identified stakeholders will be handled throughout project preparation and implementation, including the grievance procedure.
- *Information disclosure:* Disclosure of relevant project information is required to help stakeholders understand the risks, impacts and opportunities of the project.
- *Meaningful consultation:* In cases where workers and/or affected communities are, or may be subject to, significant risks or adverse impact from a project, a process of meaningful consultation must be undertaken, in a manner that provides the affected parties with opportunities to express their views on project risks, impacts and mitigation measures and allows the client to consider and respond to them.
- *Disclosure and consultation on Category A projects:* Projects that are categorised as 'A' are to disclose the assessment of environmental and social impacts. Disclosure and consultation requirements are built into each stage of the ESIA process. The ESIA disclosure package for this Project will be disclosed for 120 days, in line with EBRD requirements. The location of these documents will be advertised (and accessible) to affected and interested project stakeholders.

Engagement during project implementation and external reporting

Ongoing stakeholder engagement is required, commensurate to the nature of the project and its associated environmental and social impacts and the level of public interest. TA will be required to provide regular reports on its environmental and social performance, to its interested and affected stakeholders. These reports need to be in a format accessible to the affected communities and the frequency proportionate to the concerns of those communities, but not less than annually.



4 STAKEHOLDER IDENTIFICATION AND ANALYSIS

4.1 INTRODUCTION

This section describes the Project stakeholder groups identified to date. Stakeholder engagement is, however, an on-going process and so there will be regular reviews and updates as the Project progresses.

4.2 STAKEHOLDER IDENTIFICATION AND ANALYSIS

Key objectives of stakeholder identification are to:

- i) establish which organisations, groups and individuals may be directly or indirectly affected (positively and/or negatively), or have an interest in the Project; and
- ii) understand their needs and expectations for engagement.

The stakeholders identified to date are detailed in Table 1. It has been important to understand their connections to the Project so that engagement can be tailored to their needs and interests. Contact details of these stakeholders are held by the Project, so that they can be readily communicated with.

Table 1 – List of Identified Stakeholder Groups

Stakeholder	Role and Connection to the Project
National Government Stakeholders	
Transport Administration of Montenegro (TA)	The Montenegrin Transport Directorate used to be part of the Ministry of Transport and Maritime Affairs. In January 2019, they changed their name to the Transport Administration of Montenegro and became an independent institution responsible for the maintenance and reconstruction of the road network. TA is under direct supervision of the Government of Montenegro.
Ministry of Transport and Maritime Affairs (MTMA)	Responsible for transport (road, rail, air) and maritime affairs within Montenegro. MTMA is a leading public institution and responsible for the national road upgrades in Montenegro. TA (Transport Administration of Montenegro) is the department responsible for its implementation.
Ministry of Sustainable Development and Tourism (MSDT)	Responsible for urban planning, construction and environmental aspects of project development. MSDT is the responsible agency for providing construction permits.
Nature and Environmental Protection Agency (NEPA)	NEPA has overall responsibility related to EIA process in accordance to the national legislation and issuance of environmental permits. NEPA review the environmental impact assessment (EIA) reports, organise public consultation meetings and if approved, issue the environmental permits.
Administration for Inspection affairs (AIA)	Administration for Inspection Affairs (AIA) is responsible for monitoring the Project's compliance with national environmental legislation.
Water Directorate	Responsible for issuing permits for water use.
Real Estate Administration of Montenegro (REAM)	Executing agency for the expropriation process, which is implemented in accordance with the TA's Expropriation Plan and in coordination with landowners (individual and businesses) through the consultation process.
Ministry of Justice	Involved in land ownership/compensation disputes as a part of land acquisition process through litigation procedures in the Courts.



Local Government Stakeholders	
Municipality of Podgorica	The Project is located within the territory of Podgorica municipality. The municipality will be responsible for landscaping along the route.
Municipality of Danilovgrad	The Project is located within the territory of Danilovgrad municipality. The municipality will be responsible for landscaping along the route.
Water and Sewer Utility Company, Podgorica	According to Article 35 of the Law on Roads (paragraph 1, 3, 4, 6) these institutions are responsible for relocating the existing water and sewage installations, into the roadbed and road belt, if required.
Water and Sewer Utility Company, Danilovgrad	
Montenegrin electricity distribution system Podgorica and Danilovgrad (CEDIS Podgorica, CEDIS Danilovgrad)	According to the Law on Roads Article 35 (paragraph 1, 3, 4, 6) this institution is responsible for relocating all electrical installations, which are placed in the roadbed and road belt, if required.
Local Community Stakeholders	
Landowners/land users/business owners affected by land acquisition	These stakeholders will be directly affected by land acquisition required for the Project. There will be both physical and economic displacement of landowners and users.
The 11 local communities closest to the road, namely: Grlic, Glavica, Bandici, Donji Zagarac, Novo Selo, Jastreb, Curilac (in Danilovgrad) and Beri, Gornja Gorica, and Tolosi (in Pogorica).	The local communities closest to the road will likely experience nuisance impacts (e.g. air quality and noise) during construction, along with other impacts relating to health, safety and security. Members of the local communities may also gain employment (direct or indirect) through the Project. During operation, local communities are expected to experience improved access and connectivity along the road, with improved public transport (buses) also available.
Local people who regularly use the road as part of their livelihood activities.	Road users may experience restricted access, or congestion during construction. They will also be the beneficiaries of improved access and connectivity during operation. Travel times are expected to be reduced and the driving conditions safer.
Sensitive receptors: Children traveling to school and their accompanying families	
Vulnerable groups including those without legal ownership of the land/properties they inhabit.	Further assessment of sensitive receptors will be undertaken in the supplemental social surveys. Apart from 4HH (approx.) Roma, vulnerable groups have not yet been identified. Stakeholders without legal ownership of their land or property may also be more sensitive to land acquisition impacts. The sensitivity of children using buses to travel to school is also still being assessed.
NGOs, Other Organisations and Individuals	
NGOs including, but not limited to: <ul style="list-style-type: none"> Ozon; Green Home; CZIP Centar Za Zastitu Ptica Crnogorkso Drustvo Ekologa 	Various NGOs will have an interest in issues related to the environment (environmental protection, conservation of natural resources and implementation of the concept of sustainable development).
<ul style="list-style-type: none"> Project Workers 	Project staff, including contract staff during construction and operation will have an interest in the management of the Project, particularly with respect to working conditions, occupational health and safety and security issues.
Business	
Company "Crnogorski Telekom" (telecommunication infrastructure along the road section)	This company is responsible for relocating the existing telecommunication installations.



To ensure that the engagement process is inclusive, it has been important to identify individuals and groups who may find it more difficult to participate and those who may be 'directly and differentially or disproportionately affected by the Project because of their disadvantaged or vulnerable status'. Vulnerability is a pre-existing condition independent of the Project, which is reflected in an individual or groups ability to access socioeconomic or environmental resources, or low status in certain socioeconomic indicators (health, education, income etc.). Vulnerable individuals and groups are often less able to adapt to socioeconomic or bio-physical change and may find it hard to access benefits from Project related changes.

Observations on site to date have not identified groups or individuals who have been classified as vulnerable. However, certain groups have been identified as potentially more sensitive to Project impacts than other, namely:

- Non-registered land users, who have land-based livelihoods, but no formal title;
- Households who do not have formal title to the land that they have built their house upon;
- Businesses that will potentially become unviable following acquisition of some of their land;
- Unemployed people, low-income families and those dependent on state support;
- Public bus users, particularly children who use the bus service to get to school;
- Minority groups (such as the Roma) who may face language barriers and a lack of access to the labour market, particularly women.
- Individuals who may be more susceptible to noise impacts (e.g. elderly, night workers) – this will need to be confirmed during the supplemental social assessment.

It will be important to ensure that groups or individuals who are identified as more sensitive to Project impacts are afforded the opportunity to engage in discussions about the Project and their interactions with it. Differentiated measures may be required so that adverse impacts do not fall disproportionately on them and they are not disadvantaged in sharing development benefits and opportunities.



5 SUMMARY OF PREVIOUS STAKEHOLDER ENGAGEMENT ACTIVITIES

5.1 INTRODUCTION

This section describes the modes of engagement identified for use by the Project. It also summaries the stakeholder engagement undertaken to date and that planned during the construction and operation phases of the Project.

5.2 ENGAGEMENT METHODS AND IMPLEMENTATION

Table 2 presents the engagement methods used thus far and to be used during Project construction and operation; and details of their implementation to date. Box 5.2 then provides a chronological summary of stakeholder engagement activities undertaken for the Project to date. The Project commits to using methods that are culturally appropriate for the specific stakeholders being engaged.

Table 2 Engagement Methods Used

Method	Method Description	Details of Use
Meeting Type		
One-to-one interviews	Face-to-face or telephone interviews with individuals using a semi-structured interview guide. Interviews may be formal or informal. A broad range of topics may be covered.	A socio-economic survey of 88 households and 23 businesses was undertaken (in March and May 2019) along the length of the M-18 road. One-to-one interview were undertaken as part of this survey. Additionally, between 26 th and 28 th June 2019, 13 in-depth interviews with local residents, and one business, close to the road were interviewed about the Project and their views.
Key-informant interview	Qualitative, in-depth interviews with individuals who are well-informed about a specific topic. Conversations can be formal or informal, often simply using a checklist of points to discuss.	New business owners were consulted as part of the socio-economic surveys, there have been no other key-informant interviews undertaken for the Project to date.
Focus group discussions (FGDs)	A planned discussion in a small (approx. 4-12 people) group, facilitated by a moderator. Such discussions focus on a topic(s) of specific relevance to the group. Meetings are designed to obtain information about preferences and opinions in a relaxed environment. Participants are actively encouraged to express their opinions.	No FGDs have been undertaken to date but are planned with those most severely impacted by land acquisition and potentially sensitive groups.



Community meetings	Public meetings with community members invited to discuss aspects of the Project of relevance to their community. Such meetings are advertised in advance. In general, everyone is offered the opportunity to speak and the meetings cover a broad range of topics.	Two public stakeholder engagement meetings have been organised to date (on the 8 th and 28 th February 2019). The first was organised during the ESIA scoping phase to present and discuss the findings. The second was organised by NEPA as part of the national EIA procedure to present the EIA study. A third public meeting is planned for disclosure of the ESIA, to share the assessment and discuss findings and proposed measures. Two round table discussions were also held with local residents and businesses in Danilovgrad and Podgorica on 25 th June 2019 to discuss the Project and hear people's views.
Questionnaire	A data collection instrument that is usually concise with pre-planned questions designed to yield specific information. Questionnaires are used for surveys and aid with statistical analysis.	A socio-economic survey of 88 households and 23 businesses was undertaken (in March and May 2019) along the length of the M-18 road. Details of this questionnaire are presented in Appendix 8.
Information Dissemination		
Website	Websites provide a digital platform to post Project related information. They provide a convenient way to view documents, for those with access to digital resources.	The Detailed Spatial Plan (DSP) and Report on Strategic Assessment of Environmental Impacts for Municipality Danilovgrad were posted on the Municipality of Danilovgrad website. An announcement was also made on the TA's website informing the public about the national EIA procedure and planned public meetings. Summaries of these public engagement meetings and the requests for amendments to the planned road upgrades were posted on the TA web site. The draft ESIA package for the Project, containing an NTS, the Stakeholder Engagement Plan (SEP) and Land Acquisition and Resettlement Framework (LARF) will be posted on the websites of the TA and EBRD at the end of July 2019.
Printed materials	Text summaries and infographics offer a good overview of information to be presented. They can be handed out in meetings, posted/sent out electronically or displayed in public places on notice boards.	The approved design for the road was available at the TA's premises to view and was also available on the TA website. Additionally, the EIA was available for public review at the premises of the Secretariat for Urban Planning, Public Utilities, Residential Affairs and Environmental Protection. The public were invited to provide their comments and opinions in written form. Invitation letters were sent to the municipalities



		<p>of Danilovgrad and Podgorica to invite them to participate in the public meetings and public disclosure of the EIA.</p> <p>Notices were posted along the M-18 road informing local residents and business about the upcoming socio-economic surveys, undertaken in March and May 2019.</p>
Announcements	Announcements are important to inform stakeholders about upcoming meetings or to disclose key project information.	<p>The decision on announcing a public interest for the real estate expropriation for the purposes of upgrading the M-18 (Podgorica-Danilovgrad) was announced in the Official Gazette of Montenegro (number 07-4801, dated October 4th 2018).</p> <p>This announcement marked the start of the government expropriation process, led by the Real Estate Administration of Montenegro (REAM).</p> <p>An announcement was also made in the daily newspaper POBJEDA, informing the public about the national EIA and planned public meetings.</p>
Feedback		
Feedback/comment forms	These are typically made available at the end of meetings to allow participants to provide additional comments on the Project or the meeting itself.	Feedback forms have recently been developed for the Project. They were made available during meetings held in Danilovgrad and Podgorica on 26 th June 2019 and will be made available during future consultation meetings. Feedback form provided in the Appendix 7.

Box 5.2 presents the main plans, assessments and designs that have been disclosed to Project stakeholders to date:

Box 5.2: Stakeholder Engagement Activities Undertaken to Date

<ul style="list-style-type: none"> 29th December 2013 the Spatial Urban Plan (SUP) of the Capital City Podgorica (up until 2025) and the SEIA were made public and available for comment. A Public Hearing meeting was also held at the end of December, in the premises of the Cultural Information Centre "Budo Tomovic" in Podgorica. 494 requests for amendment were addressed within the revised SUP, which was approved in February 2014. 17th December 2013 the first draft of the Detailed Spatial Plan (DSP) and SEIA report for the Municipality of Danilovgrad were posted on the Municipality's website. A hard copy was also available to view at the premises of Municipality of Danilovgrad between 17th December 2013 and 17th January 2014. At the end of this period a Public hearing meeting was organized, and comments considered in the revised documentation, which was officially adopted in February 2014. 25th December 2014 the procurement procedure (tender invitation No. 72/14) for "Development of Main Design of Reconstruction Main Road M-18, Danilovgrad –Podgorica, km 114+500-km 129+500" was issued.



- August 2018 the TA approved the Main Design for reconstruction of road M-18. During 2014-2018, various institutional stakeholders were contacted in order to disclose information about the Project and gather necessary data for the Main Design. During this period requests were also received by affected communities and business along the route. The list of issues raised during this communication is presented in Appendix 9
- 4th October 2018 the Expropriation process commenced after the announcement of Decision on Public Interest. This process is still ongoing and being undertaken by the Real Estate Administration of Montenegro (REAM).
- 8th February 2018, TA held a public consultation meeting.¹⁴ Information was published on the TA's website (end of January 2019) and in daily newspaper POBJEDA (5th February 2019) (see Appendix 4).
- 28th February 2019 a public hearing was held in the premises of TA in accordance with national Law on EIA¹⁵ (see Appendix 5). In advance of the meeting, information was published in the daily newspaper POBJEDA (12th February 2019).
- A socio-economic survey of landowners and users most affected by land acquisition required for the Project was undertaken in March and May 2019. Public notices were posted 5 days in advance of the survey (at road cross-sections, near shops and restaurants, visible to local residents) and those interviewed were provided with information about the Project (Appendix 8).

5.3 OUTCOMES OF ENGAGEMENT

The responses to the Project to date have, on the whole, been positive. Local residents see the Project has having a positive impact on economic development of the two municipalities and local communities close to the upgraded road. Stakeholders also anticipate improvements in road safety and quality of life, due to road improvements and better connectivity between the two municipalities.

A number of key themes have been raised during the stakeholder engagement to date. These are being captured in the Project's Issues Tracker and Box 5.3 provides a summary.

Box 5.3 Key Themes and Conclusions

The following key issues have been raised during engagement with stakeholders and have been considered in the final drafting of the ESIA:

- Access restrictions to properties and businesses;
- Land acquisition and compensation payments;
- Lack of stakeholder engagement early in the planning process;
- Dust, noise and vibration impacts during construction; and
- Safety risks during construction.

5.4 FUTURE ENGAGEMENT

5.4.1 Environmental and Social Impact Assessment (ESIA) Disclosure

¹⁴ Only 9 participants attended this meeting. It was not representative of the wider stakeholders as key representatives from local communities, affected people, NGOs, did not attend. Information will need to be disclosed in additional locations for future meetings; and further support given by local authorities and civil society organisations.

¹⁵ Official Gazette of Montenegro No. 80/05, 40/10, 73/10, 40/11, 27/13, 52/16



Following completion of the ESIA Report, the following documents will be publicly disclosed in Montenegrin and English:

- ESIA Report (containing a Framework Environmental and Social Management Plan) and Non-Technical Summary (NTS);
- Stakeholder Engagement Plan (SEP)
- Land Acquisition and Resettlement Framework (LARF)

The disclosure package will be published on the TA's website (<https://dzscg.com/>), and the websites of the Municipality of Podgorica (www.podgorica.me), Danilovgrad (www.danilovgrad.me) and EBRD (EBRD.com). Printed copies of the documents will be available at the TA premises, as well as premises of the Municipalities of Podgorica and Danilovgrad.

Stakeholders consulted during development of the ESIA will be informed about the location of these documents through the daily newspaper POBJEDA and invitation letters will be sent to the municipalities. Notices will also be posted on the TA website one week in advance. The documents will be made available for a period of 120 days.

The TA will organise public meetings to discuss the results on the ESIA with Project stakeholders (local communities, businesses and others). Meeting minutes will be prepared, along with a photo log and attendance sheet. Smaller group/individual meetings will also be held as necessary to solicit feedback. Feedback/comment forms will be made available during ESIA disclosure; both in hard copy and electronic form. All comments received will be considered in the finalisation of the ESIA document.

5.4.2 Construction Phase Engagement

The construction phase of the Project is anticipated to commence before the end of 2019, with construction elements of the scheme continuing for approximately 24 months.

During this period, engagement will be prioritised with local communities closest to the construction works, and with those receptors identified as sensitive. They will be kept informed of the construction activities and it will be ensured that there are appropriate opportunities to raise questions and any grievances.

The TA and the Construction Contractor (when appointed) will nominate points of contact for stakeholders during the construction period. These individuals will be able to answer questions about the Project, collect feedback and provide information to stakeholders through meetings and printed material. The TA has committed to organising quarterly meetings with Project stakeholders. Information about their timing and location will be posted on the TA website and those of the municipalities of Podgorica and Danilovgrad. Invitations will also be sent to those stakeholders identified as interested, by e-mail. All meetings will be recorded and summarised on the websites.

Ongoing meetings will also be undertaken with national, regional and local authorities, providing them with progress updates and providing opportunities for them to ask questions. Focused meetings on specific technical areas of the Project will also be held, as required.

Engagement shall continue throughout the construction period and the measures outlined in the Project's ESMP will be implemented. This will include the following activities:

- Provision of information about the construction programme to local communities and any access restrictions;
- Briefing communities about the worker code of conduct and expected behaviours;
- Information about the security arrangements and Project Security Plan;
- Advertising local job opportunities and other opportunities for local procurement;
- Discussions regarding the various management plans for the Project, including the Biodiversity Management Plan, Worker Code of Conduct, Security Plan, Traffic Management Plan, Emergency Response Plan, etc; and
- Continued awareness raising about the Grievance Mechanism and summaries of grievances raised and their resolution.

The Project is developing a stakeholder engagement planner (.xlsx) outlining the activities for future stakeholder engagement in more detail. This will be a 'living document' that is updated based on the latest information and needs of stakeholders.

The Project will also continue to collate key issues raised by stakeholders and actively manage the grievance mechanism for the Project (described in Section 6).



5.4.3 Operation Phase Engagement

The details of engagement during the operation phase continue to be defined, in collaboration with stakeholders. The following activities are anticipated, in line with the Project ESMP:

- Ongoing engagement will be undertaken to assess stakeholders' views on the effectiveness of mitigation/enhancement and management measures. The mode and frequency of these meetings is still to be defined; and
- Progress reports will be developed and shared with stakeholders. They will summarise Project activities and report on any actions in response to emerging issues or grievances raised.



6 GRIEVANCE MECHANISM

6.1 INTRODUCTION

In line with Good International Industry Practice and EBRD requirements, the Project will establish a grievance mechanism as part of the existing grievance process of the organisation to receive and facilitate resolution of concerns and grievances about the Project's environmental and social performance. The grievance mechanism will be scaled to the risks and impacts of the Project and have affected communities as its primary user. It will seek to resolve concerns promptly, using an understandable and transparent consultative process that is culturally appropriate and readily accessible, and at no cost and without retribution to the party that originated the issue or concern. The mechanism will not impede access to judicial or administrative remedies. Affected communities will be informed about the mechanism in the course of the stakeholder engagement process.

For the purposes of this plan, a grievance is defined as an issue, concern, problem or claim (perceived or actual) that an individual or community group wants the Project to address and resolve. This grievance mechanism has been developed to address concerns or complaints raised by communities affected by the Project during construction and operation. The process covers all components and activities of the Project, including those undertaken by contractors and subcontractors. A separate mechanism will be in place to address issues or grievances raised by the Project workforce and developed in line with EBRD PR 2.

6.2 GRIEVANCE PROCESS

The grievance process being implemented by the TA is illustrated in Appendix 3. Grievance Forms (Appendix 1) are available on the TA, and municipalities of Podgorica and Danilovgrad websites, and at their offices. Printed copies are also made available during engagement meetings. The two municipalities are required to deliver any received grievances (received in printed form, by e-mail or verbally) to TA within 5 days.

Grievance forms may be also submitted to the construction contractor or their subcontractors. Grievance forms will be available in appropriate locations near the construction sites in printed form, accessible to the public. The contractor (and all sub-contractors) will be obliged to forward all grievances received to the TA.

All grievances will be recorded in a Grievance Registry (Appendix 2) and the TA will acknowledge receipt to the grievance originator within 7 calendar days (if not submitted anonymously). They will be informed about the proposed corrective measures; and action taken within 30 calendar days of acknowledgement of grievance. In cases where the TA is not able to resolve the issue, or where action is not required, TA will provide an explanation and justification to the grievance originator. Details of how to escalate the grievance will also be provided should the grievance originator not be satisfied with the outcome. At any time, grievance originators can also seek other legal remedies, in accordance with Montenegrin laws and regulations.

TA will monitor the way in which grievances are handled and keep the Grievance Registry up to date. TA will publish and regularly update all relevant documents and grievance procedures on their website as well as provide hard copies of Grievance Forms to the municipalities Podgorica and Danilovgrad. TA will provide feedback to all stakeholders who submit grievance forms by e-mail or mail.



7 MONITORING AND REPORTING

7.1 INTRODUCTION

It is important to monitor stakeholder engagement to ensure that consultation and disclosure efforts are effective, that stakeholders have been meaningfully consulted on an ongoing basis, and that engagement activities are accomplishing their objectives, particularly with regard to avoiding and addressing adverse impacts to stakeholders.

7.2 MONITORING AND REPORTING

TA, together with local authorities from Podgorica and Danilovgrad municipalities, will agree measurable indicators for the Project, being informed by feedback received from stakeholders in the SEP. Effectiveness of stakeholder engagement activities will be evaluated against the goals and objectives of the SEP. This evaluation will examine the extent to which activities were implemented in accordance with the plan. The results and any lessons learned will then be incorporated into further updates of the SEP as the Project evolves.

It is expected that performance of the SEP in meeting its defined objectives will be assessed in terms of:

- Information disseminated – review of all available Project documents; their level and frequency of distribution;
- Delivery of engagement events – the number and level of participation by specific stakeholder groups;
- Minutes of meetings, actions delivered, and time taken to close out;
- Number of comments and communications with the Project from stakeholders;
- Numbers and type of grievances, their nature, any trends and timing of their resolution.
- Level of compliance with the grievance mechanism – completeness of grievance log, number of repeat grievances, number of satisfied responses from grievance originators, and qualitative assessment of awareness and/or trust in the grievance management process amongst local community stakeholders.

The TA will be responsible for coordination of grievance management and monitoring the effectiveness of engagement activities. The first monitoring report will be produced 3 months after the start of construction and on a quarterly basis during the construction works. TA will then produce annual monitoring during the operation of the Project.

Stakeholder engagement monitoring will form part of TA's Annual Environment and Social Report (AESR), which will be published on the TA and municipalities of Podgorica and Danilovgrad websites; and delivered to EBRD.



8 CONTACT DETAILS

Montenegrin Transport Administration
Contact person: Nikola Arnaut
IV Proleterske 19
81000 Podgorica
Montenegro
Tel: +382 20 655 095, 655 364
E-mail: direkcijazasaobracaj@dzs.gov.me
Website: <https://dzscg.com/>

European Bank of Reconstruction and Development
[Moskovska 2/b, 81000 Podgorica, Montenegro]

EBRD Headquarters, London
Environmental and Sustainability Department One Exchange Square
London
EC2A 2JN
Tel: +44 207 338 7158
<http://www.ebrd.com>

9 APPENDICES



Appendix 1: Grievance Form

Reference No:	
Full Name and Surname: <i>(Grievance form can be filled as Anonymous)</i>	
Contact information: Please mark how you wish to be contacted (mail, telephone, e-mail)	<ul style="list-style-type: none">• By Post: Please provide postal address _____ _____• By phone: _____• By e-mail: _____
Description of incident/grievance:	<ul style="list-style-type: none">• What is your subject of concern/grievance?• Where did it happen?• Who did happen to?• What is the source and duration of the problem?
Date of incident/grievance:	One-time incident/grievance (date _____) Happened more than once/how many times? (_____) On-going/currently experiencing problem _____
What would you like to see happen to resolve the problem?	

Signature:

Date:

Please return this form to: Nikola Arnaut

Montenegrin Transport Administration
IV Proleterske 19
81000 Podgorica, Montenegro
Tel: +382 20 655 095, 655 364
E-mail: direkcijazasaobracaj@dzs.gov.me
Website:



Appendix 2: Grievance Registry

No	Date of receiving incoming letter / form	Grievance Reference Number	Name / Surname of grievance originator (if not anonymous)	Gender	Type of grievance	Details of grievance	Medium of comm.	Name of TA person responsible for managing the grievance	Date of grievance acknowledgment	Date of feedback provision/reference number	Present status	Remarks
1												
2												
3												
4												
5												

Contact person:

Nikola Arnaut
Montenegrin Transport Administration
IV Proleterske 19
81000 Podgorica
Montenegro
Tel: +382 20 655 095, 655 364
E-mail: direkcijazasaobracaj@dzs.gov.me

Web site: <https://dzscg.com/>),



Appendix 3: TA Grievance Mechanism





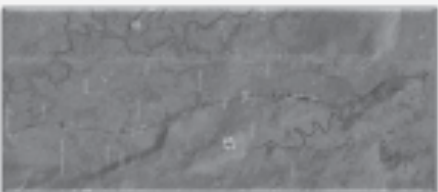
Appendix 4: Public announcement/invitation to PCM1 – Daily newspaper "Pobjeda"

Pobjeda | petak, 5. februar 2019
Oglas i obavještenja

Rekonstrukcija i modernizacija dijela magistralnog puta M-18 DANILOVGRAD-PODGORICA

Opis projekta

Glavni projekat rekonstrukcije i modernizacije dijela magistralnog puta M-18, uključujući postojeći deonični put širine 7,00m predviđen je izgradnja buvata na 200m dužine u skladu sa 7 izvedbenim rješenjima, poboljšanje postojećih i izgradnja novih, ispravnih asfaltnih kanalizacija za odvođenje otpadnih voda, izrada i izgradnja odvodnih sistema, kao i izgradnja više lokalnih puteva i postrojenja za odvođenje otpadnih voda. Projektat opisuje kategoriju A i modernizaciju projekata po EBRO standardima.



Alternativna rješenja

- "B" alternativna je predložena stupanj ispravnosti.
- U okviru izvedbenih rješenja predviđeno su izgradnja odvodnih i lokalnih puteva i kanalizacija za odvođenje otpadnih voda. Izgradnja je izvedena na lokalnim putevima, uključujući drugi tip rješenja koji predviđa rekonstrukciju postojećih i izgradnju novih puteva i postrojenja za odvođenje otpadnih voda.
- Alternativna rješenja predviđaju izgradnju odvodnih sistema i odvođenje otpadnih voda.
- Alternativna rješenja radi zaštite okoliša.

Mogući utjecaji projekta

U okviru rekonstrukcije i modernizacije dijela magistralnog puta M-18, uključujući postojeći deonični put širine 7,00m predviđen je izgradnja buvata na 200m dužine u skladu sa 7 izvedbenim rješenjima, poboljšanje postojećih i izgradnja novih, ispravnih asfaltnih kanalizacija za odvođenje otpadnih voda, izrada i izgradnja odvodnih sistema, kao i izgradnja više lokalnih puteva i postrojenja za odvođenje otpadnih voda. Projektat opisuje kategoriju A i modernizaciju projekata po EBRO standardima.

Žalbeni mehanizam

U skladu sa lokalnim zakonima i uslugama odobrenim prema lokalnim propisima EBRO u okviru rekonstrukcije i modernizacije dijela magistralnog puta M-18, uključujući postojeći deonični put širine 7,00m predviđen je izgradnja buvata na 200m dužine u skladu sa 7 izvedbenim rješenjima, poboljšanje postojećih i izgradnja novih, ispravnih asfaltnih kanalizacija za odvođenje otpadnih voda, izrada i izgradnja odvodnih sistema, kao i izgradnja više lokalnih puteva i postrojenja za odvođenje otpadnih voda. Projektat opisuje kategoriju A i modernizaciju projekata po EBRO standardima.

U skladu sa lokalnim zakonima i uslugama odobrenim prema lokalnim propisima EBRO u okviru rekonstrukcije i modernizacije dijela magistralnog puta M-18, uključujući postojeći deonični put širine 7,00m predviđen je izgradnja buvata na 200m dužine u skladu sa 7 izvedbenim rješenjima, poboljšanje postojećih i izgradnja novih, ispravnih asfaltnih kanalizacija za odvođenje otpadnih voda, izrada i izgradnja odvodnih sistema, kao i izgradnja više lokalnih puteva i postrojenja za odvođenje otpadnih voda. Projektat opisuje kategoriju A i modernizaciju projekata po EBRO standardima.

Koristi od rekonstrukcije projekta

Rekonstrukcija i modernizacija dijela magistralnog puta M-18, uključujući postojeći deonični put širine 7,00m predviđen je izgradnja buvata na 200m dužine u skladu sa 7 izvedbenim rješenjima, poboljšanje postojećih i izgradnja novih, ispravnih asfaltnih kanalizacija za odvođenje otpadnih voda, izrada i izgradnja odvodnih sistema, kao i izgradnja više lokalnih puteva i postrojenja za odvođenje otpadnih voda. Projektat opisuje kategoriju A i modernizaciju projekata po EBRO standardima.

Procjena uticaja na životnu sredinu i socijalna okruženja (ESIA)

Javne konsultacije za zainteresovane strane

DIREKCIJA ZA SAOBRAĆAJ

5. februar 2019. godine u 12h

Direkcija za saobraćaj
Podgorica, IV proletarske 19

Elektronička adresa:
direkcija@saobracaj.gov.me

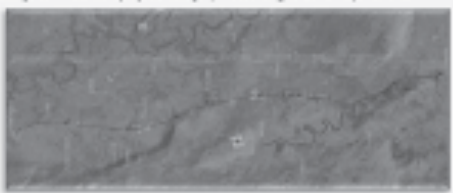
Telefon:
+382 20 835 095, 655 384

Osoba za kontakt:
Nikola Arnaud

Rehabilitation and upgrade of the M-18 DANILOVGRAD-PODGORICA road section

Project description

Instead of the existing 7.00m wide two-way road, the Main Project of reconstruction of the Danilovgrad-Podgorica road envisages construction of a two-lane two-way road in each direction, sidewalks, green belt, roadside/vernal reservation, 7 roundabouts. Also, it is planned reconstruction of existing bridges and construction of new ones, installation of atmospheric sewer lines with separators for roadwashed treatment, public lighting and bus stops, as well as reclamation of several local roads and road junctions. The beginning of the works is planned for the end of 2019. Project belongs to investment projects category A according to EBRO requirements.



Alternative solutions

- "B" alternative is the leading idea of the road.
- Within the preliminary project, the following alternative solutions for intersections were considered: intersections with roundabouts and intersection which interrupt traffic flow. The solution with roundabouts has been adopted, unless another type of intersection is foreseen by some of the existing air rights acquired or needs of planning documents.
- Alternative solutions for location of the roundabouts depend of the needs of local population and business entities.
- Alternative solutions in order to save resources.

Potential impacts of the project

During determination of the scope and content of the Environmental and Social Impact Assessment (ESIA), potential impacts of the project on the environment and the society were identified. In addition to the typical impacts that can be expected during construction phase, dust, waste generation, heavy traffic, etc., specific potential impacts have been identified that will be processed in the ESIA Party:

- Impacts on resources (water quality, biodiversity) during the execution of works in the area.
- Impacts on the local population and business entities due to widening of the road (expropriation, resettlement, acquisition of agricultural land).
- Impacts on the local population after completion of the project due to higher frequency of traffic and reduced distance of objects from the road (increased noise level, air pollution).

Grievance Mechanism

Grievance Mechanism is established in accordance to EBRO standards, in order to register and resolve grievances of communities and individuals that are affected by the project in terms of the environment or social issues. Grievances will be registered and processed as understandable and efficient matter, regardless of whether they were received in writing form or verbally.

The indicative timeframe for grievance, both for workers and communities, is following:

- Written acknowledgement of receipt of the grievance within 7 days of receiving the grievance.
- Proposed resolution within 30 days from the date of resolving the grievance.

Complaints will be submitted in a pre-defined form, with simultaneous keeping of the records of the received appeals. Complaints will be considered as soon as they are received and determined by priority for resolution.

Benefits from the Project realizations

Better traffic due to construction of 4 lanes instead existing 2 lanes

Reduced travel time by 40%

Improved atmospheric water collection system, reduced flood risk

Better possibilities of surrounding watercourses by atmospheric water purification

Better road safety

Public consultation meeting will be organized in order to inform public and different stakeholders, including the population that might potentially be affected by the Project, about the ESIA preparation process. Observations and comments may be submitted to the Traffic Directorate, and they will be considered and documented in the ESIA Report.

The last public consultation, which will last 120 days, is planned to take place after completion of the final ESIA report that will be published together with ESIA findings. Engagement Plan (EOP) and Land Acquisition & Resettlement Plan (LARP) of the works of the Transport Directorate (www.dsa.gov.me)

Environmental and Social Impact Assessment (ESIA)

Public consultation meeting for stakeholders

TRANSPORT DIRECTORATE

February 8th 2019, at 12pm

Transport Directorate
Podgorica, IV proletarske 19

Elektronička adresa:
direkcija@saobracaj.gov.me

Telefon:
+382 20 835 095, 655 384

Contact person:
Nikola Arnaud



Appendix 5: Public announcement/Public discussion for Project 3 EIA

CRNA GORA
MINISTARSTVO ODRŽIVOG RAZVOJA I TURIZMA
AGENCIJA ZA ZAŠTITU PRIRODE I ŽIVOTNE SREDINE

Na osnovu člana 20 Zakona o procjeni uticaja na životnu sredinu („Službeni list RCG”, broj 75/18) Agencija za zaštitu prirode i životne sredine

OBAVJEŠTAVA
zainteresovanu javnost

da je Nosilac projekta, Uprava za saobraćaj, ul.IV Proleterske br.19, Podgorica, podnio zahtjev za davanje saglasnosti na Elaborat procjene uticaja na životnu sredinu za rekonstrukciju magistralnog puta M-18, dionica Podgorica-Danilovgrad.

U vezi sa navedenim pozivamo vas da izvršite uvid u dostavljenu dokumentaciju u prostorijama Agencije za zaštitu prirode i životne sredine, ulica IV Proleterske 19, II sprat, kancelarija broj 216 i u Sekretarijatu za urbanizam, komunalne, stambene poslove, saobraćaj i zaštitu životne sredine, radnim danima od 8 do 11 časova.

Rok za javni uvid i dostavljanje primjedbi i mišljenja u pisanoj formi, na adresu Agencije za zaštitu prirode i životne sredine, do 25.02.2019.godine.

Javna tribina o predmetnom Elaboratu održaće se u Upravi za saobraćaj, sali za sastanke (II sprat), Podgorica, IV Proleterske br.19, dana 28.02.2019. godine, sa početkom u 12h časova.


Appendix 6: National Regulatory Framework Addressing Stakeholder Engagement Process

Law	Article	Information disclosure and stakeholder engagement requirements
Constitution of Montenegro (Official Gazette of Montenegro No. 001/07, 038/13)	Article 23	Constitution of Montenegro is proclaiming that "Everyone has the right to a healthy environment, and everyone has the right for timely and complete information of the state of the environment as well as the possibility to influence decision making process when deciding on issues of importance to the environment and on the legal protection of these rights".
Law on Environment (Official Gazette of Montenegro No. 52/16)	Article 5	According to the Article 5 everyone has the right to be informed about the state of the environment and to participate in the decision-making process whose implementation could have an impact on the environment.
	Chapter 11 (Article 66-72)	Chapter 11 is addressing process of stakeholder engagement and informing regarding environmental protection issues. "Public institutions and administration bodies as well as local authorities responsible for environmental protection are obliged to inform the public about decision-making procedures in environmental matters in a timely manner: 1) strategic assessment of the impact of plans and programs on the environment; 2) assessment of the environmental impact; 3) the procedure for issuing a permit for integrated pollution prevention and control through the approval of the operation of new or existing plants; 4) strategies, plans, programs and other documents in the field of environmental protection (Article 72)".
Law on spatial planning and construction (Official Gazette of Montenegro No. 064/17, 044/18, 063/18)	Article 27	Law on spatial planning and construction (Article 27) is proclaiming that the Ministry of sustainable development and tourism (MSDT) after making a decision on the drafting of the planning document is obliged to inform the interested stakeholders about the goals and purpose of the preparation of the planning document, the possible planning solutions and the planning effects.
	Article 32-35	<p>According to the Article 32 MSDT is obliged to announce public hearing program once spatial plan is drafted. MSDT is obliged to publish the draft planning document on the web site within 7 days starting from the date of drafting completion.</p> <p>The public hearing referred to in Article 32 of this Law should be advertised in one daily printed media which shall be issued and distributed on the territory of Montenegro and on MSDT website and shall last at least 30 working days from the day of advertising.</p> <p>MSDT is obliged to submit a separate notice on the public hearing to the local self-government unit within 2 days from the day of public advertisement in one daily printed media that is issued and distributed in the territory of Montenegro.</p> <p>Public hearing should be organized in the form of round tables, panel discussions, presentations and submitting proposals, suggestions and comments.</p> <p>According to the Article 34 MSDT is obliged to prepare a report on the public hearing within 30 days from the day the public hearing ends. MSDT is providing the opinion on the report on the public hearing to the Council within 15 days from the date of submission. MSDT is obliged to publish a report on public hearing at their web page within 7 days from the date of delivery of the opinion of the Council.</p> <p>In case if there are significant differences in the planning document after the public debate a new public debate should be organized by MSDT. A new public hearing should be organized in accordance to Article 33 and 34 and should last at least 15 days starting from the day of publishing.</p>
Law on the	Article 17	According to the Article 17 public institution responsible for preparation of the



Strategic Environmental Impact Assessment (SEIA) (Official Gazette of Montenegro No. 80/05, 40/11, 59/11, 52/16)		SEIA report is obliged to inform interested parties and get the opinion on SEIA report. Interested stakeholders and organizations are obliged to submit their opinion within 30 days from the date of SEIA submission. In case if there is no opinion provided within time framework it will be considered that there are no remarks on SEIA.
	Article 19	Article 19 is proclaiming that public institution responsible for SEIA preparation is responsible to inform interested stakeholders about the manner and deadlines related to insight into the content of the report, delivery of opinions, as well as the time and place of the public hearing. The public hearing is responsibility of the authority responsible for the preparation of the plan and program.
	Article 20	Article 20 is referring that public authority responsible for SEIA preparation should prepare the report on the participation of interested stakeholders and organizations that is containing their opinions (as indicated in Article 17) as well as opinions gathered during the process of public insight and public hearing about SEIA. Responsible authority is obliged to prepare the report within 30 days upon completion of the public hearing which should contain all stakeholder opinions that are accepted nor rejected.
Law on free access to information (Official Gazette of Montenegro No. 044/12, 030/17)	Article 3-7	Law on free access to information is proclaiming that each domestic or foreign individual or company has a right to access the information (Article 3) whereas free access to information represents a public interest (Article 7).
	Article 17	According to the Article 17 endangering the environment is among 7 prevailing public interests that might be subject of the free access to information where public authorities are obliged to enable access to the information or its part in case if there is prevailing public need for its revealing.
Law on expropriation (Official Gazette of Montenegro No. 55/00, 28/06, 21/08, 30/17)	Article 7	As defined in Article 7 expropriation can be done for the needs of the state, municipalities, state funds and state-owned companies which are performing public interest activities in accordance with the law.
	Article 14	Announcing of the public interest represents the first step in the process of expropriation. A proposal for determining the public interest for expropriation should be submitted by a body who, according to the provisions of this Law, may be a user of expropriation or public interest can be also proclaimed by the Government of Montenegro (GoM). GoM is obliged to make decision on proposed public interest within 60 days.
	Article 23	According to the Article 23 prior to the adoption of a decision on expropriation, the authority is obliged to hear the owner of the immovable property regarding facts related to expropriation.
Law on the Environmental Impact Assessment (EIA) (Official Gazette of Montenegro No. 80/05, 40/10, 73/10, 40/11, 27/13, 52/16) ¹⁶	Article 1	Law on EIA is defining the manner and the impact assessment procedure for the projects that they may have significant impact on the environment, preparation and evaluation of the EIA study and other issues of importance for the assessment of environmental impacts.
	Article 5	Key institutions responsible for EIA procedure are: (1) public institution responsible for environmental protection (Nature and Environmental Protection Agency-NEPA) on national level and (2) local authorities responsible for environmental protection on the local-municipal level.
	Article 13	Article 13 is addressing stakeholder participation process during screening period

¹⁶ National EIA procedure is requiring stakeholder participation in each stage of EIA procedure: screening stage, scoping stage and decision-making stage.



		(submission of the report addressing necessity for the impact assessment). Public authority responsible for such procedure is obliged to inform stakeholders within 3 days' period about submission of the report.
	Article 14	According to the Article 14 public authority is obliged to inform all interested parties and stakeholders about its decision on necessity for the impact assessment within 3 days' period from the date of decision.
	Article 16	As defined in Article 16 the procedure addressing request for the determination of volume and content of the study is also envisaging public involvement whereas "Interested authorities and organizations and interested public/stakeholders can provide their opinion on the volume and content of the study to the responsible authority within the deadline up to 20 working days from the date of receiving the notice.
	Article 20	<p>Public discussion in the process of EIA approval by the responsible authorities represents an integral part of the procedure. According to the Article 20 responsible authority is obliged to organize public discussion within 5 working day starting from the date of request for EIA approval and to inform interested organizations and stakeholders about manner, deadlines and place for public insight as well as ways of providing comments and time for public discussion.</p> <p>EIA has to be published on the website of the competent authority and e-Government portal, on the day of the public hearing.</p> <p>The public panel can be organized no later than 10 working days from the date of notification to interested authorities and organizations and interested public.</p> <p>The public hearing needs to be organized and conducted by the competent authority and lasts at least 30 days from the day of notification.</p>
	Article 28	<p>Public disclosure is based on announcement in printed medias (newspapers) which is published in the area that will be affected by the impact of the planned project and through electronic media.</p> <p>Interested authorities and organizations are informed in writing (post and fax) and by electronic means as well as on the website of the competent authority.</p>
	Article 31	The competent authority is obliged, upon receiving the request (in a written or electronic form) issued by interested authorities, organizations and the interested public, to provide an insight into the documentation on conducted an impact assessment procedure, with the exception of the documents identified as appropriate the degree of secrecy in accordance with the law within 15 days of receipt of the request.



Appendix 7: Feedback Form

FEEDBACK FORM

Rehabilitation and upgrade of the Danilovgrad-Podgorica M-18 road section

1. To what extent has today's discussion helped resolve some of your important issues related to the project of reconstruction and modernization of the section of the M-18 Danilovgrad-Podgorica road?

1	2	3	4	5

1 – not enough; 2 – quite enough; 3- enough; 4 – more than enough; 5 – completely

2. Do you have any additional questions that should be raised and that are important for you in the context of the project implementation?

- Yes _____
- No

3. Are you generally satisfied with the idea of building a new boulevard Danilovgrad-Podgorica?

4. Any additional comment?



Appendix 8: Socioeconomic Survey Questionnaires for Business and Affected Households

Date: _____

Questionnaire number: _____

QUESTIONNAIRE FOR BUSINESS

A. The Respondent

1. Name of the Business: _____

2. Name of the owner/-s: _____

3. Name and Surname of the Respondent _____

4. Position in the company: _____

5. Phone No.: _____

B. General Business Information

6. Type of business activity: _____

7. Does your company operate on:

1. local level
2. national level
3. international level

8. Business is active since: _____

9. Is the business formally registered as a business entity:

1. Yes
2. No

10. Number of employees:

10.1. Full time registered: _____

10.2. Part time registered: _____

10.3. Unregistered employees: _____

C. Business Activities

11. Please, describe your business activities:



12. Is your business dependable on the road proximity:

1. If Yes, please describe _____

2.No _____

13. Please rate what refers to your business:

No.	Statements	Rate
1.	My customers are drivers and travelers on this road	
2.	I will have financial losses if I lose direct access to this road	
3.	Our business performance can be easily restored, beside land acquisition	
4.	Our company will prosper with new expanded road	
5.	Wider road can generate more traffic that can increase my business income	
6.	Temporarily hindered access to my business premises worries me financially (loss of customers)	
7.	We need access to this road for our stock transporters/suppliers, on a daily basis	
8.	With the new road value of my assets will decline	
9.	The business is dead if the new road	
10.	Road construction activities will temporary increase our/my company's profit	

(1=doesn't refer to my business, 2=it does, but has insignificant influence; 3=it does refer to my business, but only partially; 4=It refers to my business; 5= Completely refer to my business)

Interviewer: _____



Date: _____

Questionnaire number: _____

QUESTIONNAIRE FOR AFFECTED HOUSEHOLDS

A. GENERAL DATA

1. Name and Surname: _____ 5. Current Profession: _____
2. Year of birth: _____ 6. Phone No.: _____
3. Gender _____ 7. Ethnic Background: _____
4. Settlement: _____

B. AFFECTED PARCELS

8. LIST ALL AFFECTED PLOTS OF THE RESPONDENT
(To be completed by the interviewee, before survey, and presented to the landowner!)

No.	Number of Parcel	Type of Land	Original area (m2)	Area to be acquired (m2)	Remaining land (m2)
1.					
2.					
3.					
4.					

C. HOUSEHOLD

9. Household Members:

Note: the answers to questions 9.1.-9.6 are entered for each household member individually including the respondents. The questionnaire fills the household head or other adult person in the household

No.	9.1. Members of the household (Enter the names of all members of the household)	9.2 Gender. 1. Male 2. Female Relationship to the respondent	9.3. Relationship with the head of the household 1. Head of the household 2. husbent/wife 3. son/douther 4. father/mother of the bearer 5. Brother/sister 6. other relatives	9.4. Year of birth	9.5. Education completed 1. Uncompleted or completed elementary school 2. finished high school 3. completed college 4. graduated from college 5. completed postgraduated/doctoral studies 6. He"s under six years old 7. He does not want to answer	9.6. Current Occupation 1. Employed a. private company b. state owned company 2. run your own business 3. pensioner 4. farmer 5. housekiper 6. unemployed 7. student/pupil 8. He"s under six years old 9. He does not want to answer	9.7. Monthly income
1							
2							
3							
4							
5							



D. HOUSING

10. The house/apartment where you live is constructed in _____ year, and it is:

- | | |
|--|---|
| 1. In my/our ownership _____ | 10.2. Number of floors = _____ |
| 2. Rented / belongs to relatives _____ | 10.3. Number of rooms (your part) _____ |
| 10.1 Area (m ²) = _____ | 10.4. Number of households in the house _____ |

11. The house, located at the property that will subject to expropriation, is used for:

- | | |
|---|---|
| 1. Permanent dwelling -This is my home. | 2. Seasonally. This is my weekend (or seasonal) house |
|---|---|

12. How long do you live in this house ? _____ 12.1. where from did you or your ancestors migrated from: _____

13. Your household/home has:			
Water from:	Sewage:	Toilet:	Heating
1) Public network	1) Public network	1) Indoor	1) Electricity
2) Hydrophore	2) Septic Tank	2) Outdoor	2) Wood/ Briquette/ Pellets
3) Well	3) Outlet to ravine/stream	3) No toilet	3) Other _____

E. PROPERTY OWNED

14. List other Real Estate Property Your Household owns:

Type of Object (+Location)	Area (m ²)	Document (Yes / No)	Location / Settlements
House (current)			
House 2			
Apartment			
Business Premises			
Garage			
Stable			
Workshop			
Other: _____			
Other: _____			

15. List Agricultural Land Your Household owns:



Land Type	Total No. of parcels	Total area (m ²)	Location / Settlements	Document (Yes / No)
Forest				
Pasture				
Meadow				
Field				
Vineyard				
Garden / Yard				
Orchard				
Type & No. of trees				

16. List Livestock, Poultry, Beehives and Pets:

Type of Livestock, Poultry, Beehives and Pets	Number of units	Age

F. ACTIVITY AND INCOMES IN THE HOUSEHOLD

17. Regular and other income in my household comes from:

Regular Incomes	Average Monthly Income (EUR)
Salary	
Pension	
Interest Rate	
Renting Agricultural Land	
Renting Dwelling	
Social and similar Transfers	
Other: _____	

Other Income	Average Annual Income (EUR)
Seasonal work	
Income from abroad	
Other: _____	

18. Income in my household comes from engagement in:

Agricultural Activities	Average Seasonal

Business	Average Annual



	Income (EUR)
Gardening	
Orcharding	
Farming livestock	
Vineyard	
Land Cultivation	
Forestry	
Other: _____	

	Income (EUR)
Retail	
Services	
Production	
Other: _____	

19. Agricultural Production on the Affected Parcels:

Type of crops/fruits	Annual Production	Years of practice /production	Annual Income	(1) For Sale (2) Personal use

20. Agricultural Production on other Parcels:

Type of crops/fruits	Annual Production	Years of practice /production	Annual Income	(1) For Sale (2) Personal use

21. Subsidies for Agricultural / Business Activity:

Governmental Institution	Purpose	EUR (annually)

Other Institutions	Purpose	EUR (annually)

G. SOCIALLY SENSITIVE ISSUES AND VULNERABILITIES



22. Indicate No. of people that are in a permanent need of medical and/or institutional help, living in your household:

23. Indicate No. of people living in your household that are receiving any kind of Social transfer (cash: social help, care, other purpose; or in kind; or vouchers): _____

24. Please, state your reasons for receiving Social transfers:

25. Your comments?

Interviewer: _____



ADDITIONAL QUESTIONS FOR PHYSICAL RESETTLEMENT

26. Purpose and Type of Object(s) being subject to this cycle of expropriation

Type of Object for Expropriation	Purpose	Occupied Area at the Ground Level (m2)	Total Useful Area of the Object (m2)	Construction Year

27. If your household experience physical resettlement (Relocation), can you indicate the level of adverse effect it will cause on you:

Important issues	You	Your Spouse	Adult child	Adult child 2	Other	Other	Other	Other
Livelihood provision								
Social connections								
Educational opportunities								
Cultural life								
Family relationship								
Health								
Other _____								

Level of adverse impact (0 = None, 1 = Small, 2 = Moderate, 3 = Significant, 4 = Essential, 5 = Vital, 99 = No answer)

28. What kind of resettlement compensation do you prefer?

1. Cash 2. In kind 3. New house 4. Other _____

29. Do you have another house/apartment where you can relocate to?

1. Yes
2. No, go to question 31.

30. If YES, please indicate what this other house/apartment has:

Water from:	Sewage:	Toilet:	Heating
1) Public network	1) Public network	1) Indoor	1) Electricity



2) Hydrophore	2) Septic Tank	2) Outdoor	2) Wood/ Briquette/ Pellets
3) Well	3) Outlet to ravine/stream	3) Outlet to ravine/stream	3) Other_____

31. Please indicate what would be important for selection of your relocation location:

Important Amenities	You	Your Spouse	Adult child	Adult child 2	Other _____	Other _____	Other _____	Other _____
Proximity of Livelihood and/or Working Place								
Proximity of Family Members (Relatives)								
Proximity of Educational Opportunities								
Proximity of other Personal Property								
Proximity of Health Care Centre								
Proximity of Friends								
Urban Settlement and Institutional Presence								
Other _____								

Level of importance (1 = Unimportant, 2 = Small importance, 3 = Moderate importance, 4 = High importance, 5 = Crucial)

Interviewer: _____


Appendix 9: Summary of Previous Stakeholder Engagement Activities (2008-2018)

1 SUMMARY OF PREVIOUS STAKEHOLDER ENGAGEMENT ACTIVITIES

In compliance with the Montenegrin legislative requirements stakeholder engagement activities were organized before development of Project 3, from the process of preparation of planning documents: Spatial Plan of Montenegro until 2020, Spatial-Urban Plan of the City of Podgorica until 2025, General Urban Plan "Gornja Gorica 3 - part A and general urbanistic solution of the Municipality of Danilovgrad (Table 5).

Table 5 - Chronological Overview of Development of Documentation (before Main Design)

No.	Date	Public Discussion Venue/Mode of Informing	Conclusions
Draft Detailed Spatial Plan (DSP) and Report on strategic assessment of environmental impacts for Municipality Danilovgrad			
1.	13/10/2010	Official Gazette of Montenegro - Municipal regulations Municipality Danilovgrad website: www.opstinadanilovgrad.me	Decision was made for the preparation Detailed Spatial Plan (DSP) and report on strategic assessment of environmental impacts for Municipality Danilovgrad
2.	17/12/2013	Municipality Danilovgrad website: www.opstinadanilovgrad.me	First Draft of DSP for Municipality Danilovgrad
3.	17/12/2013- 17/12/2014	Premises of Municipality Danilovgrad Municipality Danilovgrad website: www.opstinadanilovgrad.me	Period addressing public notification about public consultations regarding the DSP draft, Public review and submission of complaints and opinion and organized public consultation
4.	February 2014	Municipality Danilovgrad website: www.opstinadanilovgrad.me	Approved DSP and report on SEIA for Municipality Danilovgrad
Spatial Urban Plan (SUP) of the Capital City Podgorica with the Strategic Environmental Assessment until 2025			
5.	29/12/2008	Official Gazette of Montenegro - Municipal regulations	Decision was made for the preparation of the Spatial Urban Plan (SUP) of the Capital City Podgorica with the Strategic Environmental Assessment.



6.	30/08/2013	Secretariat for Planning and Spatial Planning and Environmental Protection, Podgorica Municipality Podgorica website: www.podgorica.me	Draft version of SUP was sent to the Ministry of Spatial Planning and Environmental Protection for opinion, and afterwards the Draft was further submitted in accordance with Article 39 of the Law on Spatial Planning and Construction.
7.	December 2013.	Premises of the Cultural Information Centre "Budo Tomovic" in Podgorica, in the premises of the CIC "Golubovici" and the CIC "Malesija".	Public consultation
8.	December 2013.	Municipality Podgorica website: www.podgorica.me	Report on public hearings and 494 requests for SUP correction
9.	February 2014.	Municipality Podgorica website: www.podgorica.me	SUP of the Capital City of Podgorica has been approved - until 2025

Additionally, stakeholder engagement activities were organized during the development of the Main design.

Table 6 - Chronological Overview of development of the Main Design

No.	Date	Public Discussion Venue/Mode of Informing	Conclusions
1.	25/12/2014	Public procurement portal of Montenegro www.ujn.gov.me	Open public procurement procedure (tender invitation No. 72/14) for "Development of Main Design of Reconstruction Main Road M-18, Danilovgrad –Podgorica, km 114+500-km 129+500".
2.	18/01/2016	Public procurement portal of Montenegro www.ujn.gov.me	Contract on services (tender invitation No. 72/14) between the contracted parties, TA (Contracting Authority) and the Consortium "Građevinski nadzor laboratorijska ispitivanja" AD Podgorica.
3.	August 2018	TA premises	Approved Main Design following approval of the Main Project, the stage of preparation of tender documentation for execution of works on the reconstruction of the main road M-18 is upcoming.



4.	04/10/2018	Official Gazette of Montenegro	<p>Decision on announcing a public interest for real estate expropriation for the purposes of reconstruction and modernization of the Main road M-18 Podgorica - Danilovgrad, from km114 + 500 to km129 + 500</p> <p>Expropriation process started after the decision on the public interest announcement. This process is still ongoing, and it is being carried out by the Real Estate Administration of Montenegro (REAM), whereby REAM represents the competent authority for determining the dynamics of carrying out the activities related to the affected parties.</p>
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After publication of the tender documents for the preparation of the Main Design for Reconstruction of Main road M-18, requests, initiatives and proposals related to the development of the Main Design were received by affected local population and legal entities along the route.

Table 7 – Communication with interested stakeholders during the process of the Main Design preparation

No	Date:	Meetings, requests, initiatives and proposals	Conclusion:
1.	18/05/2016	Local community Zagarac - Request to consider connection of the local road to designed one, between the coffee shop Sutjeska and Susica bridge.	Request from the local community Zagarac was accepted and implemented in the Main Design.
2.	20/07/2016	Meeting between TA representatives, the Agency for Construction and Development of Podgorica, Municipality Danilovgrad, Designer and the Auditor regarding Preliminary solution for the reconstruction and modernization of the main road M-18 Danilovgrad - Podgorica, km114+500 - km129+500, section boulevard in Danilovgrad - Komanski bridge	Preliminary design is submitted to the institutions that might have interest in this subject in order for them to provide their opinion on preliminary design or possibly address what should be or not approved and implemented in the project, before it is processed at the level of the Main design. In this case, this kind of documentation was not contracted separately, but everything has been done within the framework of the concluded Design Contract.
3.	16/09/2016	Individual user of one of cadastre parcels /Request to consider connection of local road to the, in front of new petrol station.	Project envisages this connection



4.	20/09/2016	Municipality of Danilovgrad requested the possibility to examine the design of the circular flows at the station of km 115 + 270 (in the beginning was foreseen four-way intersection) km 120 + 000 (crossover to the villages of Plana i Bileca)	Investor agreed with the proposal of constructing a roundabout at km 115 + 270, while only a triangle cross section can be adopted as a solution at the km 120 + 000.
5.	10/10/2016	Organized meeting between the representatives of the Investor, the Designer, the Auditor for reviewing the possibility of designing roundabout on the profiles 39,40 and 41, as well as on the profile section 272 to 282.	At this meeting the investor agreed with the possibility of constructing a roundabout and three cross sections, at the locations of other types of cross sections.
6.	04/09/2017	Local community "Kosovi lug" - Request to consider connection of the local road to designed one.	Connections for the village and facilities along the road, mentioned in the Requests, are harmonized with the newly designed project of the road
7.	08/06/2018	AD "Autoservis Osmanagic" - Request to consider connection of the local road to designed one.	Request for this connection has been incorporated in the project, with minor changes to the existing road
8.	08/06/2018	"NARODNA KNJIGA" DOO - Request to consider connection of the access road of new object (Warehouse) to designed one.	Inspection of the project documentation showed that this connection already exists nearby roundabout
9.	06/11/2018	"Temples Glory 2.9" DOO - Request to consider changes of designed road axis.	Technical documentation which was developed for the subject reconstruction is completely in line with the borders of the area defined by DUP Danilovgrad, thus it is not possible to act on changing the position of the road.

During the first Project 3 site visit organized with TA and consultants it was identified that there will be only one object for demolition for the purposes of the Project 3 realization. It is related to expropriation and demolition of the object - Motel 'Pejovic'.



Table 8 - Chronological Overview of documentation preparation process before beginning of construction works

No.	Date	Public Discussion Venue / Mode of Informing	Documentation
1.		EBRD website	Procurement of the EBRD Consultancy services
2.	18/12/2018	Existing Main Road M-18	Site visit organized with TA and consultants before starting to work on documentation of ESIA
3.	05/02/2019 – ongoing		EIA Study for Reconstruction of Main Road M-18
4.	January 2019 – ongoing		ESIA for Reconstruction of Main Road M 18 (Tranche 3)