

# Environmental and Social Due Diligence, Impact Assessment and Road Safety Audit for the Moldova TENT-T Road Network Rehabilitation Project, DTM 55768

## Land Acquisition and Resettlement Framework

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## 2. Project sheet

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## 2.1. Abbreviations and Acronyms

Abbreviation and Acronym	Description
CRM	Constitution of the Republic of Moldova
DTM	Project Code (DTM 55768)
EBRD	The European Bank for Reconstruction and Development
ECHR	European Convention on Human Rights
ESIA	Environmental and Social Impact Assessment
ESR	Environmental and Social Requirement (of the EBRD)
FRC	Full Replacement Cost
GD	Government Decision
GLAC	Guide to Land Acquisition and Compensation
GMRS	Grievance Management and Redress System
LARF	Land Acquisition and Resettlement Framework
LR	Livelihood Restoration
LRP	Livelihood Restoration Plan
MC	Mobility Consultants (GmbH)
MoF	Ministry of Finance
NGO	Non-Governmental Organization
NRA	Moldova National Road Administration
PAP	Project-Affected Person
PIU	Project Implementation Unit
RP	Resettlement Plan
SME	Small and Medium-sized Enterprises
TDD	Technical Due Diligence
TEN-T	Trans-European Transport Network
VP/VPs	Vulnerable People (or Vulnerable Persons)

## 2.2. Important Notice/Disclaimer

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### 3. Land Acquisition and Resettlement Framework

#### 3.1.1. Executive Summary

The Republic of Moldova, in its efforts to integrate its national transport infrastructure into the Trans-European Transport Network (TEN-T), is undertaking the Moldova TEN-T Road Network Rehabilitation Project. This ambitious project is supported by the European Bank for Reconstruction and Development (EBRD).

The overall objective is to develop a modern, functional transport network that enhances trade, economic growth, and connectivity between Moldova and the European Union.

This document, the Land Acquisition and Resettlement Framework (LARF), sets forth the policies, principles, organizational procedures, and legal framework for addressing all potential land acquisition and involuntary resettlement impacts associated with the project. Since the detailed design and precise project footprint are not yet finalized for all components, the LARF serves as the guiding commitment for the future preparation of specific, site-based Resettlement Plans (RPs) and Livelihood Restoration Plans (LRPs). The Client, the Moldova National Road Administration (NRA), retains the ultimate responsibility for ensuring compliance with EBRD standards.

#### Project Description and Expected Impacts

The Project focuses on the rehabilitation and upgrading of two major national road corridors:

1. **M3 Road Corridor Rehabilitation (South), Tranche 2 (Lot 1-4):** This is a strategic north–south route totalling 70.9 km (classified as a Category A project requiring a full Environmental and Social Impact Assessment or ESIA). Work includes rehabilitation, pavement strengthening, and the widening of Lot 2 (19 km) from two to four lanes. Lot 4 involves the construction of a new 3.86 km bypass road around Giurgiulești village.

2. **R7 Road Corridor Rehabilitation (North), Tranche 1 (Lot 1-6):** This is a major east–west corridor totalling approximately 106.10 km (classified as a Category B project), linking the Ukrainian and Romanian borders.

The project is expected to yield significant benefits, including enhanced connectivity, reduced travel time, improved road safety through upgraded intersections and signage, and economic co-benefits such as direct employment during construction. It also promises social inclusion by providing easier access to schools, hospitals, and markets for rural and vulnerable populations.

#### Potential Displacement and Land Impacts

Based on available information, **no physical displacement** (loss of dwelling or demolition of residential buildings) is currently expected for either the M3 or R7 projects.

The primary impact anticipated is **permanent economic displacement**, primarily through the permanent loss of productive assets, especially private agricultural land, required for road widening and new bypass construction.

#### Specifically:

- M3 Lot 4 (Giurgiulești Bypass and border links): Requires the permanent acquisition of private lands, primarily agricultural land (e.g., 59 private agricultural lands for the bypass and 49 private lands for the M3/M3.1 connection).
- R7 Corridor (various lots): Requires permanent private land acquisition for widening and upgrades (e.g., 59, 81, 53, 67, and 236 private lands across Lots 1, 2, 3, 4, and 6 respectively).

#### Temporary Impacts:

Temporary economic disruption may occur due to temporary blocking of access to private agricultural land plots, petrol station, small businesses, or storage facilities during construction. The use of temporary land areas (e.g., construction camps, borrow pits) will prioritize state-owned lands first to minimize impacts on private property.

### Legal Framework and Compliance Commitments

The Moldovan legal framework permits expropriation for public utility through the Law on Expropriation for Reasons of Public Use No. 488/1999, provided there is prior and fair compensation. However, the national framework presents several key gaps when measured against the mandatory financing standard, the EBRD Environmental and Social Requirement 5 (ESR 5) on involuntary resettlement.

### Bridging the Gaps: EBRD ESR 5 Commitments

The Client explicitly commits to implementing the project according to ESR 5 principles, which **supplements national law** where gaps exist. This requires specific supplementary measures, financed by the Project, to ensure all affected people are protected.

Gap in Moldovan Law	ESR 5 Requirement / Project Commitment
<b>Compensation restricted only to those with formal legal rights (legal landowners)</b>	Compensation to formal legal rights holders (Category i); those with claims recognizable under national law (Category ii); and informal users (Category iii). Eligibility extends to three categories of Project-Affected Persons (PAPs), including informal users (Category iii) who lack legal title but are entitled to compensation for non-land assets and livelihood assistance.
<b>No legal basis for providing compensation at Full Replacement Cost (FRC).</b>	Compensation for all assets must be valued at FRC, ensuring compensation is sufficient to replace assets plus transaction costs, without deductions for depreciation. A "topping up" mechanism will be implemented if national court indemnity is lower than the FRC amount
<b>Lacks specific provisions for livelihood restoration and transition allowances</b>	All economically displaced persons must receive assistance to improve or at least restore their livelihoods and standards of living relative to pre-displacement levels. Transition support must be provided to offset lost income during the period needed for restoration activities to yield results
<b>Does not mandate avoidance or minimization of displacement</b>	Avoidance and minimization of involuntary resettlement is the primary objective. The Client must justify that residual impacts are unavoidable.

**Table 3-1: Gap Analysis**

### Livelihood Restoration and Improvement

Livelihood restoration (LR) is a mandatory obligation for all economically displaced persons.

- For Land-Based Livelihoods: If agricultural land is lost, the Client must make best efforts to offer replacement land of equal or better value and productivity. Improvement measures may include providing agricultural improvement packages, support for intensification, or facilitating access to grants or microfinance.
- For Non-Land Based Livelihoods (Businesses and Workers): Strategies focus on job retention and creation, including vocational training, business re-establishment assistance, and priority access to job opportunities created by the project.

### Assistance to Vulnerable People

The Project mandates special efforts for **Vulnerable People (VPs)**—individuals who may be disproportionately affected by displacement due to factors like age, low income, disability, or being a female-headed household.

- The goal for VPs living in poverty who are affected by economic displacement is meaningful improvement of livelihoods, moving beyond mere restoration.



- Assistance is tailored through individual action plans for each vulnerable household, which may include help with title registration, access to social welfare, moving assistance, and transitional financial support beyond standard compensation.

### **Consultation, Grievance Mechanism, and Monitoring**

#### **Consultation and Disclosure**

Meaningful consultation and participation are mandatory throughout all phases of land acquisition and resettlement.

- **Disclosure:** The LARF is publicly disclosed, and subsequently, the specific RPs/LRPs will be disclosed prior to construction. Information will be provided in relevant languages (Romanian and English, potentially Russian where appropriate) and in a simple, practical, and culturally appropriate format, such as a Guide to Land Acquisition and Compensation (GLAC).
- **Engagement:** Future engagement will focus on allowing PAPs, particularly women and vulnerable groups, to participate in selecting compensation options and developing livelihood restoration strategies.

### **Grievance Management and Redress System (GMRS)**

The NRA will establish a Project-specific GMRS to address concerns related to entitlements, compensation, and livelihood restoration in a timely and impartial manner.

- The GMRS must be operational prior to the census taking place.
- It is designed to be accessible to all groups, including vulnerable persons and informal users.
- The system includes a **First Tier of Amicable Settlement** at the local level (e.g., Mayor's Office) and a **formal recourse mechanism** (such as third-party mediation or arbitration).
- Crucially, the GMRS is an administrative recourse that does not impede the PAP's right to seek judicial or administrative remedies at court at any stage.

### **Monitoring and Evaluation**

Monitoring and evaluation (M&E) ensure compliance and track whether the objectives of ESR 5 are being met.

- **Internal Monitoring:** Conducted regularly by the NRA Project Implementation Unit (PIU) to track progress (inputs) and performance (outputs), such as the number of agreements signed and compensations paid.
- **External Reviews:** Regular independent external monitoring (compliance reviews) is mandated for higher-risk projects (like M3, Category A). These external reviews assess the impact of the measures and verify whether livelihoods have been restored or improved compared to pre-displacement levels.
- **Completion Audit:** An external completion audit, focusing primarily on verifying the long-term success of livelihood restoration activities, is required after the completion of compensation delivery.

### **Implementation Responsibilities and Funding**

The NRA (Client) holds the ultimate responsibility for planning, financing, and executing the LARF, RPs, and LRPs. The Ministry of Finance (MoF), together with the NRA, must ensure the availability of sufficient budget for all compensation and livelihood restoration activities.

### **Funding and Budget Arrangements**

The budget for Land Acquisition and Resettlement must ensure that funds are available **prior to displacement**.

Funding commitments must cover:

- Direct compensation payments at FRC.

- Supplemental costs required to bridge the gap between Moldovan law and ESR 5 (e.g., FRC top-ups, livelihood restoration programs, compensation for informal users).
- Livelihood restoration activities, management expenses, and monitoring.
- A contingency of at least 20 percent to account for unforeseen changes, inflation, and unexpected expenditures.

### Next Steps for Implementation

For any project component where land acquisition impacts are confirmed, the NRA must prepare a specific RP/LRP. Key actions include:

- 1) **GMRS Activation:** Ensure the GMRS is operational before the census.
- 2) **Census and Surveys:** Conduct a detailed household census and socioeconomic baseline survey, and publicly disclose the cut-off date.
- 3) **Valuation:** Complete the asset inventory and FRC valuation of all losses.
- 4) **Drafting and Consultation:** Draft the RP/LRP, detailing entitlements, budget, and schedule, through meaningful consultation with affected persons.
- 5) **Compensation Delivery:** Ensure timely delivery of FRC compensation and transition support prior to any land entry. The resettlement timeline must be aligned with the construction schedule.

This Framework confirms the Project's adherence to the highest international standards, ensuring that unavoidable impacts are mitigated effectively, and all affected people are compensated fairly and assisted in restoring or improving their livelihoods.

## 3.1.2. Scope of the LARF: Introduction

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### 3.1.2.1. Scope and contents of this framework

This Land Acquisition and Resettlement Framework (LARF) sets out the policies, principles, organizational procedures, and legal framework for addressing all potential land acquisition and involuntary resettlement impacts related to the M3 and R7 Road Corridors under the Moldova TEN-T (Trans-European Transport Network) Road Network Rehabilitation Project. The LARF is specifically prepared when the exact nature or magnitude of the land acquisition or restrictions on land use are unknown.

The Moldova TEN-T Road Network Rehabilitation Project aims to develop a modern, functional transport network that enhances trade, economic growth, and connectivity between Moldova and the European Union. This LARF covers two project components: **the M3 Road Corridor Rehabilitation (South), Tranche 2 (Lots 1–4), and the R7 Road Corridor Rehabilitation (North), Tranche 1 (Lots 1–6).**

This LARF is informed by the Environmental and Social Impact Assessments carried out under the EBRD Environmental and Social Policy, which classifies M3 as a Category A project, requiring a full ESIA, and R7 as a Category B project, requiring an Environmental and Social Assessment. Since the full detailed design and precise project footprint are not yet finalized for all sub-components, particularly M3 Lot 3 and specific R7 segments, this LARF serves as the guiding document for the future preparation of specific, site-based Resettlement Plans (RPs) and/or Livelihood Restoration Plans (LRPs). This phased approach is not uncommon for linear projects where the design is still evolving.

This Framework establishes clear principles for avoiding and minimizing displacement impacts and, where unavoidable, ensuring appropriate mitigation, all while securing Client's commitment to plan, implement and monitor all land acquisition activities in line with EBRD Environmental and Social Requirement 5 (ESR 5) on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement (December, 2025).

The consultation and disclosure of this framework among affected people and other stakeholders also informs these principles and the Client's commitments, promoting transparency in the process and ensuring meaningful reflection of affected people's perspectives. This LARF defines the commitment for next steps in planning and implementation to ensure Project-Affected Persons are provided with measures in accordance with EBRD ESR 5 and that impacts are addressed in a fair and transparent manner, paying particular attention to livelihood restoration and assistance to vulnerable people.

### 3.1.2.2. Key definitions

The Land Acquisition and Resettlement Framework uses key terms which are related to EBRD Environmental and Social Requirement 5. The main terms are defined below (main source: EBRD ESR 5 Guidance Note, 2025. Other sources: Environmental and Social Policy, 2024, and EBRD Resettlement Guidance and Good Practice):

- **Affected community:** Community affected by the project as defined under ESR 1 and whose members are experiencing physical or economic displacement. Affected communities include host communities.
- **Affected person:** A legal or natural person experiencing physical or economic displacement as a result of project-related land acquisition or restrictions on land use, other assets or natural resources.
- **Business:** Shops, restaurants, services, manufacturing facilities and other enterprises, regardless of size and whether licensed or unlicensed.
- **Completion audit:** External audit of land acquisition and resettlement activities undertaken after the activities defined in the resettlement plan have been completed, to determine whether requirements in ESR 5 and provisions in the resettlement plan have been met, particularly those pertaining to livelihood improvement or restoration.
- **Compensation:** Payment in cash or in kind for loss of land, other assets or natural resources and access thereto, that are acquired or affected by the project. It encompasses all forms of compensation, including the provision of a dwelling (apartment or house and land) to replace the affected one.
- **Cut-off date:** The date after which anyone who moves into the project area is no longer entitled to compensation and/or assistance. In practice, the cut-off date is usually the date of completion of the census of people and inventory of assets in the project-affected area, unless there are local legal provisions for another arrangement. Persons found occupying the project area after the cut-off date are not eligible to project compensation or other resettlement benefits. Similarly, fixed assets (such as built structures or crops) established after the cut-off date will not be compensated.
- **Displacement (economic):** Loss of income sources or means of livelihood due to loss of assets – including land – or of access to assets as a result of project-related land acquisition, temporary occupation or restriction of access to natural resources. People or enterprises may be economically displaced with or without

experiencing physical displacement.

- **Displacement (physical):** Loss of dwelling or shelter as a result of project-related land activities that require the affected person(s) to move to another location.
- **Expropriation:** The process whereby a public authority, in return for compensation, requires a person, household or community to relinquish rights to properties (land and structures) that it occupies or otherwise uses.
- **External compliance review:** Periodic external reviews of land acquisition and resettlement activities undertaken during planning and implementation of these activities to determine whether requirements in ESR 5 and provisions in the resettlement plan are being met. It must include recommendations to correct any observed gap.
- **Forced eviction:** Acts and/or omissions involving the coerced or permanent or temporary involuntary displacement of individuals, groups and communities from homes and/or lands and common property resources that they occupy or depend on, thus eliminating or limiting the ability of an individual, group or community to reside or work in a particular dwelling, residence or location, without the provision of, and access to, appropriate forms of legal or other protections provided for under ESR 5.
- **Full replacement cost:** A method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labour for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety.
- **Gender:** The behaviours, social attributes and opportunities associated with being of a particular sex, which are socially constructed, learned, context and time specific, and changeable.
- **Inventory:** Inventory should include a detailed account – prepared through a consultative, impartial and transparent process – of the full range of rights held or asserted by affected people, including those based on custom or practice, secondary rights such as rights of access or use for livelihoods purposes, and rights held in common.
- **Involuntary Resettlement:** In the sense of ESR 5, resettlement refers to two distinct but related processes:
  - Displacement, whereby a project causes affected persons to lose land, dwellings or other assets, or access to these assets or to natural resources.
  - Resettlement, whereby affected persons are assisted in relocating to new dwellings and in improving, or at least in restoring, their livelihoods, including incomes and living standards.Resettlement is considered involuntary (thereby making ESR 5 applicable) when affected persons do not have the right to refuse land acquisition that results in displacement. This occurs in cases of:

- Expropriation using the “eminent domain” powers of the state.
- Negotiated settlements in which the buyer can use expropriation, even if as a last resort, when negotiations with the seller fail.
- **Land:** includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, as well as water bodies contained therein.
- **Land Acquisition:** All methods of obtaining land for project purposes, which may include: outright purchase; expropriation of land and assets; acquisition of temporary or permanent access rights, such as easement rights; and establishment of restrictions of access to protected and other areas. Land acquisition may also include: (i) acquisition of unoccupied or unutilised land whether the landholder relies upon such land for income or livelihood purposes; (ii) repossession of public land that is used or occupied by individuals or households; and (iii) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. “Land” includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.
- **Land rights:** Includes full and permanent ownership rights recognised by the law of a country, whether registered or customary; permanent or temporary usufruct (usage) rights derived from a formal or informal agreement or from custom, including long or short-term lease, tenancy and sharecropping as well as formal or informal use of communally held natural resources such as forest, pasture and water bodies; rights of way established by law or custom; and restrictions of use or access established by law or custom.
- **Livelihood:** Livelihood refers to the full range of means that individuals, families and communities use to make a living, such as: wages from employment; cash income earned through an enterprise or through the sale of produce, goods, handicrafts or services; rental income from land or premises; income from a harvest or animal husbandry, share of a harvest (such as various sharecropping arrangements) or livestock production; self-produced goods or produce used for exchange or barter; self-consumed goods or produce; food, materials, fuel and goods for personal or household use or trade derived from natural or common resources; and pensions and various types of government allowances.

Three broad types of livelihoods are often distinguished:

- land-based livelihoods (activities such as cropping and grazing of livestock as well as the harvesting of natural resources)
- wage-based livelihoods
- enterprise-based livelihoods.

However, livelihoods in developing, emerging and transition economies are often based on complex combinations of activities at household level.

- **Livelihood improvement or restoration:** Specific allowances or activities meant to support affected persons in improving or at a minimum restoring their livelihoods compared with pre-displacement levels.
- **Orphan land:** refers to land that does not fall within the project’s direct footprint but becomes unusable, unviable or inaccessible for its intended use as a result of partial land acquisition or the acquisition of plots nearby.

- **Property:** Buildings, land or both together, including all fixed assets attached to the land such as trees and ancillary structures.
- **Resettlement Assistance:** Technical and financial assistance provided to displaced people in addition to compensation to support their efforts in relocating to a new home and restoring their livelihoods.
- **Restrictions on land use:** Limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources and restrictions on land use within utility easements or safety zones.
- **Security of tenure:** When resettled individuals or communities are resettled to a site they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate.
- **Transition period:** Period between the occurrence of displacement and the time when affected livelihoods are restored.
- **Vulnerable groups (or people):** People who – by virtue of gender identity, ethnicity, age, disability, economic disadvantage or social status – may be more adversely affected by project impacts than others and who may be limited in their ability to claim or take advantage of project benefits. Vulnerable individuals and/or groups may also include people living below the poverty line, the landless, the elderly, households headed by women and/or children, refugees, internally displaced people, ethnic minorities, natural resource-dependent communities or other displaced persons who may not be protected by national and/or international law.

### 3.1.3. Project Description and Potential Project Impacts

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#### 3.1.3.1 Project objectives, location, rationale, and benefits

The Republic of Moldova intends to integrate the national transport infrastructure into the Trans-European Transport Network (TEN-T) - a strategic objective set out in the 2030 Mobility Strategy, by modernizing railways, building bridges and motorways and developing corridors with Romania and Ukraine. The project supports national and regional connectivity by rehabilitating priority roads linking the Republic of Moldova to the European Union and Ukraine<sup>1</sup>.

The project consists of the rehabilitation and upgrading of two major national road corridors: M3, Tranche 2 (South) and R7, Tranche 1 (North):

The M3 corridor, southern part of Republic of Moldova, is a strategic north – south route linking the capital with the southern border and the EU TENT Core Network. Tranche 2 of the M3 Road (Chişinău – Comrat – Giurgiuleşti

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<sup>1</sup> For further information on the project, please refer to the official publication available on the Ministry of Infrastructure and Regional Development of the Republic of Moldova's website at the following link: <https://midr.gov.md/noutati/republica-moldova-a-incheiat-evaluarea-tehnica-a-domeniului-transporturilor-si-a-infrastructurii-in-cadrul-sesiunii-de-screening-bilateral-de-la-bruxelles>

– Romanian border) is crossing the central and southern regions of the Republic of Moldova within Chişinău Municipality and the districts of Ialoveni, Cimişlia, and Cahul. Rehabilitation will improve road safety, travel efficiency, and regional connectivity, supporting trade and economic integration with neighbouring countries. Specifically, the M3 Project will generate significant environmental, social and economic co-benefits, including:

- Enhanced connectivity: Reduced travel time, improved freight efficiency, and regional integration with EU markets;
- Safety improvements: Upgraded intersections, signage, barriers, lighting, and pedestrian crossings.
- Health and environmental benefits: Reduced dust and noise exposure, lower accident rates, and improved drainage reducing flood risks;
- Employment and local economy: Direct jobs during construction, indirect benefits for local suppliers, and increased regional competitiveness;
- Social inclusion: Easier access to schools, hospitals, and markets for rural and vulnerable populations, particularly women and elderly residents;
- Tourism and business growth: Better access

The M3 Project scope: Tranche 2 totals 70.9 km (Category A) and includes four lots:

1. Airport I/C – Porumbrei (34.4 km)
2. Porumbrei – Cimişlia (19 km)
3. Cimişlia – Comrat (12 km)
4. Giurgiuleşti Ring Road (6.2 km)

The R7 corridor, in the northern part of the Republic of Moldova, is a major east-west corridor that links the Ukrainian border to the Romanian border at Costesti. The R7 Road provides the shortest north connection between Ukraine and Romania, supporting cross-border trade and agricultural exports. The R7 is located within the administrative territories of the districts Soroca, Drochia, and Rîşcani. The inclusion of logistics routes in the TEN-T network will contribute to attracting European investments for the modernization of transport infrastructure and will eliminate existing obstacles in the conduct of logistics operations<sup>2</sup>.

Project scope: Tranche 1 totals approximately 106,10 km (Category B) and includes six lots:

1. R14 – Drochia (29 km)
2. Drochia – Riscani (27.4 km)
3. Riscani – Costesti (30 km)
4. Drochia Bypass (7.3 km)
5. Connection with new bridge over River Prut at the Romanian border (5 km)
6. Soroca – Ukrainian border (7.4km)

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<sup>2</sup>For additional details regarding the R7 project, please consult the official publication available on the Ministry of Infrastructure and Regional Development of the Republic of Moldova's website at the following link: <https://midr.gov.md/noutati/uniunea-europeana-consolideaza-legaturile-de-transport-cu-republica-moldova>



### 3.1.3.2. Key project components

The M3 Project involves rehabilitation, widening, and limited new-construction works along four sections of the M3 Chişinău – Cimişlia – Comrat – Giurgiuleşti corridor. It also includes different temporary facilities and a borrow pit.

#### **Lot 1: Airport I/C – Porumbrei**

Length: 34.4 km (km 10+000 – km 44+350, with 4 traffic lanes)

Works: Rehabilitation; pavement strengthening; replacement of existing culverts; renewal of horizontal and vertical signage.

#### **Lot 2: Porumbrei – Cimişlia**

Length: 19 km (km 44+420 - km 63+430)

Works: Widening of the existing two-lane section to four lanes, with full pavement reconstruction and upgraded drainage. Safety measures include new guardrails, lighting at intersections, and improved pedestrian crossings near villages along the route.

#### **Lot 3: Cimişlia – Comrat**

Length: 12 km (km 70+350 – km 82+430)

Works: Rehabilitation of the existing two-lane road with pavement replacement, shoulder strengthening, and selective drainage improvements. Works will restore structural integrity and riding quality while reducing maintenance needs.

#### **Lot 4 - Giurgiuleşti Ring Road and Border Links**

Length: 6.2 km

Works: Rehabilitation of the M3 road (km 211.98 – km 213.69) and the M3.1 road (km 0.0 – km 0.65), as well as construction of a new 3.86 km bypass road around Giurgiuleşti village.

#### **Construction camp and site facilities, Fuel and lubricant storage, Waste storage and management areas**

The site organisation will include clearly designated zones for material storage, equipment operation, waste management, and worker facilities.

- A temporary construction camp will be established near the M3 alignment, in an area with easy access to the main transport routes and located at a safe distance from settlements, watercourses, and sensitive habitats.
- Fuel and lubricant storage will be located on a designated, impermeable platform.
- Separate waste collection points will be provided for different waste types.

#### **Instalment of a temporary asphalt plant (if any)**

For asphalt production, if a temporary asphalt plant is installed.

#### **Borrow Pit "Cîşliţa-Prut"**

The borrow pit for extracting materials to build the Giurgiuleşti bypass embankments is situated on the crest of a hill, on the left side of the national road M3 (Giurgiuleşti – Cahul).

For further details, see: ESIA of the M3.



### 3.1.3.3. The project potential footprint and its associated land impacts

Generally in relation to M3:

- Based on the available information from NRA and from visual observations during the site visit no buildings are expected to be demolished for the Project and no physical displacement is expected to occur.
- The Project is being developed mostly within land plots designated for road operation, except from minor private land acquisition:
  - For minor widening of road sections and junctions: Lot 2 (190 private lands were already expropriated via signing of direct purchase of the land during phase 1, 2019 prior to EBRD involvement), Lot 4 M3/M3.1. connection between borders (49 private lands);
  - For new road construction: Lot 4 – Giurgiulești bypass (59 private lands)
- Possible permanent economical displacement related to land acquisition for the project: Loss of income sources due to the permanent loss of productive assets, especially agricultural land.
- Temporary economic displacement due to temporary blocking of access to private agricultural land plots, as well small businesses, gardens or storage facilities located on either side of the adverse roadway during construction. These assets will remain operational after works are completed.
- The final location and/or ownership of the additional land plots to be temporarily used for construction sites or soil storage has not been yet identified.
- State lands shall be used for establishment of: construction camps, work sites borrow pits, access roads. Private lands can be used only if no state land is available and with approval of NRA (no agricultural lands shall be used).
- The Project is being developed mostly within land plots designated for road operation which are already state property and managed by NRA according to GD 362 /2011 on the approval of the list of public state property lands occupied by national roads.
- The Project will not lead to the loss of local access to the Project Road via existing authorised driveways and local road network. Alternative routes, the final number and configuration of access points will be determined based on the recommendations of the Road Safety Audit.
- The preferred concept at design stage involved rehabilitation and partial widening within the existing right-of way, minimizing new land acquisition and avoiding sensitive habitats identified during baseline studies.

Generally in relation to R7:

- Based on the available information from NRA and from visual observations during the site visit no buildings are expected to be demolished for the Project and no physical displacement is expected to occur.
- The Project is being developed within land plots designated for road operation and from permanent private Land Acquisition: Acquisition of privately owned land R7 Lot 1 (59 private lands); R7 Lot 2 (81 private lands); R7 Lot 3 (53 private lands); R7 Lot 4 (67 private lands); R7 Lot 6 (236 private lands).
- Possible permanent economical displacement related to land acquisition for the project: Loss of income sources due to the permanent loss of productive assets, especially agricultural land. In addition, retired individuals often lease their land to agricultural associations, which cultivate it and return a percentage of the

profits to the landowners. In some cases, this is their main income next to their pension. For the construction of the bypass, public land will be affected as well. Currently, this land is used for grazing by the local community. However, there is alternative public land available for grazing.

For expropriation mostly agricultural land is acquired for M3 and R7 road sections.



**Figure 3-1:** General view of the M3 Lot 2 road section - rehabilitated in Phase 1, prior to EBRD involvement. Phase 2 entails widening of 19 km road from 2 to 4 lanes.

Specific footprint / land impacts details for each project component are outlined in the below tables 1 and 2. Note: potential footprint, the final footprint to be confirmed during detailed design:

M3 (Tranche 2) project components	Potential footprint / land impacts (construction/operation phase)
<b>Lot 1 Airport I/C – Porumbrei. Lot 1 (Airoport Chişinău – Porumbrei, 34.4 km) km 10+000 – 44+350 – rehabilitation</b>	<p>All works remain within the existing right-of-way. No permanent land acquisition is required, temporarily occupied during construction, reconstruction and other works - missing, all reconstruction works are carried out within the limits of the existing road and related areas.</p> <p>No detailed design available yet, but if alternative route option will not be applied: Temporary economic displacement due to temporary blocking of access to private agricultural land plots.</p> <p>Total number of trees removed: 3</p>
<b>Lot 2 (Porombrei – Cimişlia, 19 km) rehabilitation &amp; widening of 19 km of road from 2 to 4 lanes.</b> <b>km 44+420 – 63+430 – rehabilitation/construction</b>	<p>This section passes mainly through agricultural land and does not intersect protected natural areas within 1 km of the alignment.</p> <p>Total land allocated for construction in the Porumbrei – Cimişlia sector: 108,4526 ha, including:  64 public lands and 190 private Lands for Lot 2 were acquired in Phase 1 of the road rehabilitation, 2019. Compensation was paid.  The total land use of the 254 acquired lands: 57 Public land intended for transport, electronic communications networks and mining. Not divided in private and public category: 4 land intended for construction and development; 11 gardens; 168 agricultural; 14 uncategorized;</p> <p>For phase 2 no further land acquisition is expected. Land acquisition has been undertaken as part of Phase 1.</p> <p>Total number of trees removed in the first phase during right-of-way clearance: 616 units and 113 bushes (&lt;10 cm diameter) on temporary roads on this lot. No deforestation planned for phase 2. Bridge structures, culverts, engineering networks, and the roadbed are 95 – 100% complete.</p>
<b>Lot 3 (Cimişlia – Comrat, 12 km) km 70+350 – 82+430 – rehabilitation</b>	<p>Connection between two bypasses. No detailed design available. No new alignment or additional land acquisition is foreseen.</p>

**Lot 4 (Bypass road of Giurgiulești village, Cahul district, 3,85 km) (connection between M3 and R34) with parking area for freight transport - construction**

The construction of the bypass, built on public road, will redirect heavy traffic to the border checkpoints with Ukraine and Romania, which currently pass through the village of Giurgiulești, causing discomfort for residents and compromising traffic safety.

Road between the two borders Giurgiulesti – Ukraine:

- Temporary economic displacement during construction: especially regarding small shops selling food/drinks located on either side of the adverse roadway
- Temporary blocking of access to petrol stations which will probably be solved via creating an alternative access and no temporary economic displacement foreseen.
- There is an existing sport stadium used by people (e.g. youth) to play. Local authorities confirmed there is sufficient available land to move the stadium with minimal impact for the local community.

Giurgiulesti Residential area (211+870; 212+900 Right side)  
Closest residential area to the project alignment; nearest dwellings approximately 3 – 5 m from the M3 connection border points. Land acquisition impacts for bypass sector

Total: 59 private agricultural lands and 18 public lands (1 forest- fund land; 17 uncategorized) (based on available data)  
Total expropriation: 14,765 ha, including:

Expropriation according to the road area project, ha:

- Existing public land outside the village: 8,141 ha
- Private arable land: 0,345

Expropriation according to the project for the road safety zone, ha

- Existing public land outside the village: 3,692 ha
- Private arable land: 2,759 ha

Existing public road: 0,731 ha

The construction works will be carried out in an area where there are no known cultural heritage assets to be protected. The risks to hitherto unknown cultural heritage sites from excavations along the road corridor are very minor, and in any case will be addressed by implementing a Chance Finds Procedure in accordance with EBRD ESR8 and national law.

Total number of trees removed: 55

**Lot 4 M3/M3.1 (M3 road Chisinau – Comrat – Giurgiulesti – border with Romania, km 211.98 – 213.69 and the M3.1 (Giurgiulesti – border with Ukraine, km 0.0 – 0.65 (connection road of the Giurgiulesti - Reni and Giurgiulesti - Galati state border crossing points) - rehabilitation**

49 private lands and 20 public lands (based on available data)  
Total expropriation: 9.541 ha, including:

Expropriation according to the road area project, ha

- Existing public land outside built-up areas: 1.330 ha
- Private construction land: 0.215 ha
- Private arable land: 0.880 ha

Expropriation according to the project for the road safety zone, ha

- Existing public land outside built-up areas: 0.962 ha
- Private construction land: 0.111 ha
- Private arable land: 0.378 ha

Existing public road: 5.664 ha

For M3.1. specifically: 9 private lands (of which 5 agricultural land; 2 land intended for construction and development and 2 gardens); 7 indefinite ownership; 14 public lands (of which 3 land intended for construction and development; 1 agricultural; 1 special purpose land; 9 uncategorized).

	<p>The construction works will be carried out in an area where there are no known cultural heritage assets to be protected. The risks to hitherto unknown cultural heritage sites from excavations along the road corridor are very minor, and in any case will be addressed by implementing a Chance Finds Procedure in accordance with EBRD ESR8 and national law.</p> <p>Total number of trees removed: 18</p>
<b>Temporary facilities: construction camp and site facilities, Fuel and lubricant storage, Waste storage and management areas, an asphalt plant (if installed)</b>	<p>The final location and footprint will be confirmed during detailed design and coordinated with the Technical Due Diligence (TDD) team, ensuring compliance with buffer distances and baseline conditions (see 4.1 – 4.2 of the ESIA of M3).</p> <p>State lands will be used for establishment. Private lands can be used only if no state land is available and with approval of NRA (no agricultural lands shall be used).</p>
<b>Borrow Pit "Cișlița-Prut"</b>	<p>Borrow Pit "Cișlița-Prut" is located on publicly owned land (plot no. 5415029) outside Cișlița-Prut village, Cahul district and outside inhabited zones, with no surface water sources in the vicinity.</p> <p>State lands will be used for establishment of borrow pits. Private lands can be used only if no state land is available and with approval of NRA (no agricultural lands shall be used).</p> <p>The total area of the land – 3,00 ha</p>
<b>Temporary areas: construction laydown areas, storage of excavated materials/soil, cut trees</b>	<p>May require temporary land acquisition</p> <p>The exact location of the construction laydown areas, storage of excavated materials/soil, cut trees will be defined within the construction Works Execution Plans, which will be developed by a Contractor(s) based on the Construction Management Plans and detailed design documentation after completion of the tendering process.</p>
<b>Access Roads</b>	<p>State lands will be used for establishment. Private lands can be used only if no state land is available and with approval of NRA (no agricultural lands shall be used).</p> <p>The exact location of the access roads will be defined within the construction Works Execution Plans, which will be developed by a Contractor(s) based on the Construction Management Plans and detailed design documentation after completion of the tendering process.</p>

**Table 3-2: M3 project potential footprint/land impacts**

<b>R7 (Tranche 1) project components</b>	<b>Potential footprint / land impacts (construction/operation phase)</b>
<b>Lot 1 (R14 – Drochia, 29km)</b>	<p>Detailed design available</p> <p>Total 7 ha, including 77 lands:</p> <p>Public land: 5,16ha (including 18 lands);</p> <p>Private land: 1.84 ha (including 59 lands).</p> <p>The construction works will be carried out in an area where there are no cultural heritage assets to be protected.</p> <p>Estimate data for trees removal: 557 units</p>
<b>Lot 2 (Drochia – Riscani, 27.4km)</b>	<p>Detailed design available</p> <p>Total 2,56 ha, including 126 lands</p> <p>Private land: 81 lands of which 20 agricultural land; 54 uncategorized; 7 land intended for construction and development)</p> <p>Public land: 12 lands of which 3 water-fund lands; 9 uncategorized)</p> <p>33 Indefinite ownership land (of which 33 uncategorized land use)</p> <p>The construction works will be carried out in an area where there are no cultural heritage assets to be protected.</p> <p>Estimate data for trees removal: 386 units</p>
<b>Lot 3 (Riscani – Costesti, 30km)</b>	<p>Detailed design available</p> <p>Total: 3,62 ha, including 58 lands:</p> <p>Private land: 53 lands (of which 37 agricultural, 4 land intended for construction and development and 12 gardens)</p> <p>Public land: 5 lands (of which 1 agricultural; 2 water-fund land; 1 forest-fund land; 1 land intended for transport, electronic communications networks and mining)</p> <p>The construction works will be carried out in an area where there are no cultural heritage assets to be protected.</p> <p>Estimate data for trees removal: 615 units</p>

<b>Lot 4 (Drochia Bypass)</b>	<p>Detailed design available</p> <p>Total 19.71 ha, including in total 67 private lands (66 agricultural lands; 1 land intended for construction and development); 16 public lands (12 uncategorized; 3 water-fund land; 1 land intended for construction and development):</p> <p>New sector road: Private land: 13,39 ha Public land: 6,17 ha</p> <p>Rehabilitation Sector road Private land: 0,15 ha</p> <p>Economic Displacement:</p> <ul style="list-style-type: none"> <li>- The private land under consideration for expropriation is primarily agricultural land and serves as a source of income</li> <li>- Specifically, retired individuals often lease their land to agricultural associations, which cultivate it and return a percentage of the profits to the landowners. In some cases, this is their main income next to the pension.</li> <li>- The private land is used for annual crops.</li> </ul> <p>The average size of the parcel is 1 ha, 1 household can have 1 or 2 parcels. For the construction of the bypass, public land will be affected as well. Currently, this land is used for grazing by the local community. Local authorities confirmed that there is alternative public land that could be used for grazing.</p> <p>Possible areas with cultural heritage assets (to be confirmed) Estimate data for trees removal: 70 unit</p>
<b>Lot 5 (Connection with new bridge over River Prut at the Romanian border, 5km)</b>	<p>There is no detailed design available There is no exact data regarding the expropriations Possible areas with cultural heritage assets (to be confirmed) There is no data regarding the trees removal</p>
<b>Lot 6 (Soroca – Ukrainian border, 7.4km)</b>	<p>There is no detailed design available Total: 41,73 ha, including in total 281 lands:</p> <ul style="list-style-type: none"> <li>- Private lands (236 lands; 34,67 ha)</li> <li>- Public lands (45 lands; 7,06 ha) of which 3 forest fund land; 4 water fund land, 1 agricultural; 2 land intended for transport, electronic communications networks and mining; 2 gardens and 33 uncategorized).</li> </ul> <p>Possible areas with cultural heritage assets (to be confirmed) There is no data regarding the trees removal.</p>

**Table 3-3:** R7 project potential footprint/land impacts

### 3.1.3.4. Commitment to avoidance and minimisation of displacement in further project development

The Client (Moldova National Road Administration) is committed to applying the mitigation hierarchy in accordance with EBRD Environmental and Social Requirement 5 (ESR 5), with priority given to the avoidance and minimisation of displacement impacts. Avoidance is the preferred approach. Where avoidance is not feasible, the Client must document the design alternatives considered and justify that residual impacts are unavoidable in the resettlement planning documentation. This justification must demonstrate rigorous efforts to minimize residual physical and/or economic displacement impacts, paying particular attention to the displacement of vulnerable people. The justification must provide a clear rationale for any residual impacts deemed unavoidable. The Client is committed to the following approach to avoid and minimize displacement in further project development:

- **Design Review:** Project designs (including detailed designs for M3 Lot 1-3 and remaining R7 Lots 5 and 6) will



be reviewed, including meaningful consultation with affected parties, to ensure maximum utilization of existing road operation land plots and minimize overlaps with private property or community resources. Documentation will justify that any residual impacts are unavoidable.

- **Alternative Sites & Temporary Use:** Efforts were made to route the new alignment (M3 Lot 4 bypass) through areas minimizing impact. The selection and use of temporary land areas (e.g. construction camps, borrow pits) must prioritize state-owned lands first to limit private property impacts. This includes minimising the use of agricultural land temporarily occupied for road construction. Temporary occupation of land for construction purposes must be compensated. Any unavoidable temporary use of private land must be compensated at full replacement cost and the land must be handed back after proper reinstatement to its original state.
  - During construction, the Contractor is responsible for providing temporary alternative access routes to e.g. agricultural land, businesses and shops located on either side of the road. The Client remains responsible for ESR 5 compliance in all temporary occupation transactions involving contractors.
  - The Contractor will provide to the Investor (or by proxy to the Supervising Engineer) all agreements for temporary land lease from private owners for review to ensure:
    - Compensation for all losses (including income, crops, and assets) is calculated at full replacement cost and delivered prior to land entry.
    - Specifically defined lease period.
    - Baseline survey of the land plot (to document existing conditions prior to use).
    - A requirement to reinstitute the land and property to its original state at the end of the lease period, or pay compensation for any residual damage
- **Orphan Land/Partial Displacement:** In cases where partial acquisition renders the remaining plot unusable, unviable or inaccessible, the project will consider the options provided in national law and offer to acquire the entire parcel. If viability or use of the remaining plot is disputed, the client will engage an independent third-party valuer or agricultural expert.

**Where physical and/or economic displacement is unavoidable, appropriate mitigation measures will be incorporated:**

- 1) All affected persons will be provided compensation for lost assets at full replacement cost, delivered timely and prior to displacement or the imposition of access restrictions.
- 2) Affected persons will receive assistance to improve or at least restore their livelihoods, income-earning capacity, and standards of living in real terms relative to pre-displacement levels.
- 3) If physically displaced (based on available information no physical displacement foreseen for M3 or R7 project), provided with adequate housing (including essential services and utilities) with security of tenure at resettlement sites.
- 4) For vulnerable people, the project ensures the meaningful improvement of livelihoods for those living in poverty and the improved living conditions for physically displaced persons; furthermore, livelihood restoration planning takes account of vulnerability by matching tailored activities to their specific abilities and capacities.

- 5) The project will ensure that land acquisition, restrictions on land use, and involuntary resettlement activities are planned and implemented with meaningful consultation, participation, and disclosure of information, particularly during the selection of resettlement and livelihood options and planning for construction activities and road closure.
- 6) An effective grievance mechanism will be established as early as possible (prior to the census) to address concerns related to entitlements, compensation, and livelihood restoration in a timely and impartial manner. This mechanism must be accessible, transparent, responsive, and include a recourse mechanism that allows for safe reporting of concerns.
- 7) Enabling affected persons to benefit directly from the project, where the nature of the project affords such opportunities, e.g. ensuring favourable conditions for the future economic use of land along the road.

### 3.1.4. Legal Framework

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#### 3.1.4.1. The constitution

The Republic of Moldova's legal framework is founded on the Constitution of the Republic of Moldova (CRM1/1994) and aligns with fundamental human rights principles, including the European Convention on Human Rights (ECHR), emphasizing legality, proportionality, and fair compensation in cases of compulsory acquisition for public interest. Article 46 of the Constitution explicitly guarantees the right to private property. Expropriation is permitted only where it serves a clear and justified public interest, is implemented in compliance with the law, and provides the owner with prior (prior to the transfer of ownership to the state) and fair compensation. This requirement for due process ensures that the national exercise of eminent domain, provided it complies with the law and ESR 5 requirements, will not be considered forced eviction.

Specifically, Law No. 204/2024 (for M3 and R7 roads) and Law No. 18/2025 (for the Giurgiulești bypass and border crossing infrastructure) declare the relevant Project components to be of public utility and national interest, providing the legal basis for expropriation under Law No. 488/1999 on Expropriation for Reasons of Public Use.

#### 3.1.4.2. The expropriation law

The main laws governing land acquisition in Moldova for acquisition of land for projects of national interest and municipal needs are the Law on Expropriation for Reasons of Public Use No. 488 of 7 August 1999 (last amended 1 April 2025), and the Land Code No. 828-XII, 1991 with amendments. These laws outline the key legal procedures for expropriation, valuation, and compensation for land and property. These regulations consider options for the land acquisition payable exclusively for the legal landowners, including: (i) land-for-land replacement; (ii) payment based on market prices; and (iii) the right to dispute compensation amounts through the courts.

In addition to the two laws mentioned above, the country has other regulatory instruments that provide a basis for: (i) regulating, implementing, and managing the acquisition of land, property, and productive assets; and (ii) ensuring compensation for any resulting losses. The laws and regulations most relevant to resettlement and related matters, such as land management and compensation, include the following laws and by-laws:

- Law on Small Farmers' Households No. 1353 of 3 November 2000;
- Law on Renting in Agriculture No. 198 of 15 May 2003;
- Law on Public Lands and their Delimitation No. 91 of 5 April 2007;
- Approval of the Regulation on Agricultural Terrain Consolidation, Government Decision No. 1075 of 2007;
- Law of Real Estate Cadastre LP1543/1998.

The national process involves key steps such as cadastral works, evaluation for compensation, notification of expropriation proposals, and setting up committees for resolving objections (a national GRM element). The law strictly requires that compensation be paid prior to the transfer of ownership to the state. Based on recent legislative changes in the Law on Expropriation for Reasons of Public Use No. 488 of 7 August 1999, expropriation can no longer be contested; only the compensation amount remains subject to negotiation. Additionally, construction may only commence once the land acquisition process is fully completed.



### 3.1.4.3. Land tenure regime

Land tenure in Moldova refers to the legal and institutional arrangements governing the ownership, use, transfer, and management of land. It defines who owns land, who can use it, for what purpose, for how long, and under which conditions. The main types are in below table: (copied from ESIA M3 Table 4-47):

Land Classification/Tenure Rights	Categories
Type of ownership	<p><b>Public property lands of the state:</b></p> <ul style="list-style-type: none"> <li>• Includes land essential for national functions: roads, railways, forests of national interest, water bodies of national importance, protected areas, military sites.</li> <li>• Managed by central authorities (e.g., NRA for roads, Moldsilva for Forest Fund, Apele Moldovei for Water Fund).</li> <li>• Generally non-transferable except under strict legal procedures</li> </ul> <p><b>Public property lands of administrative-territorial units:</b></p> <ul style="list-style-type: none"> <li>• Land owned by districts (Rayon), municipalities, towns and communes.</li> <li>• Includes local roads, municipal forests, parks, public squares, communal grazing land, and infrastructure land.</li> <li>• Managed by local councils.</li> <li>• Transfer/disposal follows local procedures + land legislation.</li> </ul> <p><b>Privately owned land:</b></p> <ul style="list-style-type: none"> <li>• Land held by natural or legal persons under private ownership title, including agricultural plots, construction land, industrial sites, vineyards, orchards, household plots, and other privately used parcels.</li> <li>• Owners hold full property rights—possessing, using, and disposing of land—subject to national planning, environmental and land-use restrictions (e.g., water protection zones, forest protection belts, protected areas).</li> <li>• Transfer is permitted through sale, donation, inheritance, lease, exchange, or other civil contracts, provided cadastral registration is complete and ownership is undisputed.</li> <li>• Land is subject to taxation and must comply with land-use destination established in the Land Code and local urban plans.</li> <li>• <b>Expropriation for public utility is allowed only with prior compensation, following the Law on Expropriation and PR5-aligned negotiated procedures where applicable.</b></li> <li>• Privately owned land may include plots with multiple heirs, shared (co-owned) titles, easements, or long-term leases, which can complicate land access, compensation, and permitting processes in infrastructure projects.</li> <li>• Any changes in category of use require administrative approval from competent authorities (local councils or specialized agencies), ensuring alignment with land-use planning and environmental requirements.</li> </ul>
Field	<p><b>Public land</b></p> <ul style="list-style-type: none"> <li>• Land owned by districts (Raions), municipalities, towns and communes.</li> <li>• Includes local roads, municipal forests, parks, public squares, communal grazing land, and infrastructure land.</li> <li>• Managed by local councils.</li> <li>• Transfer/disposal follows local procedures + land legislation.</li> </ul> <p><b>Private land</b></p> <ul style="list-style-type: none"> <li>• Held by individuals, households, cooperatives, private companies, NGOs, churches.</li> <li>• Includes agricultural plots, vineyards, orchards, construction land, industrial land.</li> <li>• Fully transferable (sale, lease, inheritance).</li> <li>• Subject to land registration in Real Estate Cadastre.</li> </ul>
Destination	<p>Agricultural land;  Lands intended for forestry;  Lands intended for water bodies;  Land intended for construction and development;  Land intended for transport, electronic communications networks and mining;  Special purpose land;  Lands intended for the protection of nature and cultural heritage assets.</p>
Tenure rights	<p><b>Ownership Rights</b> - full rights: possess, use, transfer  <b>Lease Rights</b> - most common form for agricultural operations  <b>Use Rights without Ownership</b> - State or LPA may grant use rights for social services or community infrastructure, often used for irrigation routes, access paths, public utilities  <b>Servitudes (Easements)</b> - Right of way for roads, pipelines, cables  <b>Possession without documents</b> - exists in rural areas but requires formalization</p>

**Table 3-4:** Land Tenure in Moldova**3.1.4.4. Legalisation processes**

The existing Moldovan national legal framework establishes clear processes for recognizing and formalizing land rights and compensating assets, but it is primarily structured to address those with legal rights to land or assets (Category i) and those with claims recognizable under law (Category ii).

Moldovan legislation supports specific legalization and regularization processes:

1. **Cadastral System:** The underlying system for recording land ownership and tenure details is the unified cadastre system, managed by the Agency for Public Services (PSA). The legal framework for this is established by the Law of Real Estate Cadastre (LP1543/1998).
2. **Cadastral Correction and Formalization:** National procedures exist for the correction of cadastral errors, such as those provided by Law no. 354/2004. Cadastral works are mandated in the expropriation process (e.g., under GD 323/2025 and GD 781/2013) for the identification of private property and correction of errors.
3. **Inheritance and Dispute Resolution:** The national framework includes procedures to resolve complex issues such as unregistered transactions or inheritance procedures, often addressed through the courts.

These processes ensure that individuals who are determined to have a legal claim can formalize their status and receive compensation.

Under Moldovan law, the Land Code primarily covers the rights of legal landowners and legal users (tenants) and the businesses that have legal rights to the land and other property. This means the national legal framework does not recognize informal users (Category iii), individuals or organizations with no recognizable legal right or claim to the land they occupy or use, and as a result limits compensation to those with legal rights.

**3.1.4.5. EBRD policy on involuntary resettlement**

EBRD Environmental and Social Requirement 5 (ESR 5), addresses involuntary resettlement resulting from project-related land acquisition, restrictions on land use, and access to assets and natural resources. The overarching goals of ESR5 are to avoid involuntary resettlement and forced evictions; where physical and/or economic displacement is unavoidable, it must be minimized. Appropriate measures will be carefully planned and implemented to mitigate unavoidable displacement impacts on affected persons (and on host communities receiving displaced persons). This requirement covers situation where Project must compensate people for loss of land, assets, livelihood or standard of living.

Key requirements and objectives of ESR5 include:

- **Avoidance and Prohibition:** Prioritizing the avoidance or minimisation of involuntary resettlement and the absolute avoidance of forced eviction.
- **Compensation and Valuation:** Providing timely compensation for lost assets at Full Replacement Cost (FRC), ensuring compensation is sufficient to replace assets plus requisite transaction costs, without deductions for depreciation.
- **Livelihood Restoration and Improvement:** Assisting affected persons in their efforts to improve or at least restore their livelihoods and standards of living relative to pre-displacement levels. This assistance is

mandatory for all economically displaced persons, regardless of their legal status.

- **Eligibility:** Recognizing eligibility across three categories of affected persons: formal legal rights holders (Category i); those with claims recognizable under national law (Category ii); and informal users (Category iii),.
- **Consideration of Vulnerable People:** Identifying and analyzing vulnerable people, providing tailored resettlement assistance, and ensuring significant improvements for the affected livelihoods of people living in poverty. For physically displaced vulnerable people, this includes improving living conditions by providing adequate housing with security of tenure.
- **Timing:** Compensation must be provided prior to displacement or the imposition of access restrictions.
- **Consultation and Disclosure:** Ensuring all involuntary resettlement activities are planned and implemented with meaningful consultation, participation, and disclosure of information throughout the process.
- **Grievance and Recourse:** Providing affected persons with access to grievance mechanisms (in accordance with ESR 10) that are accessible, transparent, and responsive.
- **Project Benefits:** Enabling displaced persons to benefit directly from the project.

#### 3.1.4.6. Gap review (comparison of local legislation to EBRD policies and identification of potential gaps and proposed way forward to meet ESR5)

The Moldovan legal framework, centered on the Law on Expropriation for Reasons of Public Use No. 488 of 1999 and the Land Code, is different from ESR5 on fundamental areas, necessitating specific bridging strategies to ensure Project compliance.

Gap	Moldovan legislation	ESR5	Bridging gaps
<b>Potential resettlement impacts</b>	Moldovan legislation does not specify the potential impacts of resettlement.	Involuntary Resettlement: refers both to physical displacement (relocation, loss of land or shelter), and/or economic displacement (loss of land, assets or restrictions on land use, assets and natural resources leading to loss of income sources or other means of livelihood). Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use, other assets and natural resources, even if compulsory acquisition is used only as a last resort after a negotiated process. Project land acquisition may result in orphan land, remaining land being unusable, unviable, or inaccessible for their intended use as a result of partial land acquisition or land acquisition nearby.	If involuntary land acquisition, physical displacement and/or economic displacement will be triggered, the project will develop RPs and/or LRPs according to ESR5. These documents will be revised and approved by the EBRD.  Orphan land is common in linear projects and may apply to e.g. agricultural land plots. The RP is expected to identify and categorize orphan land situations and define eligibility criteria and include relevant entitlements.
<b>Key objectives of ESR5</b>	Moldovan regulations do not consider resettlement as a sustainable development program nor do they provide grounds for alternative options. Also, they do not specify benefits and opportunities that may be	The key objectives of ESR 5 are defined by the overarching mitigation hierarchy: Avoid or minimise involuntary resettlement; Avoid forced eviction; Mitigate unavoidable displacement impacts by:	Infrastructures' designs will be reviewed and examined to assess if there is room for improvement in terms avoiding involuntary resettlement. If it will be assessed that resettlement is unavoidable, the project will

	provided by resettlement to improve the livelihoods of the affected populations.	<ul style="list-style-type: none"> <li>providing timely compensation for loss of assets at full replacement cost</li> <li>assisting affected persons in their efforts to improve or at least restore their livelihoods and standards of living</li> <li>improving the affected livelihoods of people living in poverty</li> <li>improving the living conditions of physically displaced vulnerable people by providing adequate housing with security of tenure</li> <li>ensuring that all involuntary resettlement activities are planned and implemented with meaningful consultation, participation and disclosure of information</li> <li>providing affected persons with access to grievance mechanisms in accordance with ESR 10: Stakeholder engagement</li> <li>enabling displaced persons to benefit directly from the project.</li> </ul>	develop RPs and/or LRPs according to ESR5. These documents will be revised and approved by the EBRD.
<b>Involuntary resettlement instruments</b>	Moldovan legislation lack provision on developing resettlement instruments such as Resettlement Framework, Resettlement Plan, Livelihood Restoration Plan.	<p>ESR 5 Instruments and applicability:</p> <ul style="list-style-type: none"> <li>Resettlement Plan (RP): Mandatory when ESR 5 is triggered (physical and/or economic displacement), covering all applicable requirements regardless of scale.</li> <li>Resettlement Framework (RF): Acceptable as a first step when the project footprint is not fully defined for compelling reasons, with a commitment to prepare the full RP later</li> <li>Livelihood Restoration Plan (LRP): Mandatory when the project causes economic displacement to assist affected persons in improving or restoring livelihoods. It can be a standalone document or a chapter within the RP.</li> </ul>	If involuntary land acquisition, displacement and/or economic displacement will be triggered, the project will develop RPs and/or LRPs according to ESR5. These documents will be revised and approved by the EBRD.
<b>Different categories of resettlement such as economic or physical</b>	Displacement and land acquisition take place under the Law on Expropriation for Reasons of Public Use No. 488 of 7 August 1999 or the Eminent Domain Law and the Land Code that only apply to physical resettlement.	ESR 5 defines involuntary resettlement as encompassing both physical displacement (loss of dwelling) and economic displacement (loss of income or livelihood) resulting from project land acquisition or restrictions on land use. Consequently, requirements of ESR5 in respect of physical displacement and economic displacement may apply simultaneously	The project will apply ESR5 throughout the project cycle, therefore making sure all possible impacts are considered and are addressed accordingly.

<b>Displaced people without legal rights</b>	Moldovan laws do not recognize displaced persons without legal rights. The Land Code covers only the rights of the legal landowners, legal users of land (legal tenants), and the businesses that have legal rights to the land and other property. It therefore has a restrictive approach regarding compensation to populations lacking legal title.	ESR 5 classifies eligible persons into three categories based on tenure: (i) formal legal rights holders; (ii) holders of recognizable claims; and (iii) informal users who have no recognizable legal right or claim to the land or assets they occupy or use. The census identifies and establishes the status of these affected persons.	RP and LRP developed under the project will provide compensation arrangements for displaced people without legal rights as per ESR5
<b>Livelihood restoration</b>	Specific considerations for the livelihood restoration are not present in the Moldovan regulations.	Livelihood restoration is mandatory under ESR 5 to improve or at least restore displaced persons' livelihoods and standards of living relative to pre-displacement levels.	The project will develop the RP/LRP to consider for the livelihood restoration for the affected persons based on ESR5 provisions
<b>Full replacement cost</b>	Specific considerations for full replacement costs that are disaggregated by types of affected assets are not present in the Moldovan regulations.	ESR 5 objectives mandate mitigating unavoidable displacement impacts by providing timely compensation for loss of assets at full replacement cost and ensuring resettlement is implemented with meaningful consultation, participation, and disclosure of information. In orphan land situations, the client should consider the options provided in national law and offer to acquire the entire land parcel. If the land plot is not considered for full acquisition, the market value of the remainder may decrease significantly, and this should be considered in the valuation of the affected part.	RP and LRP developed under the project will provide compensation at full replacement cost as per ESR5.
<b>Informed participation of project affected persons PAP</b>	Limited legal basis to provide public disclosure of land acquisition and resettlement activities  However, a number of existing regulations and international conventions, to which Moldova is a party provide a basis for developing specific regulations on public participation and consultation processes for resettlement  Convention on Access to Information, Public Participation in the Decision-Making Process and Access to Justice in Environment (Aarhus, 1998)  Law on Access to Information No. 982- XIV from 11 May 2000.	ESR 5 mandates meaningful consultation and participation for all involuntary resettlement activities. Special efforts must be made to ensure that vulnerable groups, who are disproportionately affected by displacement, have a voice in the consultation and planning processes.	The project will plan and implement meaningful consultation and participation for all resettlement activities throughout the project cycle. This includes disclosing information using simple, practical, accurate, and culturally appropriate documentation intended for broad dissemination, organizing meaningful consultation with affected communities and Project Affected Persons. Special efforts will be made to ensure vulnerable groups have a voice in the consultation and planning processes, thereby mitigating disproportionate adverse impacts on them. The engagement plan must cover further consultation in the resettlement implementation period.
<b>Grievance Management and Redress System</b>	Limited legal basis to establish a grievance mechanism consistent with ESR requirements	ESR 5 requires that clients establish an accessible, transparent, and responsive GMRS, typically aligned with	The project will establish a GMRS consistent with EBRD standards as early as possible in the project development phase

	<p>However, a number of existing regulations provide a basis for addressing grievances</p> <p>Administrative Code no. 116 as of 19.07.2018.</p>	<p>ESR 10/ESS1, early in the project development phase. The GMRS must allow for safe reporting of concerns and the timely resolution, including a recourse mechanism capable of resolving disputes in an impartial and transparent manner. The mechanism should be operational before the cut-off date and commencement of asset surveys. The grievance mechanism should be able to accommodate the consideration of orphan land issues.</p>	<p>before the cut-off date and commencement of asset surveys. A specific grievance management exercise may be needed at the end of the land acquisition process to identify and address these situations.</p>
<b>Preference for negotiated agreements</b>	<p>Limited legal basis for preference of negotiated agreements.</p>	<p>ESR 5 strongly encourages clients to pursue negotiated settlements to obtain land rights, even when they possess legal authority for compulsory acquisition. This approach minimizes the need for expropriation and delays, significantly reducing adverse impacts on affected persons. Such settlements must meet ESR 5 requirements, which include principles of good faith, adequate time, transparency, balance of power, freedom from coercion, and access to support (such as legal advice and grievance mechanisms). Negotiations should be documented in detail to prove these principles were met.</p>	<p>The RP/LRP developed under the project will consider and provide grounds for negotiated settlement. The preference for negotiated settlement will be advocated by the project and adequate methodology will be established. The RP should also detail the process for negotiated settlements (collective then individual negotiations, offers, acceptance, refusal, and formalization of agreement).</p>
<b>Minimization of displacement</b>	<p>There is no provision in Moldovan legislation regarding minimization of displacement.</p>	<p>ESR 5's primary objective is to avoid or minimize involuntary resettlement. When displacement is unavoidable, the client's first duty is to seek avoidance of displacement, consistent with the mitigation hierarchy. This requires a comprehensive assessment of alternative project designs commensurate with the magnitude of potential displacement. The outcome of the avoidance and minimization process, including justification for residual impacts being unavoidable, must be documented and available prior to financing approval.</p>	<p>Infrastructures' designs will be reviewed and examined to assess if there is room for improvement in terms avoiding involuntary resettlement. If it will be assessed that resettlement is unavoidable, the project will develop RPs and/or LRPs according to ESR5. These documents will be revised and approved by the EBRD.</p>
<b>Baseline and Cutoff date</b>	<p>There is no provision in Moldova legislation relating to cut-off date establishment.</p>	<p>ESR 5 mandates that the client establish a cut-off date for eligibility to prevent opportunistic claims. In the absence of government procedures, the project must establish its own, typically set at the end of the census/inventory process. This date must be transparently established and disclosed to be considered valid. Disclosure</p>	<p>The project will establish a cutoff date for eligibility. The establishment of the cut-off date will be documented and disseminated through e.g. flyers, public displays, media announcements and social networks in the project area.</p>



		should occur locally, use culturally appropriate methods, be disseminated throughout the project area at regular intervals, and be well-documented in the Resettlement Plan.	
<b>Preference for in-kind compensation over cash compensation</b>	While Moldovan expropriation law provides grounds for in-kind compensation (land-for-land) there is no provision to enact preference for in-kind compensation over cash compensation.	<p>ESR 5 supports the use of in-kind compensation over cash compensation, wherever feasible. Specifically, where displaced persons have land-based livelihoods or the land is collectively owned, the client is expected to offer land-based compensation.</p> <p>If land-based (in-kind) compensation is claimed to be unfeasible or unacceptable to the PAPs, the client must provide a clear demonstration and justification in the RP that livelihoods will not be negatively affected.</p>	The project will strongly advocate for in-kind compensation especially in cases where vulnerable groups assets will be affected.
<b>Compensation for loss of economic activities and loss of income flow</b>	There is no provision in Moldovan legislation referring to compensation for loss of economic activities and loss of income flow.	ESR 5 mandates that the client implements livelihood restoration measures for all involuntarily resettled persons whose livelihoods or income are affected. This is an obligation under ESR 5 whenever there is economic displacement. Physically displaced people are also economically displaced in the vast majority of cases. The requirements in ESR 5, paragraphs 74-76, therefore also apply to physically displaced people. Livelihood restoration activities must also be devised for informal users who may not be eligible for compensation for the land itself.	The project will develop the RP/LRP to consider for the livelihood restoration for the affected persons based on ESR5 provisions.
<b>Allowances and support during the transition period</b>	There is no provision in Moldovan legislation allowing the provision of transition support and allowances.	ESR 5 requires transition support for all economically displaced persons. This support covers the period between the impact on livelihoods and the time when restoration activities yield results. The duration and amount of this support should be based on a reasonable estimate of the time needed to restore their income-earning capacity, production levels, and standards of living.	The project will develop the RAP/LRP to provide transitional support and allowances: e.g.: separate transition allowance or a cash payment factored into the compensation calculation to offset lost income, covering income lost during the period of lost agricultural cycles (e.g. between land entry and access to replacement land), Supporting relocated businesses to cover income lost while they take time to become operational again.
<b>Measures for the most vulnerable population.</b>	There is no provision in Moldovan legislation to offer additional assistance to vulnerable groups in resettlement activities.	ESR 5 requires clients to identify, assess, and address risks and impacts on vulnerable groups throughout project phases, as they may be disproportionately affected. ncludes	The RP/LRP developed under the project will consider special provisions and compensation arrangements for vulnerable groups. This may be tailored into additional compensation packages or special support.

		<p>Specific measures and support for vulnerable people should be included in the project plan, such as:</p> <ul style="list-style-type: none"> <li>• Developing tailored individual action plans for each vulnerable household.</li> <li>• Providing specific support activities and facilitation of access to social welfare support.</li> <li>• Improving the living conditions of physically displaced vulnerable people by providing adequate housing with security of tenure.</li> </ul> <p>Seeking meaningful improvement of livelihoods for people living in poverty whose livelihoods are affected, rather than just restoration.</p> <ul style="list-style-type: none"> <li>• Ensuring that consultation processes incorporate culturally appropriate methods and safeguards, especially where Indigenous Peoples are involved.</li> <li>• Enhanced Monitoring: Conducting specific livelihood and social monitoring (more frequent or longer) in the post-displacement period to ensure effective mitigation.</li> </ul>	
<b>Legacy Land Acquisition</b>	There is no provision in Moldovan legislation for addressing "legacy" land acquisition.	<p>ESR 5 requirements for addressing "legacy" land acquisition (displacement carried out before EBRD involvement):</p> <ul style="list-style-type: none"> <li>• conducting an independent audit to check compliance with national law and key ESR 5 objectives</li> <li>• where gaps are identified, applying a risk-based approach to address residual or contextual risks.</li> <li>• any ongoing land acquisition, even if it was started before EBRD involvement, is required to fully comply with all ESR 5 provisions.</li> </ul>	For M3 Lot 2, the project will carry out an independent audit, including an associated corrective action plan if needed, and will apply a risk-based approach where appropriate. A supplemental resettlement plan may be required.

**Table 3-5:** Gap review between EBRD policies and Moldova legislation



### 3.1.5. Principles, Objectives, and Processes

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#### 3.1.5.1. Key principles and objectives

The Client commits that all land acquisition and resettlement will be implemented according to the following EBRD ESR 5 principles and objectives, which override national law where gaps exist:

The Project commits to employing the core mitigation hierarchy established in the ESP and ESR1, aligning with the key objectives and overarching principles in ESR 5. This includes:

- prioritizing the avoidance and minimization of all involuntary resettlement and land use restriction impacts and demonstrating in the resettlement planning documentation that any residual impacts are unavoidable.
- avoiding forced evictions and ensuring all necessary land acquisition, including temporary use, adheres strictly to transparent procedures.
- that compensation for all assets must be calculated at full replacement cost, delivered in a timely manner, and provided prior to the imposition of access restrictions or displacement.
- ensuring all affected persons are assisted in their efforts to improve or at least restore their livelihoods, production levels, and standards of living relative to pre-displacement levels, with a focus on meaningful improvement for vulnerable persons and those living in poverty.
- recognizing three categories of Project-Affected Persons (i) formal legal rights holders; (ii) holders of recognizable claims; and (iii) informal users who have no recognizable legal right or claim to the land or assets they occupy or use, ensuring eligibility for compensation and assistance. This includes comprehensive livelihood restoration support.
- ensuring all planning and implementation activities involve meaningful consultation and timely disclosure of information.
- maintaining an accessible and impartial grievance mechanism, fully operational prior to the census, which includes a recourse system for the timely resolution of disputes related to entitlements and compensation.
- enabling displaced persons to benefit directly from the project, where the nature of the project affords such opportunities.
- considering the options provided in national law and offers the acquisition of remaining parcels that are rendered unusable or inaccessible (orphan land). If the land plot is not considered for full acquisition, the market value of the remainder may decrease significantly, and this should be considered in the valuation of the affected part.

#### 3.1.5.1.1. Avoidance of Forced Evictions

The primary objective is the avoidance of forced eviction. The use of eminent domain or similar powers will not be considered forced eviction if it complies with national law and follows due process defined in ESR 5: ensuring advance notice, access to grievance mechanisms, no use of excessive force, no resulting homelessness, and payment of adequate compensation before eviction. The client will notify the EBRD of any unavoidable eviction cases prior to their implementation. This notification will include a statement that the above conditions have been and are being met.

**3.1.5.1.2. Cut-off date and eligibility**

The core objective is to ensure that all affected persons are clearly identified and eligible for compensation and assistance based on established criteria, while preventing speculative claims. The Project will establish a clear cut-off date for eligibility, typically aligned with the end date of the census and inventory of affected assets, as permissible by EBRD ESR 5. This date must be transparently and promptly disclosed using culturally appropriate methods throughout the project area, ensuring that any informal settlers or individuals moving into the area after this date are not eligible for compensation. Eligibility extends to all three categories of affected persons: those with formal legal rights, those with claims recognizable under Moldovan law, and informal users, ensuring they receive compensation for non-land assets and livelihood restoration assistance. The determination of eligibility will be initiated early, specifically prior to the cut-off date and commencement of asset surveys. The exact cut-off date will be specified in the RP. In the event that the right to assets was acquired after the cut-off date had been set and publicly disclosed, such assets shall not be eligible for compensation.

**3.1.5.1.3. Compensation at replacement value, in-kind compensation wherever possible**

The core objective of the Project is providing timely compensation for all lost assets at full replacement cost, which means the value must be sufficient to replace the assets plus necessary transaction costs, calculated without deduction for depreciation. The Project commits to advocating for in-kind compensation wherever feasible, particularly for land-based livelihoods or collectively owned land, as mandated by ESR 5. Compensation standards, including rates, will be transparently disclosed and applied consistently, potentially including upward adjustments through negotiation. For affected persons with land-based livelihoods, such as those affected by the acquisition of agricultural land along the M3 road, the Client is obligated to offer land-based compensation unless providing a clear demonstration in the Resettlement Plan that this is unfeasible or unacceptable to PAPs. Finally, all compensation payments must be delivered prior to displacement or the imposition of access restrictions on land or assets.

**3.1.5.1.4. Livelihood restoration wherever livelihoods are affected**

The Project's primary objective is to assist all affected persons in their efforts to improve or at least restore their livelihoods and production levels relative to pre-displacement levels, recognizing that livelihood restoration is a mandatory obligation under ESR 5 whenever economic displacement occurs. This commitment extends to providing livelihood improvement for vulnerable persons living in poverty whose livelihoods are impacted. Livelihood restoration measures, which apply even to informal users who are not compensated for land, must be established in the relevant Livelihood Restoration Plan (LRP) or Resettlement Plan (RP). A critical process involves offering transition support to economically displaced persons, covering the period required to restore their income-earning capacity, which may offset income lost due to agricultural cycles or business disruption. The Project explicitly commits to developing and implementing LRPs through meaningful consultation of affected persons and communities to ensure sustainability.

### **3.1.5.1.5. Consideration of vulnerable people**

The core objective is to ensure that vulnerable groups are not disproportionately affected by the Project and are assisted in achieving the meaningful improvement of their livelihoods, surpassing mere restoration to pre-displacement levels. The process mandates conducting a context-specific vulnerability assessment early on to identify pertinent factors and establish a definitive list of vulnerable people (VPs), such as the elderly, those living below the poverty line, or persons with disabilities. The Project commits to employing special efforts and tailored measures to ensure VPs are meaningfully represented in consultations and receive additional assistance, potentially including tailored individual action plans for each vulnerable household and more frequent or longer livelihood monitoring in the post-displacement period. For physically displaced vulnerable persons (if any, though none are currently anticipated), the objective includes providing adequate housing with security of tenure to improve their living conditions. The RP or LRP must detail these specific provisions and compensation arrangements.

### **3.1.5.1.6. Consultation-grievance mechanisms**

The core objective is ensuring meaningful consultation and participation throughout all involuntary resettlement activities, complemented by timely disclosure of information. The Project will establish an effective, accessible, transparent, and responsive Grievance Management and Redress System (GMRS) as early as possible, specifically prior to the census and commencement of asset surveys, to address timely concerns related to entitlements, compensation, and access. This GMRS must allow for safe and confidential reporting, offer multiple submission channels, and comply with Moldovan law regarding appeals. Crucially, the system must include a recourse mechanism capable of resolving disputes impartially and transparently.

### **3.1.5.1.7. Monitoring and external reviews**

The core objective is to ensure that all land acquisition and resettlement activities comply with ESR 5 and the commitments made in the relevant resettlement instruments RP/LRP, tracking progress and guiding corrective actions. The Project commits to internal monitoring by the NRA (National Road Administration) Project Implementation Unit (PIU), which will track key performance indicators, and produce regular reports for the EBRD. Given the potential economic displacement impacts for this road project, regular independent external monitoring (compliance reviews) and an external completion audit (mandated for higher-risk projects like M3 Category A) are required. This external review verifies that livelihood restoration measures achieve their goal of improving or restoring PAPs' living standards and compares post-resettlement conditions with the baseline to confirm compliance and identify any necessary corrective actions.

### **3.1.5.1.8. Key principles for implementation arising from agreements with Government or law, particularly where Government is playing a mandatory role in implementation**

The Project acknowledges that the Government of Moldova retains the mandatory authority for land acquisition through Law on Expropriation for Reasons of Public Use No. 488/1999, and the Client (NRA) maintains full responsibility for complying with and meeting the objectives of EBRD ESR 5, applying a best-effort approach and promptly informing the EBRD of any challenges encountered. A core commitment is ensuring early and sustained engagement with all responsible government agencies to proactively identify and formally bridge gaps between

national expropriation legislation and ESR 5 standards. This approach requires the Client to assume responsibility for developing supplementary measures (such as allowances or top-up payments), typically formalized in a Resettlement Plan (RP) and/or Livelihood Restoration Plan, to ensure outcomes align with ESR 5. These formal agreements must clearly define the implementation and financial responsibilities of all entities involved in the process, securing commitments such as compensation at full replacement cost, livelihood restoration, and the provision of assistance to informal users, and ensuring secure and authorized compensation funds are delivered prior to land entry or imposition of access restrictions.

### **3.1.5.2. Process overview**

#### **3.1.5.2.1. Negotiated settlements**

The Project prioritizes securing land rights through negotiated settlements to avoid expropriation and minimize negative impacts on affected persons. The objective is reaching a mutually acceptable agreement through a process founded on principles of good faith, transparency and neutrality, balance of power, adequate time, and freedom from coercion, ensuring the necessary support (like legal advice and independent support) is accessible to affected persons. The Client commits to reaching voluntary, documented agreements with all legal landowners and affected persons prior to triggering formal expropriation. The process requires:

- **Asset Valuation:** Assets must be formally surveyed and valued at Full Replacement Cost (FRC) by competent valuers, ensuring the use of FRC methods even if negotiations replace formal expropriation.
- **Offer Disclosure:** Project-Affected Persons (PAPs) will receive a clear, documented written offer detailing the compensation calculation and any top-up required to meet FRC standards.
- **Access to Support:** The Project will provide affected persons free access to legal advice, technical assistance, and the established grievance mechanism to ensure they understand the compensation and legal processes (e.g., succession).
- **Formalization:** All negotiated agreements must be documented in writing and legally formalized, ensuring detailed records of the process are maintained to demonstrate compliance.

For large-scale acquisitions, negotiations will be conducted at the collective level through legitimate representative organizations to agree on negotiation procedures and representation and to define core compensation principles, rates, and entitlements. Once collective agreement is achieved on key parameters, the focus shifts to individual formalization, where general recourse to separate individual bargaining will be avoided to maintain transparency and fairness.

#### **3.1.5.2.2. Process in case no agreement is reached**

When negotiations fail, the NRA may initiate statutory expropriation (Law No. 488/1999) only as a measure of last resort. The Client retains the obligation to proactively cooperate with all government agencies to ensure that outcomes align with ESR 5 objectives. This commitment guarantees compensation at Full Replacement Cost, requiring the implementation of a "topping up" mechanism if the indemnity awarded by the court is lower than the FRC amount. Furthermore, the Project maintains ongoing engagement and ensures affected persons retain continuous access to the grievance mechanism throughout the formal compulsory acquisition procedures.

### 3.1.5.2.3. With expropriation (formalized ownership)

Compulsory land acquisition of formalized ownership is only permitted as a last resort after negotiation fails, requiring the Client to ensure all procedures adhere to ESR 5 objectives. Compensation will be provided prior to the physical impact or imposition of access restrictions. Where legal difficulties exist (e.g. absentee owners or ownership disputes), the Client will deposit the provisional FRC compensation amount into an escrow account, pending resolution. Affected persons will maintain continuous access to both the project's grievance mechanism and the national judicial appeal processes. Urgent expropriation is acceptable only as a last resort with prior EBRD agreement. In urgent cases, the Client will maintain the normal processes (consultation, identification, negotiation, grievance management), ensure FRC compensation is paid prior to impact, and deposit the provisional FRC into an escrow account if the landowner challenges the offer or is absent.

### 3.1.5.2.4. Without expropriation (informal occupation)

For informal occupants (Category iii), formal expropriation procedures are not applicable as they lack recognizable legal rights to the land they use. Despite this, the Project is obligated under ESR 5 to provide compensation for all lost assets owned by informal users, such as structures, crops, trees and businesses at full replacement cost. Critically, all economically displaced informal users are mandatorily eligible for livelihood restoration assistance and resettlement assistance if physically displaced, regardless of their lack of legal tenure. When physical displacement occurs, adequate housing must be provided, which may include long-term leases in social housing to ensure security of tenure. Livelihood restoration activities must be designed to promote a transition to legal alternatives if the lost activity was illegal, or provide opportunities to re-establish livelihoods elsewhere, such as access to alternative locations for informal businesses. The project will offer assistance to formalize their tenure rights where possible under national law (e.g., succession, title registration).

## 3.1.6. Tentative Resettlement and Compensation Strategy

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This section sets forth the core policies governing eligibility and entitlements for the M3 and R7 road projects, ensuring full alignment with the objectives of EBRD ESR 5 on involuntary resettlement. The fundamental principles mandate timely compensation for all asset losses at Full Replacement Cost (FRC), facilitation of (access to) alternative/replacement land, along with strategies for livelihood restoration or improvement. This framework governs the subsequent definition of specific compensation rates, detailed valuation methodologies, and implementation procedures, which will be finalized in the project-specific Resettlement Plans (RPs) and/or Livelihood Restoration Plans (LRPs).

### 3.1.6.1 First Approach to Entitlements

This section establishes the policy framework for involuntary resettlement, defining eligibility for all Project-Affected Persons (PAPs) who suffer loss of land, assets, access, income, or livelihood due to land acquisition or restrictions on land use. Entitlements will be offered to affected persons. This may include (but is not limited to): financial compensation calculated at Full Replacement Cost, (access to) alternative/replacement land, short-term assistance, and the right to participate in livelihood restoration or improvement programs as required by EBRD ESR 5.

### 3.1.6.1.1. Eligibility to Compensation

Eligibility for compensation and assistance applies to all Project-Affected Persons (PAPs) who suffer losses due to land acquisition or restrictions on land use, regardless of the scale of displacement. Eligibility is determined based on three categories of rights holders identified through a census and asset inventory, undertaken prior to the established Cut-Off Date:

1. **Formal legal rights holders (Category i):** Persons with permanent ownership rights recognized under national law, including customary or traditional rights.
2. **Holders of recognizable claims (Category ii):** Persons without formal legal rights but possessing a claim that is recognizable or legalizable under national law.
3. **Informal users (Category iii):** Persons lacking recognizable legal rights or claims to the land or assets they occupy or use.

All economically displaced persons, including informal users, are mandatory eligible for livelihood improvement or restoration assistance.

### 3.1.6.1.2. Entitlement Matrix

The entitlement matrix addresses impacts common to road projects, including land loss, asset loss, and livelihood disruption, spanning both M3 and R7 project components. The entitlement matrix will be detailed during RP preparation.

Type of Loss	Affected Party/Category	Compensation Entitlement	Other Assistance/Mitigation
<b>Permanent Land Acquisition (Agricultural land, gardens, land intended for construction and development, currently no residential land identified)</b>	Owners	<ul style="list-style-type: none"> <li>- Cash compensation for affected land plot at full replacement cost; or</li> <li>- Land for land compensation with plots of equal value to the plots lost (if suitable land is available)</li> <li>- If partial land acquisition renders the remaining land unusable for its original purpose, acquiring the entire plot or replacing with a plot of equal value, may be offered at the owner's request.</li> </ul>	<p>Livelihood restoration/improvement assistance if loss results in economic displacement</p> <p>Engagement of an independent third-party valuer or agricultural expert if viability or use of the remainder is disputed.</p>
	Leaseholders	<p>If the entire plot is acquired, a replacement leased plot of equal productivity, where possible.</p> <p>If only part of the plot is acquired, the lease will be amended to exclude the acquired portion and adjust payments accordingly.</p> <p>If no replacement land is available or the remaining land is no longer viable, compensation will reflect the lease loss and associated impacts.</p>	<ul style="list-style-type: none"> <li>- Livelihood restoration/improvement assistance if loss results in economic displacement.</li> <li>- If land is leased by small non-commercial leaseholders the impact of lease termination will be addressed through livelihood restoration assistance</li> </ul>
	Land shareholders / Land share right holders	Alternative / replacement land plot without charging transaction / registration and other applicable payments.	Livelihood restoration/improvement assistance if loss results in economic displacement
	Informal users	No compensation for land. Leased plot on state or communal (land of territorial communities) land without	Livelihood restoration/improvement assistance if loss results in economic displacement

		charging transaction / registration and other applicable payments.	
	Potential owners with registered rights (e.g. title deeds not in the State Cadastre or under inheritance) whose land was used for the project without compensation	Cash compensation equal to the lease value, based on land size and duration of project use until compensation is paid.	Livelihood restoration/improvement assistance if loss results in economic displacement
<b>Permanent loss of structures</b>	Owners of permanent structures (residential, non-residential, commercial) including informal users	<ul style="list-style-type: none"> <li>- Cash compensation at full replacement value for affected structures and assets, without deductions, including utility connections.</li> <li>- If a house is affected, an adequate replacement house of equal size with security of tenure may be offered at the owner's request; if of lower value, the difference will be paid in cash.</li> </ul>	<ul style="list-style-type: none"> <li>- Livelihood restoration/improvement assistance if loss results in economic displacement</li> <li>- Owners will be notified at least 6 months in advance to allow time for relocation.</li> </ul>
	Tenants	N/A	<ul style="list-style-type: none"> <li>- Livelihood restoration/improvement assistance if loss results in economic displacement</li> <li>- Tenants will be notified at least 6 months in advance of demolition to allow time for relocation</li> <li>- Assistance with relocation for vulnerable categories.</li> </ul>
	Owners of temporary/ movable structures (kiosks, stalls)	<ul style="list-style-type: none"> <li>- Approved relocation site with necessary permits and road access, if needed</li> <li>- Location to be agreed with local authorities and included in design, ensuring safe access.</li> </ul>	Livelihood restoration/improvement assistance if loss results in economic displacement
	Owners / users of land plots / structures / adjacent to the project area	N/A	<ul style="list-style-type: none"> <li>- Livelihood restoration/improvement assistance if loss results in economic displacement</li> <li>- Provide alternative access. Access solution shall be agreed with PAPs in advance.</li> </ul>
<b>Loss of annual crops</b>	All PAPs including informal users	If harvesting is not possible, crop owners will receive compensation at replacement value as detailed in the RP. No compensation will be given if crops were planted after advance notice (1 agricultural season) of civil works.	<ul style="list-style-type: none"> <li>- Livelihood restoration/improvement assistance if loss results in economic displacement</li> <li>- Crop owners will be notified at least one agricultural season in advance. They may harvest before works begin and, if needed, will be advised to skip sowing on affected plots.</li> </ul>
<b>Loss of perennial plants and trees</b>	All PAPs including informal users	Owners will be compensated for lost perennial plants based on age, value, and replanting costs, at replacement value to be	<ul style="list-style-type: none"> <li>- Livelihood restoration/improvement assistance if loss results in economic</li> </ul>

		outlined in the RP.	<p>displacement</p> <ul style="list-style-type: none"> <li>- Owners of productive perennials will be notified at least one season in advance and allowed to harvest before works begin.</li> </ul>
<b>Loss of access</b>	Owners / users of land plots / structures adjacent to the project area	<p>If permanent access requires servitude, cash compensation for the affected land/structures will be paid in full, with no deductions. If servitude renders the land unusable, full acquisition is required.</p> <p>If no reasonable alternative access is possible and owners permanently lose access to property, community assets or municipal infrastructure, they will be resettled and assets acquired.</p> <p>If temporary access restrictions – compensation for temporary occupation.</p>	<ul style="list-style-type: none"> <li>- Livelihood restoration/improvement assistance if loss results in economic displacement</li> <li>- Provide alternative access to e.g. to agricultural land, petrol station, businesses and shops. Access solution shall be agreed with PAPs in advance</li> <li>- Minimising the use of agricultural land temporarily occupied for road construction</li> <li>- Ensuring favourable conditions for the future economic use of land along the road.</li> </ul>
<b>Temporary or permanent business/ employment loss</b>	Business owners (including those with no formal rights on the land) and their affected workers	<ul style="list-style-type: none"> <li>- If registered and permanent business loss, cash compensation equal to one-year net income (lost profit),</li> <li>- If registered and temporary business loss, cash compensation for the period of income loss (not exceeding one year).</li> <li>- If not registered (for temporary and permanent lost income): calculation of compensation will be based on the official minimum wage in Republic of Moldova (3 months).</li> <li>- If permanent employment loss, 3 months average registered wages (if not registered, based on the official minimum wage in Republic of Moldova)</li> <li>- If temporary employment loss, average registered wage during disruption (if not registered, based on the official minimum wage in Republic of Moldova).</li> <li>- Where the enterprise cannot be re-established for whatever reason, compensating employees with six months of lost income is generally adequate.</li> </ul>	<ul style="list-style-type: none"> <li>- Livelihood restoration/improvement assistance</li> <li>- Assistance with re-employment, including training</li> <li>- Legal and financial advice for large formal businesses to manage compensation risks.</li> <li>- Assistance with swift relocation for informal businesses to minimising economic disruption</li> </ul>
<b>Relocation (transport and transitional livelihood costs)</b>	All persons affected by relocation (physical displacement)	<ul style="list-style-type: none"> <li>- Transportation allowance sufficient to cover transport expenses; and</li> <li>- Relocation allowance equivalent to monthly rental</li> </ul>	



		<p>cost for similar land plots/structure multiplied by the number of months needed to rebuild and relocate to a new site.</p> <ul style="list-style-type: none"> <li>- Transition allowance to cover their households needs during transition period.</li> </ul>	
<b>Loss for Vulnerable Groups who may be disproportionately affected</b>	All vulnerable PAPs		<p>Vulnerable PAPs will receive targeted support, including:</p> <ul style="list-style-type: none"> <li>- Advocating for in-kind over cash compensation</li> <li>- Help with stakeholder meetings access and title registration</li> <li>- Support in finding new homes/business locations</li> <li>- Moving assistance</li> <li>- Livelihood restoration/improvement, including meaningful improvement for PAPs living in poverty, and adequate housing with secure tenure for those physically displaced</li> <li>- Tailored action plans per household</li> <li>- Access to social welfare</li> <li>- Extended livelihood and social monitoring post-displacement</li> </ul>
<b>Loss for households who may be severely impacted</b>	All severely affected households		<p>The RP will define criteria for severe impact (e.g. loss of over 50% of income) and identify affected households. These households will receive extra support, such as help enrolling in social programs, priority for local jobs, and access to training, micro-credits, and other opportunities.</p>
<b>Temporary or permanent loss of livelihood</b>	Local population, local business		<p>If loss of livelihood is identified during RP preparation, the livelihood restoration plan will be developed and included in the RP.</p>
<b>Land for construction camps, work sites, borrow pits, access roads (State lands shall be used for establishment. Private lands can be used only if no state land is available and with approval of NRA no agricultural lands shall be used)</b>	Owners (temporary use agreed between owner and NRA)	<ul style="list-style-type: none"> <li>- Cash compensation at local rental rates for the duration of temporary land use, plus compensation for any related income, crop, business or structure losses, as outlined in the entitlement provisions.</li> <li>- Payment for preparation of land management and other legal documents.</li> </ul>	<ul style="list-style-type: none"> <li>- Land restored to original status at the end of temporary use period</li> </ul>
	Leaseholders (long-term and short-term land lease)	Similar to above	Similar to above

	State (permanent users) lands	- Payment for preparation of land management and other legal documents.	<ul style="list-style-type: none"> <li>- Land restored to original status at the end of temporary use period</li> <li>- Environmental safeguard measures</li> </ul>
<b>Temporary loss of access to public infrastructure. Imposition of servitudes or other restrictions (e.g. for underground pipelines, communication and power lines, other utilities)</b>	Owners and users of land plots	Provision of compensation as per servitude agreement.	<ul style="list-style-type: none"> <li>- Creating alternative access routes to ensure access to public infrastructure (e.g. hayfields, pastures, recreation areas).</li> <li>- Making sufficient land available to move the stadium (M3 Lot 4) with minimal impact for the local community</li> <li>- Consultations with local authorities and users on suitable alternative access routes /reinstatement principles.</li> <li>- Providing community access to main public points during construction.</li> <li>- Signing of servitude agreement, specifying conditions of access to part of the land plot.</li> <li>- If imposition of servitude significantly restricts the designated use of land plot or makes the land plot unviable, acquiring the entire plot or replacing with a plot of equal value, may be offered at the owner's/user's request</li> </ul>
<b>Permanent loss of access to public lands (e.g. grazing areas)</b>	Users of public lands (e.g. grazers)		<ul style="list-style-type: none"> <li>- Provision of access to similar alternative public land in a different location (R7 Lot 4)</li> <li>- Consultation with community on suitable locations</li> </ul>

**Table 3-6:** Entitlement Matrix**3.1.6.2. Valuation of affected assets (principles, methodology, arrangements for valuation implementation)**

This section details the principles and specific methodologies for assessing land, structures, crops/trees, and businesses to prevent any material losses for Project-Affected Persons (PAPs). Since the Moldova national valuation standards conflict with the FRC requirement, the project commits to implementing bridging measures, including potential "top-up" payments or specialized valuation methods, to guarantee alignment with ESR 5. Valuation will be based on the Full Replacement Cost (FRC) principle, the market value as established through independent and officially certified valuers, plus transaction costs. Depreciation and salvage value will not be deducted from asset replacement costs. Valuation is usually based on the comparative method, whereby e.g. land,

structures, trees is valued by comparison with similar transactions in comparable areas. Where transactions are often too few to generate reliable comparative data such as in the rural context of this project, alternative means may be used, which are described in the below paragraphs within Moldovan context and in accordance with ESR 5.

In the Republic of Moldova three methods are used for determining the market value of land and real estates:

1. Expenses method is based upon estimation of the market value of the valuation object including all expenses necessary for its creation up to current state or recovery of its consumption qualities.
2. Sales comparative analysis method involves the estimation of the market value of the economic good based on the comparative analysis of similar goods recently sold and the sale prices adjustments to consider differences between these goods and valuation object.
3. Incomes method is based upon analyzing the information on incomes and expenses related to the valuation object; it allows determining the price of affected asset on the basis of net operational income which can be generated by this asset in future.

The valuation methodology must be clearly defined, using prescribed mandatory methods, applied consistently, and disclosed to PAPs via the Guide to Land Acquisition and Compensation (GLAC) or similar tool. The valuation methodology, which must ensure FRC is met, needs to be thoroughly documented in the Resettlement Plan (RP) and consistently applied across all asset categories, including land, structures, crops, trees, and businesses.

#### **3.1.6.2.1. Land**

Land compensation for lost land will be determined using the Full Replacement Cost (FRC) principle mandated by EBRD ESR 5. In Moldovan context, the most appropriate valuation methodology for land is the calculating output value (income valuation method) backed up with the comparative sales analysis and expenses method to determine market value, which is then topped up with transaction costs to achieve FRC. The valuation methodology for land will include dedicated surveys with local people on typical prices, as per ESR 5. The resulting value will be compared with the normative price of land value. Whichever value is higher will be considered for compensation. The normative price of land is a measure of estimation of the land value equivalent to its natural and economic potential expressed in national currency and is determined according to the Moldovan law on normative price and order of purchase and sale of land No. 1308-XIII of July 25, 1997. The annex of this law includes the tariffs for calculating the normative price of land.

If the remaining land from a partial acquisition is rendered unusable, unviable, or inaccessible ("orphan land"), the project will offer to acquire the entire parcel at FRC. If in-kind compensation is elected or is mandatory for land-based livelihoods, the replacement land must be of equal or better value and productivity and provided without charging the Project-Affected Person (PAP) for transaction, registration, or other applicable costs, in alignment with the "land-for-land" principle.

#### **3.1.6.2.2. Structures**

Valuation of affected structures and fixed assets will be calculated at FRC. In Moldovan context, the most appropriate valuation methodology to determine full replacement cost for structures is the expenses method with no deduction for depreciation or taxes and the value will be topped up with the transaction costs. A bill-of-quantities

approach can be used to determine the undepreciated value (“as new”) of replacement materials and labor required for construction with no deduction for depreciation or taxes, as per ESR 5. Compensation covers the value of affected connections to water supply and other public utilities.

### 3.1.6.2.3. Crops and Trees

The valuation for affected crops and trees will be calculated at FRC for all Project-Affected Persons (PAPs), including informal users.

- Compensation for annual crops will cover the full replacement cost, based on the typical yield multiplied by the average or median selling price, without deductions for expenses or others. Typically, in Moldova context, the compensation for annual crops is calculated using the formula  $V = A \times P \times AP/10$ , where the land area, ha (A), average yield over the last five years, quintal/ha (P), and average value of agricultural production over the last five years (AP) are key factors. Variations in time, structure of sown areas, current market prices for crops and expenses on crop yields are taken into consideration. An assessment is to be made separately for each crop, thereby obtaining the average annual income. Consultations with farmers on the above methods for calculating compensation are part of the process.
- For perennial plants and trees, compensation will cover the full replacement cost, including the lost harvest's value at the local selling price with the time needed to re-establish the tree or plant to its previous productivity, and direct costs of inputs (e.g. labour, fertilisers) during that period of time. This calculation usually requires data to be gathered from qualified agronomists and/or from the affected farmers. Typically, in Moldova context, the compensation for annual crops is calculated using the formula:  $Tc = (Pm \times Pr \times Ac \times Nc) + (Rc \times Nc)$ , where Total compensation for loss of perennial crops (Tc), Average yield marketed (Pm), Average wholesale price (Pr), Years needed to recover the lost harvest (AC), Recovery costs representing land preparation costs plus the cost of the seedling (Rc), Number of affected trees (Nc) are the key factors.

The detailed methodology of calculating the FRC compensation for lost annual crops and perennial plants and trees will be presented in the RP.

### 3.1.6.2.4. Businesses

The valuation of an affected business entails four components:

- 1) Any fixed asset (such as land or structures) owned by the business and affected by the project will be valued at full replacement cost according to rules as per above paragraphs on land and structures.
- 2) Professional equipment that cannot reasonably be moved will be valued at full replacement cost.
- 3) Loss of income during the transition period will be offset through cash compensation: in Moldovan context: If registered and permanent business loss, cash compensation equal to one-year net income (lost profit), - If registered and temporary business loss, cash compensation for the period of income loss (not exceeding one year). If not registered (for temporary and permanent lost income): calculation of compensation will be based on the official minimum wage in Republic of Moldova.
- 4) If permanent employment loss, 3 months average registered wages (if not registered, based on the official minimum wage in Republic of Moldova); If temporary employment loss, average registered wage during disruption (if not registered, based on the official minimum wage in Republic of Moldova). Where the

enterprise cannot be re-established for whatever reason, compensating employees with six months of lost income is generally adequate.

### **3.1.6.3. Cash compensation**

Cash compensation must be designed to fully replace lost assets, adhere to the FRC principle of EBRD ESR 5, and specifically mitigate the risks associated with large cash payments. While in-kind compensation is preferred, cash compensation is provided when land-based livelihoods are absent, the affected asset represents a small fraction of the total holding, or where local markets function adequately. This section details the mechanisms, payment processes, and risk mitigation strategies, including financial literacy and gender considerations, necessary to prevent misuse of funds and safeguard the long-term well-being of all Project-Affected Persons (PAPs), particularly vulnerable members.

#### **3.1.6.3.1. Rates for all different types of assets**

Rates for all different types of assets must be calculated at FRC, a core requirement of EBRD ESR 5, ensuring compensation is sufficient to replace the affected asset and cover necessary transaction costs without deduction for depreciation or salvageable materials. Tariffs for calculating the normative price of land, including e.g. agricultural or orchard plots, are listed in the annex of the Moldovan law: No. 1308-XIII of July 25, 1997 and are indexed based on the inflation rate by the Parliament, at the Government proposal.

Compensation rates must be periodically reviewed and updated to account for inflation and current economic conditions throughout the project lifecycle, especially for projects involving multiple transactions extending over one year. This review, typically conducted annually, is essential if circumstances such as currency devaluation or high inflation occur.

Specifically:

- **Valuation Updates:** Qualified valuers should review and adjust applicable rates against current market conditions to maintain the principle of full replacement cost.
- **Asset Focus:** This is critical for crops and trees, as agricultural prices can be quite volatile. Updates are also necessary for land and structures, considering that construction costs linked to materials like cement and steel can fluctuate significantly.
- **Methodology:** Baseline prices, particularly where older bills of quantities are used for structures, must be updated to reflect current construction costs.
- **Planning:** The initial Resettlement Plan (RP) budget must include adequate contingencies to accommodate such rate updates. In cases where compensation is delayed, project proponents should consider additional compensation to reflect the disturbance, restricted land use, and opportunity costs borne by affected people during the delay.

#### **3.1.6.3.2. Payment process**

The timing of payments is governed by the fundamental principle that compensation must be provided prior to displacement or the imposition of access restrictions on land or assets. The Resettlement Plan (RP) must detail the mechanisms in place to ensure this transparency and reliability. If there are legal difficulties, such as absentee

landowners or ownership disputes, compensation funds must be deposited into an interest-bearing escrow account (preferably under the control of an independent party) to ensure payment is made immediately upon the resolution of the legal problem. Cash payments in instalments may also be acceptable if consulted upon with the community and formally accepted by each recipient to mitigate risks of cash misuse.

#### 3.1.6.3.3. Cash risk mitigation

The provision of substantial cash compensation should incorporate cash risk mitigation measures to prevent the potential misuse of funds, particularly against vulnerable household members, including women and children, as in-kind compensation is generally preferred under EBRD ESR 5. Mitigation strategies may include offering cash payments in instalments, provided this method is consulted upon with the affected community and formally accepted by each recipient in a specific agreement detailing the timing and amounts. Additionally, providing financial literacy or awareness training can help mitigate the potential adverse effects of cash compensation on women and children.

#### 3.1.6.4. Gender sensitivity assessment on proposed compensation entitlements (gender analysis and mitigation of any gender risks)

A Gender Sensitivity Assessment will be conducted to address the differentiated impacts of displacement on men and women, ensuring compensation entitlements and mitigation measures are equitable, in accordance with EBRD ESR 5. The assessment must focus on identifying differences in livelihood sources (including informal activities), women's rights over land and co-ownership, and adapting compensation modalities to account for situations where women may lack access to formal financial accounts. The resettlement planning (RP/LRP) must incorporate consultation processes, such as women-only meetings, to ensure women's perspectives and preferences regarding compensation and replacement assets are explicitly factored into all final decisions.

### 3.1.7. Livelihood Restoration and Improvement

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#### 3.1.7.1. Principles (eligibility, key aspects of livelihood restoration and improvement entitlements)

The section on Principles establishes the mandatory requirements for livelihood restoration and improvement under EBRD ESR 5, ensuring that all economically displaced persons improve or at a minimum restore their livelihoods relative to pre-displacement levels. This approach views livelihood restoration as a specific project obligation implemented in addition to compensation for lost assets, addressing the direct loss of income, employment, or access to productive resources. Eligibility for these restoration entitlements extends to all economically displaced persons, including those with formal legal rights, recognizable claims, and informal users, encompassing individuals facing loss of income or employment.

Key Principles Guiding Livelihood Restoration:

- **Assessment and Baseline:** Comprehensive assessment of all affected income sources (land-based, wage-based, and enterprise-based) through detailed socioeconomic surveys to establish the baseline for restoration or improvement.
- **Targeted Strategies and Implementation:** Livelihood Restoration (LR) activities must be tailored to the specific livelihood lost and focused on achieving sustainable restoration or preferable improvement, utilizing only proven techniques and experienced implementation partners.

- **Equity and Consultation:** Strategies must be developed through meaningful consultation with Project-Affected Persons (PAPs) and community members, considering both individual and broader community sustainable development. This planning must apply a gender-differentiated approach to address the specific vulnerabilities and preferences of women.
- **Targeted Vulnerability Support:** Projects must specifically identify, assess, and address risks to all vulnerable individuals (including the elderly, disabled, and low-income households) to ensure they are not disproportionately affected. For affected persons living in poverty, the primary mandate is the meaningful improvement of their livelihoods, moving beyond mere restoration. This requires tailoring assistance to the specific needs and capacities of vulnerable persons, often formalized through individual action plans.
- **Provision of Transition Support:** Economically displaced persons must receive specific transition support to offset lost income during the period between the impact on their livelihood and the time restoration activities yield measurable results. This support should be provided separately as a transitional allowance or be factored into the compensation calculation to mitigate income loss.
- **Timing:** Livelihood restoration measures and support must be provided before displacement or the imposition of access restrictions on land or assets, in line with ESR 5, to ensure that economically displaced persons are supported during the transition period.
- **Long-Term Support:** Partnerships and linkages must be established with relevant government economic development agencies and specialized training institutes to ensure long-term viability and sustained support.
- **Monitoring:** Monitoring and evaluation must continue until a completion audit demonstrates that the affected persons' livelihoods have been effectively restored or improved in accordance with the Project commitments and ESR 5 objectives.

These fundamental principles guide the determination of specific, tailored entitlements aimed at sustainable recovery and meaningful improvement.

### 3.1.7.2. Restoration and improvement of land-based livelihoods (replacement land and agricultural improvement packages) – tentative identification of potential activities

The restoration and improvement of land-based livelihoods, in line with EBRD ESR 5, mandates that displaced persons engaged in farming or related activities must have their livelihoods restored, and preferably improved, to pre-displacement levels. Where livelihoods are land-based, the client will offer land-based compensation (land-for-land) unless this is proven unfeasible or is reasonably unacceptable to the Project-Affected Persons (PAPs). Tentative activities typically involve assisting with access to replacement agricultural land or providing agricultural improvement packages to enhance productivity. These improvement measures may include providing transition support to offset lost income during the period between the impact and restoration, offering support with intensification of agricultural activities (such as improved irrigation or higher-yield varieties), providing pension schemes for older farmers, and facilitating access to grants or microfinance for small business development. Informal users of public land for farming or grazing must also be included in these livelihood restoration efforts.

### 3.1.7.3. Restoration and improvement of nonland-based livelihoods (employability enhancement, project procurement and employment, support to SME creation and development) – tentative identification of potential activities



Restoration and improvement of non-land-based livelihoods is mandated by EBRD ESR 5 for all economically displaced persons, with the goal of ensuring affected individuals restore, or preferably improve, their means of income and standards of living relative to pre-displacement levels. For those relying on wages or enterprises, tentative activities should focus on job retention and creation, including employability enhancement measures such as vocational training. Specifically, this involves supporting workers who experience job loss through re-employment and retraining programs, offering business re-establishment assistance for owners of affected enterprises. Further opportunities can be identified through project procurement and employment, fostering linkages with business support programs or microfinance institutions to aid in the creation and development of small and medium-sized enterprises (SMEs). This approach applies equally to employees of both formal and informal businesses.

#### **3.1.7.4. Training**

Training is a critical element of livelihood restoration efforts required under EBRD ESR 5, specifically supporting the restoration and improvement of non-land-based livelihoods by enhancing employability and income-earning capacity. For affected workers, whether from formal or informal businesses, training measures often include vocational training aimed at re-employment and retraining programs. Financial literacy or awareness training should also be provided to mitigate potential adverse effects associated with cash compensation, particularly protecting vulnerable household members like women and children. Training programs must be accessible to both men and women and adapted to their respective needs and capacities, ensuring that vulnerable households benefit from activities such as literacy and numeracy training or assistance in establishing small businesses. Training initiatives should be formalized within the Livelihood Restoration Plan (LRP) and agreed upon with relevant training institutes and partners to ensure their effectiveness and sustainability.

#### **3.1.7.5. Specific aspects related to gender**

Specific aspects related to gender in livelihood restoration must adhere to EBRD ESR 5, which mandates that assistance is made equally available to men and women and adapted to their respective needs. Resettlement planning must identify gender-specific constraints and responsibilities when devising livelihood restoration strategies. This includes conducting intra-household analysis to identify differences in men's and women's livelihood sources, particularly informal activities, and tailoring activities to reflect their specific abilities and wishes. Where cash compensation risks adverse effects, financial training or awareness training should be provided to mitigate misuse, especially impacting women and children. The consultation process must specifically ensure that women's perspectives and preferences regarding livelihood restoration and improvement measures are obtained and factored into the final decisions.

#### **3.1.7.6. Specific aspects related to vulnerability**

The Livelihood Restoration Plan (LRP) will include specific aspects related to vulnerability, as mandated by EBRD ESR 5. The client will identify, assess, and address risks to vulnerable people throughout all project phases to ensure they are not disproportionately affected. When livelihoods of individuals are affected, particularly those living in poverty, the project will seek meaningful improvement of these livelihoods, going beyond mere restoration.

Assistance will be tailored to the specific needs and capacities of vulnerable persons identified during the vulnerability analysis, including assistance with legal title registration, access to social services, moving support, or vocational training. Furthermore, the LRP will formalize this support through individual action plans for each vulnerable household, and enhanced livelihood monitoring will be conducted in the post-displacement period to track the effectiveness of mitigation measures.

#### **3.1.7.7. Partnerships and linkages for planning and implementation of livelihood restoration and improvement**

Partnerships and linkages are key to the sustainability of livelihood restoration and improvement measures, as emphasized under EBRD ESR 5. Effective planning and implementation rely on coordinating with external parties, including state-funded economic development programs, agricultural development agencies, existing cooperatives, training institutes, business promotion agencies, and relevant NGOs to ensure both the effectiveness and sustainability of support offered to economically displaced persons. Relying only on proven techniques and experienced implementation partners is necessary to avoid experimentation where livelihoods have been affected. For example, Livelihood Restoration Plans (LRPs) are expected to document that linkages with existing initiatives have been formally consulted upon and agreed with relevant parties, specifying the number of beneficiaries, activities, budget, timeframe, and funding sources. The involvement of government agencies is often paramount for ensuring the long-term sustainability of the support provided and the monitoring processes.

### **3.1.8. Consultation and Disclosure**

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#### **3.1.8.1. Main results of consultation carried out for preparing the Resettlement Framework**

The preparation of the Resettlement Framework included consultation and disclosure activities designed to promote transparency and ensure meaningful public participation, consistent with EBRD ESR 5 and ESR 10 principles. Consultations during Scoping/ESIA preparation phase confirmed broad community support for the Project but highlighted concerns regarding access to facilities (petrol stations, cafes, businesses along the M3 lot 4 road) as key priorities. Local authorities confirmed that the private land under consideration for expropriation is primarily agricultural and serves as a source of income (e.g. annual crops in the R7 Lot 4). This was further supported by land use classifications and expropriation data shared by the NRA.

Local authorities have confirmed the availability of alternative or replacement land and expressed their willingness to facilitate alternative/replacement land for communities currently using public lands (e.g. the stadium in M3 Lot 4 or grazing areas in R7 Lot 4). Furthermore, local authorities confirmed their willingness to provide the necessary land ownership data and that they facilitate the stakeholder engagement for this project. They also confirmed that the presence of grievance redress registers and the arrangement of follow-up meetings at the local level to address community concerns related to this project. The NRA confirmed that if grievances cannot be resolved locally then the grievances are escalated to the NRA. Ultimately, this process ensures that the framework defines the commitment for future planning and implementation that addresses community priorities in a fair and transparent manner.

### 3.1.8.2. Engagement plan for further stages

The engagement plan commits to continuous, transparent, and inclusive consultation throughout the resettlement and livelihood restoration planning, implementation, monitoring, and evaluation phases, strictly adhering to EBRD ESR 5 requirements for meaningful participation. During the preparation and implementation of the subsequent Resettlement Plans (RPs) and Livelihood Restoration Plans (LRPs), ongoing engagement is mandatory to ensure Project-Affected Persons (PAPs) participate in selecting compensation options and defining a strategy for the mandatory restoration or improvement of livelihoods. Engagement will prioritize consulting vulnerable groups to tailor support measures and ensure that livelihood restoration is effectively initiated prior to displacement or access restrictions.

Stakeholder engagement will be conducted through various data collection methods, and will be announced at least two weeks in advance. Notices with the agenda, venue, and time of public consultations will be published in local media, on websites, and displayed in public spaces with individual notices sent if needed:

- 100% PAP asset inventory and census/socio-economic survey.
- Focus Group Discussions with key groups such as farmers, roadside businesses, landowners, land users, vulnerable groups (including the elderly and persons with disabilities), and women. The relevant key groups to be consulted will be identified for each lot.
- Key Informant Interviews with key stakeholders at national, district, and local level. Key stakeholders will be identified for each lot.

Public Meetings: CSO/NGO observers will be invited to ensure open, intimidation-free dialogue. NRA and Local Authorities must be well-informed about the Project and sub-projects, as their coordination with stakeholders and PAPs is needed for conducting the above stakeholder engagement activities and for follow-up as needed. NRA staff will document the discussion and prepare meeting minutes. In addition, input from the NRA and Local Authorities is required to identify new locations and to support the search for and facilitation of alternative replacement land.

Future engagement will specifically focus on:

- Consulting on compensation options, alternative/replacement land, and livelihood restoration strategies with PAPs, with specific measures for women and vulnerable groups.
- Consulting on the draft RPs/LRPs, including the specific entitlement matrix for affected parcels.
- Informing PAPs about the project scope, temporary/permanent impacts, and acquisition schedule, and agency roles, cut-off date, grievance mechanism, valuation methodology, and payment procedures via easy-to-understand tools like a Guide to Land Acquisition and Compensation (GLAC) or similar tool.
- Informing potentially affected people about the plan for construction activities and road closure through meaningful stakeholder engagement on suitable alternative access routes.

Additional stakeholder consultations may be held during RP preparation and implementation, as needed or upon community request, to help prevent social tensions related to resettlement.

The outcomes of these activities, including adherence to compensation delivery and grievance resolution concerning livelihood support, will be meticulously documented in continuous monitoring reports submitted to the EBRD. Before finalizing and submitting the RP(s) to EBRD, NRA must ensure PAPs are informed of survey results and that their preferences for compensation or resettlement support are considered. The final RP will detail

stakeholder engagement processes, including consultation dates, participant lists, and meeting minutes.

### 3.1.8.3. Disclosure

The LARF will be publicly disclosed concurrently with the ESIA (for M3 and R7). Subsequent RPs/LRPs will also be disclosed prior to construction.

- Format: Disclosure must be in relevant languages (Romanian and English, potentially Russian, as appropriate). Documents (LARF, RPs, LRPs) will be made available on the NRA and EBRD websites, as well as in hard copy at local government offices.
- Documentation: Simple, practical, accurate, and culturally appropriate documentation, such as a GLAC, will be developed and disseminated to PAPs.
- Local authorities support project communication by informing communities through public hearing invitations, Facebook, municipal notice boards, and local channels such as WhatsApp.

Disclosure alongside meaningful consultation will be conducted through a range of stakeholder engagement activities in villages along each lot, including

- Public meetings.
- Focus group discussions with key groups such as farmers, roadside businesses, landowners, vulnerable groups (including the elderly and persons with disabilities), and women.

For the M3 ESIA/LARF, these disclosure meetings and focus group discussions were held between 10-23 February 2026.

Lot	Communities/Key Stakeholders	Engagement and Primary Data Collection	Proposed Type of Engagement	Responsibilities	Link to publication
Lot 1	Băcioi commune with villages Străisteni, Frumușica, Brăila	10 <sup>th</sup> of February 2026 11.00-12.00	Community meeting, FGD landowners near M3 ROW and roadside businesses, FGD with Vulnerable People, Baseline survey, Leaflet presentation with Project Information and GRM	ESIA Consultants/NRA	<a href="https://bacioi.md/2026/02/05/consultari-publice-privind-proiectul-de-evaluare-a-impactului-de-mediu-social-si-siguranta-rutiera-pe-traseul-m3/">https://bacioi.md/2026/02/05/consultari-publice-privind-proiectul-de-evaluare-a-impactului-de-mediu-social-si-siguranta-rutiera-pe-traseul-m3/</a>
Lot 1	Răzeni commune with Milestii Noi village	10 <sup>th</sup> of February 2026 14.00-15.00	Community meeting, FGD with farmers/land users and businesses near M3 ROW, FGD with women (vulnerable groups), Baseline survey, Leaflet presentation with Project Information and GRM	ESIA Consultants/NRA	<a href="https://www.facebook.com/share/p/1aqyY4W3Jx/?mibextid=wwXlfr">https://www.facebook.com/share/p/1aqyY4W3Jx/?mibextid=wwXlfr</a>
Lot 1	Horești commune	11 <sup>th</sup> of February 2026 10.00-11.00	Community meeting, FGD with agricultural landowners and businesses near M3 ROW, FGD with vulnerable people, Baseline Survey Leaflet presentation with Project Information and GRM	ESIA Consultants/NRA	<a href="https://www.facebook.com/share/p/18RPHiX66r/?mibextid=wwXlfr">https://www.facebook.com/share/p/18RPHiX66r/?mibextid=wwXlfr</a> <a href="https://horesti.md/2026/02/05/520/">https://horesti.md/2026/02/05/520/</a>
Lot 1	Țipala commune with Budăi and Bălțați villages	11 <sup>th</sup> of February 2026	Community meeting, Meeting with LPA social assistant and FGD with	ESIA Consultants/NRA	<a href="https://tipala.primarie.md/events/consultari-publice-proiectul-de-evaluare-a-impactului-pe-traseul-">https://tipala.primarie.md/events/consultari-publice-proiectul-de-evaluare-a-impactului-pe-traseul-</a>

		<b>13.00-14.00</b>	vulnerable groups, Leaflet presentation with Project Information and GRM, Baseline Survey		<a href="#">m3/</a>
<b>Lot 1</b>	<b>Porumbrei commune with Sagaidacul Nou village</b>	17 <sup>th</sup> of February 2026 <b>11.00-12.00</b>	Joint Lot 1–2 session, Community meeting, FGD with landowners of past Phase 1 land acquisition, Leaflet presentation with Project Information and GRM, Baseline Survey	ESIA Consultants/NRA	<a href="https://www.facebook.com/share/p/1DUpxhecRQ/?mibextid=wwXlfr">https://www.facebook.com/share/p/1DUpxhecRQ/?mibextid=wwXlfr</a>
<b>Lot 2</b>	<b>Sagaidac village</b>	17 <sup>th</sup> of February 2026 <b>14.00-15.00</b>	Community meeting, FGD with vulnerable households (elderly/women), Leaflet presentation with Project Information and GRM, Baseline Survey	ESIA Consultants/NRA	published on the information board in front of the main building of the mayoralty and viber group
<b>Lot 2</b>	<b>Grădiște village</b>	19 <sup>th</sup> of February 2026 <b>11.00-12.00</b>	Community meeting, KII with LPA social assistant and FGD with vulnerable groups, Baseline Survey, Leaflet presentation with Project Information and GRM	ESIA Consultants/NRA	<a href="https://primariagradiste.md/2026/02/10/anunt-cu-privire-la-organizarea-consultarilor-publice-privind-proiectul-de-evaluare-a-impactului-de-mediul-social-si-siguranta-rutiera-pe-traseul-m3/">https://primariagradiste.md/2026/02/10/anunt-cu-privire-la-organizarea-consultarilor-publice-privind-proiectul-de-evaluare-a-impactului-de-mediul-social-si-siguranta-rutiera-pe-traseul-m3/</a>
<b>Lot 2</b>	<b>Ecaterinovca commune with Coștangalia village</b>	19 <sup>th</sup> of February 2026 <b>9.00-10.00</b>	Community meeting, KII with social workers, Baseline Survey Leaflet presentation with Project Information and GRM FGD focusing on safety (children transported to school in Grădiște)	ESIA Consultants/NRA	<a href="https://primariaecaterinovca.md/">https://primariaecaterinovca.md/</a>
<b>Lot 4</b>	<b>Cișlița-Prut village</b>	20 <sup>th</sup> of February 2026 <b>11.00-12.00</b>	Community meeting, FGD farmers & landowners near bypass, Baseline Survey on Land Acquisition and Resettlement	ESIA Consultants/NRA	<a href="https://www.facebook.com/share/p/1DnZY2Yetz/?mibextid=wwXlfr">https://www.facebook.com/share/p/1DnZY2Yetz/?mibextid=wwXlfr</a>
<b>Lot 4</b>	<b>Giurgiulești village</b>	20 <sup>th</sup> of February 2026 <b>13.00-14.00</b>	FGD with businesses, Women's group session, Elderly households' consultation, FGD farmers & landowners near bypass, baseline survey	ESIA Consultants/NRA	<a href="https://www.facebook.com/share/p/14W99A2R9tF/?mibextid=wwXlfr">https://www.facebook.com/share/p/14W99A2R9tF/?mibextid=wwXlfr</a>
<b>Lot 2</b>	<b>Cimișlia City (Joint Lot 2-3 sessions)</b>	23 <sup>th</sup> February 2026 <b>10.30 – 11.30</b>	Community meeting, FGD and Baseline Survey, Leaflet presentation with Project Information and GRM, Baseline Survey	ESIA Consultants/NRA	<a href="https://www.facebook.com/share/p/17jMZ2r9nd/?mibextid=wwXlfr">https://www.facebook.com/share/p/17jMZ2r9nd/?mibextid=wwXlfr</a>
<b>Lot 3</b>	<b>Ciucur-Mingir village</b>	23 <sup>th</sup> of February 2026 <b>13.00-14.00</b>	Community meeting, FGD focusing on safety (children transported to schools located near school), Household-level engagement for disabled/elderly groups, Baseline Survey	ESIA Consultants/NRA	<a href="https://www.facebook.com/photo/?fbid=2172123426957213&amp;set=gm.1752907182780433&amp;idorvanity=355999019137930">https://www.facebook.com/photo/?fbid=2172123426957213&amp;set=gm.1752907182780433&amp;idorvanity=355999019137930</a>

Table 3-7: Overview of stakeholder consultation process

### 3.1.9. Grievance Management and Redress System

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The NRA will establish a Project-specific Grievance Management and Redress System (GMRS) for land acquisition and involuntary resettlement issues, distinct from the general project GMRS if required, to ensure prompt and fair resolution of grievances. The GMRS outlined in this chapter provides avenues for redress, ranging from local amicable settlement to recourse mechanisms and, ultimately, appeal to the court system.

#### 3.1.9.1. Key principles

The Project will implement a Grievance Management and Redress System (GMRS) to address concerns related to entitlements, compensation, relocation, and livelihood restoration raised by Project-Affected Persons (PAPs) and host communities, either separate from or integrated with the project's general GMRS. The GMRS will adhere to the following key principles, ensuring it is:

- Accessible, transparent, and responsive to all Project-Affected Persons (PAPs), and permissible for safe reporting of concerns without manipulation, interference, coercion, intimidation, or retaliation.
- Designed to ensure that all groups, particularly vulnerable groups and informal users are able to voice their concerns.
- Capable of resolving disputes in a timely, impartial and transparent manner.
- Affected persons must retain the right to pursue available judicial or administrative remedies at any stage of the process.
- Operational as early as possible, specifically prior to the census taking place.
- Accommodating the consideration of orphan land, and potentially to launch a specific grievance management exercise at the end of the land acquisition process to identify and address these situations.

#### 3.1.9.2. Registration of grievances

The registration of grievances is the initial step in the Grievance Management and Redress System, which must be systematically established and consistently applied for all project-related complaints. Grievances will be submitted through multiple accessible channels, among others:

- In writing (forms available at Local Public Authority offices, on construction sites).
- By email or online form on the NRA website (email: [cancelaria@andsa.md](mailto:cancelaria@andsa.md); web: <https://www.andsa.md/petitii-online/>);
- Facebook: /Administratia Națională a Drumurilor/
- Postal address: mun. Chișinău, str. Bucurei, 12A MD-2004, RM
- Verbally during meetings or to designated local contact persons;
- Via telephone hotline established at the NRA (hotline +37378337744 or +37360477117).

These channels will be disclosed for community in front of mayoralty information board.

All complaints, including those submitted anonymously, will be recorded in a dedicated grievance log or database at both the local level (Level 1) and at NRA level (Level 2). All grievances, including resettlement-related

grievances, will be consolidated into a single Project grievance log by the designated Grievance Focal Point within the NRA. The role and responsibilities of the level 1 and level 2 of the GMRS is as follows:

- Level 1. Local level. The secretary and technical supervisor of Local Public Authorities (Mayor Offices and District Councils) will act as Grievance Local Point will be responsible for collecting the grievances from local residents, to receive and register grievance and to acknowledge within 7 working days.
- Level 2. The NRA will serve as Grievance Focal Point who will register the submitted grievances in the Project Grievance Log (database) and review within 30 days, including the information verification, cross-checking, and analysis, and follow-up with the applicant as needed. As necessary, the Grievance Focal Point will involve the other relevant units' specialists in this activity.

Each grievance will be assigned an individual reference number and accurately tracked through the resolution process. Grievances will be responded to in a timely manner within defined, reasonable timeframes (maximum 30 days).

All grievances, investigation findings, actions taken, and resolution outcomes will be accurately recorded in the Project grievance Log and reported to the EBRD periodically.

#### **3.1.9.3. First tier of amicable settlement**

The First Tier of Amicable Settlement provides the initial opportunity for Project-Affected Persons (PAPs) to address concerns related to land acquisition, compensation, and livelihoods, typically through local administration offices where grievances are first collected by the Reception Point, such as the Mayor's Office Secretariat, or directly by the designated Grievance Focal Point. Amicable resolution is encouraged at the local level, the complaint (whether or not an immediate settlement is achieved) is formally registered and investigated by the Grievance Focal Point, ensuring a timely and constructive action, and adhering to the principle that grievances must be handled in a transparent and non-retributive manner.

Mayor's offices confirmed that they have grievance redress registers in which grievances are recorded which will also be applied for this Project. They facilitate resolution of grievances at the local level through follow-up public meetings where the grievance is discussed and a solution is sought. If the grievance cannot be solved locally then the grievances are escalated to the NRA for further review. If it remains unresolved at the NRA level, it will be further referred for independent review to the Ministry of Infrastructure and Regional Development or the relevant national authority.

#### **3.1.9.4. Resort mechanism and mediation**

The project will establish the GMRS including a recourse mechanism (independent review) designed, to resolve disputes impartially and transparently at a level distinct from the judicial system.

The Project applies a three-level mechanism:

- Level 1 (Local Public Authority): To receive and register grievance; to acknowledge within 7 working days. Responsible entity: Secretary of Local Public Authority.
- Level 2 (NRA): To review cases; propose solutions, corrective actions; feedback; close case within 30 working days. Responsible entity: NRA.
- Level 3: Complainant may appeal to Ministry of Infrastructure and Regional Development or relevant national



authority agency to conduct an independent review. If unresolved, legal remedies remain available under national law. Responsible entity: Ministry of Infrastructure and Regional Development/national authorities.

#### **3.1.9.5. Appeal to court**

The GMRS is an administrative recourse that does not impede the PAP's right to seek resolution through the available judicial or administrative remedies at court under Moldovan law at any stage of the grievance process. This appeal to the court system acts as the final avenue for redress, and for expropriation cases in Moldova, PAPs may directly challenge the final compensation amount in the competent court, though not the fact of expropriation itself.

### 3.1.10. Vulnerable People

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#### 3.1.10.1. Vulnerability analysis

The vulnerability analysis process carried out by the Project will ensure the special needs of vulnerable people are addressed to ensure they are not disproportionately affected and benefit from project opportunities. The vulnerability analysis typically includes the following steps:

- defining vulnerability criteria relevant to the project.
- establishment of a vulnerability matrix.
- socioeconomic and livelihood survey of all affected people.
- application of the vulnerability matrix and pre-identification of potentially vulnerable households.
- individual interviews with pre-identified vulnerable households.
- final validation of households identified as vulnerable with involvement of community representatives.
- individual action plans for each vulnerable household.

This analysis will be context-specific and is undertaken to determine vulnerable groups and pertinent vulnerability factors in the project area, forming the essential foundation for subsequent assistance planning and implementation.

##### 3.1.10.1.1. Vulnerability definition and criteria in the context of the project

Vulnerable people are those who may be disproportionately affected by displacement and who may be limited in their ability to claim or take advantage of project benefits. Vulnerable criteria relevant to the M3/R7 project context include, but not limited to:

- Low income households who live in poverty, as defined by national statistics institutes
- Elderly people
- Households with people with mental or physical disabilities or chronically or serious illness
- Child-headed households (under the age of 18)
- Single-parent families (mother headed)
- Member of a nationally or locally recognized ethnic (e.g. the Gageuz people), cultural or religious minorities
- Sexual and gender minorities
- People holding no formalised or customary rights to the assets they use for residence or livelihood (informal users of land, slum dwellers)
- Migrant workers, Refugees

##### 3.1.10.1.2. Vulnerability matrix

A concise approach to vulnerability analysis involves establishing a vulnerability matrix based on selected, context-relevant criteria (tentatively listed in the above paragraph) to capture the multidimensional character of vulnerability. This matrix may include a preliminary scoring system to rank households. This matrix is then applied to household socioeconomic data from baseline surveys to pre-identify potentially vulnerable individuals or households. While typically based on baseline surveys, vulnerability information, specifically for long linear projects sampled for surveys, must be gathered for all affected people, potentially through a subsequent data collection step like the negotiation stage. This comprehensive process is essential for implementing tailored assistance measures.

### 3.1.10.2. Potential activities to assist vulnerable people

Potential assistance activities for vulnerable people may include tailored support such as:

- assistance in registration of title deeds.
- assistance with access to stakeholder engagement meetings for e.g. disabled and elderly.
- searching alternative location businesses and moving support
- priority access to Livelihood Restoration Programs and job opportunities created by the project
- transitional financial support beyond standard compensation.
- attention to gender-specific risks, ensuring women participate in consultation and benefit equitably from compensation and livelihood opportunities.
- social support through accessing existing Moldovan government or NGO social welfare services.

For those vulnerable persons living in poverty whose livelihoods are affected, the project must aim for meaningful improvement of these livelihoods and living conditions, providing adequate resources and support measures that match their specific abilities and capacities.

### 3.1.10.3. Arrangements for implementation and budget of assistance to vulnerable people

The specific roles and budget allocation for vulnerable people assistance will be clearly defined in the RP/LRP for each component and fully funded to ensure compliance with EBRD ESR 5, as the budget is a critical component of effective resettlement planning. The Client will partner with local NGOs or social services departments to deliver social support and case monitoring. This commitment involves explicitly providing for the implementation and funding of tailored assistance measures for vulnerable people as part of the overall land acquisition and resettlement budget and incorporating sufficient contingencies for such support in the budget planning process.

## 3.1.11. Monitoring and Evaluation

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### 3.1.11.1. General objectives of monitoring and evaluation

The main objective of monitoring and evaluation is to identify as early as possible progress on RP/LRP implementation achieved and the cause(s) of problems so that changes in RP/LRP implementation can be made where necessary. Major changes need to be communicated and agreed with stakeholders, particularly affected people and the EBRD.

### 3.1.11.2. Auditing and monitoring during implementation

The following two mechanisms will be used: (i) internal monitoring by NRA/PIUs; and (ii) external monitoring by E&S consultant engaged by NRA.

#### 3.1.11.2.1. Scope and Content – Internal Activities

Internal monitoring will be conducted regularly by the Client.

The internal monitoring scope will cover:

- progress (input) monitoring on a weekly and monthly basis to measure whether the activities have been delivered as specified in the RP/LRP.

- Performance (output) monitoring on a monthly and quarterly basis to measure the results of the activities that have been delivered

The internal monitoring includes content such as number of households that have received replacement land, cash compensation or livelihood restoration training, compensations paid in escrow accounts, activities meant to support vulnerable people.

#### **3.1.11.2.2. Scope and Content – External Reviews**

External reviews will be conducted by an independent E&S consultant.

The scope will cover an outcome (impact) evaluation: to measure whether the delivery of inputs and the achievement of outputs are contributing to the successful accomplishment of objectives which have been set for RP/LRP implementation. The impact evaluation is typically carried out biannually during implementation of a RP/LRP and following that, annually for a reasonable period of time, as agreed with the EBRD and documented in the RP/LRP.

These reviews verify whether land acquisition and resettlement implementation complies with ESR5, the specific RP/LRP and with local legislation. Compliance reviews are mandated for higher-risk projects.

The external reviews include content such as whether the delivery of compensation and livelihood restoration assistance (for example, training) has enabled people to re-establish their sources of livelihood (business or employment) and their level of income. It is particularly important to determine whether their standard of living has been restored or improved in comparison to what it was prior to displacement.

#### **3.1.11.3. Indicators, including Key Performance Indicators**

Indicative KPIs for progress (input) and performance (output) monitoring and external impact evaluations are outlined below:

- Progress (input) KPIs:
  - Total number of owners and total number of formal and informal users of affected land plots
  - Number of formal and informal businesses that have to be relocated
  - Number of client staff/external associates dedicated to resettlement and livelihood restoration
  - Overall spending on land acquisition (including a breakdown of costs)
- Performance (output) KPIs:
  - Number (and percentage) of land plots/houses/businesses for which compensation agreements were signed
  - Number (and percentage) of owners/users who signed compensation agreements
  - Number (and percentage) of land plots /houses/businesses for which compensation agreements were refused/are still pending
  - Number (and percentage) of owners/users who refused to sign compensation agreements/ are still deliberating
  - Number (and percentage) of compensation agreements executed (compensation paid)
  - Number (and percentage) of businesses that have been relocated
  - Number of persons/households assisted by the implementation team by type of assistance and by

category (owners/users)

- External impact evaluations (outcome) KPIs:
  - How was the received cash compensation used/invested?
  - Has compensation been paid at full replacement cost?
  - Re-establishment of incomes/livelihoods
  - Re-establishment of businesses

#### **3.1.11.4. Reporting**

The Client will submit Internal Monitoring Reports to the EBRD (at agreed frequencies, typically annually but for projects with significant displacement impacts the EBRD may require more frequent reporting). External Compliance Review Reports will be provided periodically by an independent consultant to the EBRD (at agreed frequencies, typically carried out biannually during RP/LRP implementation and following that, annually for a reasonable period of time). Upon completion of land acquisition, compensation delivery, and processing of related grievances, the Client will submit a Land Acquisition and Resettlement Execution Report to the EBRD. This report will not necessarily include all ongoing livelihood restoration activities, which may span over a number of years after all compensation has been delivered.

#### **3.1.11.5. Completion audit**

The Completion Audit will be conducted by an independent expert in coordination with NRA project teams. The completion audit is expected to focus on livelihood restoration and will be built on previous internal and external monitoring and the land acquisition and resettlement execution report. A completion audit is typically required for higher-risk projects, particularly those involving significant displacement impacts.

##### **3.1.11.5.1. Objectives and Scope**

The main objective of the completion audit is to verify that the requirements of ESR 5 have been fully met, and that affected persons' livelihoods have been restored or improved in accordance with project commitments and ESR 5 requirements. The audit will compare the post-resettlement economic situation of affected households against the baseline data.

##### **3.1.11.5.2. Success / Completion Criteria**

Completion criteria, to be detailed in the specific RPs, will include measurable metrics identifying whether e.g.:

- all entitlements and commitments described in the RP have been delivered.
- measures have been effective in restoring or enhancing PAPs' living standards and livelihoods, including both men and women, as well as vulnerable people.
- any grievances may have been left outstanding.
- any corrective actions are necessary to achieve completion of the RP commitments, particularly related to additional livelihood restoration should livelihoods of certain groups be demonstrated not to have been restored.

##### **3.1.11.5.3. Timing and implementation arrangements for Completion Audit**

The Completion Audit will be conducted once the EBRD has reviewed and approved the land acquisition and resettlement execution report. Typically, the completion audit is conducted a few years after compensation was delivered and resettlement assistance and livelihood restoration activities are completed, within the validity period of the loan agreement. The specific timing and implementation arrangements for the completion audit will be presented in the RP, along with clear completion criteria that the project will be expected to meet.

### **3.1.12. Implementation Responsibilities and Funding**

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#### **3.1.12.1. Implementation responsibilities**

The NRA is the client and retaining ultimate responsibility for ensuring ESR 5 compliance, planning and execution of the plans related to land acquisition and resettlement, financing implementation, monitoring, and reporting to the EBRD. Land acquisition and resettlement are resource-demanding activities, requiring commitment in staff, logistics, and budget.

The implementation roles are expected to include:

- **NRA (Client):** Overall responsibility for carrying out the expropriation process and RP/LRP development and implementation, securing necessary budget lines, cross-government agency coordination, resolving PAP grievances that were not resolved at the local level, and facilitating court processes, ensuring legal agreements are signed, and overseeing consultants.
- **PIU (Project Implementation Unit):** Overall responsibility for day-to-day project implementation, including planning and management of implementation of Land Acquisition and resettlement activities. Potentially a RP/LRP consultant for the RP/LRP development will be hired to PIU by NRA. A RP implementation focal point will be appointed at PIU and will coordinate the development and implementation of the RP/LRP for the Project. The RP implementation focal point will report directly to the management of PIU and NRA.
- **RP/LRP Consultant:** Responsible for developing RPs/LRPs according to EBRD ERS 5 and this LARF, conducting the census and socio-economic baseline study, meaningful consultation with PAPs and documentation, and detailed impact assessments (footprint/land impacts including cumulative impacts arising from multiple land acquisition sequences, including impacts from associated facilities).
- **Supervising Engineer:** Monitoring contractor compliance with environmental and social requirements, traffic management, and temporary land use restrictions.
- **Local Public Authorities:** supporting the planning and implementation of RP//LRP, collaboration with the NRA on identifying PAPs, public consultations, facilitating the stakeholder engagement, distributing information, providing local administrative support, supporting the Grievance Management and Redress System (GMRS) and grievance resolution, issuance of Decision(s) on Land Acquisition for Public Needs, provision of e.g. alternative land leases for leaseholders, facilitating alternative public land for grazers, and defining the sites to relocate roadside businesses.
- **Design organizations:** Finalizing the design for road sections, including details of affected lands and properties, coordinate closely with local authorities on project land use to ensure that Land Acquisition and Resettlement impacts are minimized, identifying potential areas for temporary land use during construction works implementation, in close cooperation with local authorities identify potential sites for relocation of informal roadside businesses and ensure that these sites are included in design documents, participating in public

consultation, disclosure activities and the grievance redress process, as needed.

- Ministry of Finance: Together with NRA, ensure availability of sufficient budget for compensation, Livelihood restoration and other Land acquisition activities.
- Other Agencies and Institutions: Responsible for statutory Land Acquisition and Resettlement procedures, including:
  - Courts. The court system will be involved in the Land Acquisition process in case the agreement is not reached between relevant Local Authority and the owner/user of the affected land plot / property.
  - Independent Valuers. Qualified valuers will be engaged to appraise the affected assets subject to acquisition.
  - Agency for Public Services. Registering the rights of property in the Cadastre data base.
  - International Finance Institutions.

### **3.1.12.2. Budget and arrangements for funding**

To date, the full budget for Land Acquisition and Resettlement, is not finalized due to the incomplete detailed designs for some lots. The NRA and the Ministry of Finance (MoF) commit to ensuring that sufficient budget is secured and allocated for the implementation of this LARF and the subsequent RPs/LRP. Funding commitments include:

- Supplemental costs required to bridge the gap between Moldovan law and ESR 5 (e.g. FRC top-ups, livelihood restoration programs, compensation for informal users) are financed by the Project.
- Potential updates to compensation rates and construction costs due to inflation during the implementation period.
- In addition to direct compensation and resettlement expenses, budgets will also account for the cost of livelihood restoration activities, management and administrative expenses associated with planning and executing resettlement, livelihood restoration processes, internal and external monitoring and any completion audits.
- Considering adding a contingency of at least 20 per cent to initially estimated expenditures, staffing, training, and inflation allowances.
- The budget allocation must be clearly linked to the RAP implementation schedule, ensuring funds are available prior to displacement.
- The MoF will be responsible for securing the budget and ensuring that compensation funds for expropriation are available in a special account for at least three years.

### **3.1.12.3. Actions Required to Develop a Land Acquisition and Resettlement Plan**

A RP/LRP will be prepared based on the general principles established in this LARF and comply with the objectives of EBRD ESR 5 for project components (Lots) where land acquisition impacts are confirmed post-final design. The key steps include:

1. Conduct an Independent Audit with regards to the 190 plots of private land that has been acquired during the first phase of M3 Lot 2 rehabilitation. An assessment is required to determine whether there are any legacy gaps that needs corrective action.

2. Finalization of Detailed Design and Project Footprint, including the documentation and justification of avoidance and minimization efforts to ensure residual physical or economic displacement impacts are unavoidable.
3. GMRS Activation: Ensure the Grievance Management and Redress System is established and operational prior to the census.
4. Census, and Socio-Economic Survey: Conduct a detailed household census and socioeconomic baseline survey to profile affected communities and people. Establish and publicly disclose the cut-off date, typically at the end of the census/inventory process.
5. Asset Inventory and Valuation: Conduct a detailed inventory of affected assets (including land, structures, crops, trees, and businesses), assessing the full range of rights held or asserted by affected persons. Valuation of losses must be performed by qualified valuers at Full Replacement Cost (FRC).
6. RP/LRP Drafting and Consultation: Draft the specific RP/LRP, detailing compensation, livelihood restoration measures, a clear budget (including contingencies and inflation allowances), and the implementation schedule. This requires meaningful consultation with all affected persons, particularly vulnerable groups.
7. Disclosure and Formal Endorsement: Public disclosure of the final RP/LRP and a simple guide to land acquisition and compensation (GLAC), followed by formal endorsement by the Client (e.g., formal order or decree) following EBRD approval.
8. Compensation Delivery: Ensure timely delivery of compensation payments (at FRC), resettlement assistance, and necessary transitional support, which must occur prior to physical displacement or the imposition of access restrictions on land or assets.
9. Implementation and Monitoring: Entry into the land and commencement of construction, followed by continuous internal and external monitoring and evaluation (M&E) of the RP/LRP implementation until completion.

The preparation of a RP/LRP is required once the nature and magnitude of impacts associated with land acquisition can be determined.

#### **3.1.12.4. Time schedule**

The time schedule for Land Acquisition and Resettlement must be explicitly presented within the RP in a manner that ensures compatibility with the overall project development schedule. The plan must detail a resettlement timeline that is aligned with the project's procurement, design, and construction works. Furthermore, inadequate budgeting for the Land Acquisition and Resettlement process often leads to implementation delays, underscoring the need for sufficient contingency and inflation allowances within the budget to avoid scheduling issues.

#### **3.1.12.5. Change management**

The LARF acknowledges that unexpected impacts or major design changes may arise during implementation. A RP update may be needed due to significant shifts in the socioeconomic context (e.g. notable in- or out-migration), extended project suspension (e.g. force majeure), material design changes affecting the project footprint and/or number of affected people, or monitoring results showing that certain measures are not achieving intended outcomes.



The RP will include a dedicated change management section, outlining procedures to follow in case of material changes during implementation. This will cover e.g. additional survey needs, stakeholder engagement, impact assessment, and documentation/disclosure requirements. The significance of changes will typically be assessed in consultation with the EBRD and agreed upon case by case.

If limited land acquisition causes only minor economic displacement, affects few landowners, and has no minimal cumulative impact, with no physical displacement, an RP update or addendum may not be needed, subject to EBRD's approval. However, all original RP procedures (e.g. stakeholder engagement, grievance redress, data collection, compensation, and livelihood restoration) will still be applied.

## Annex

### Appendix A. Census dossier and methodology

Not applicable. The census dossier and methodology will be specified in the RPs/LRPs once the final detailed project design for each lot and the project footprint is known.

### Appendix B. Template of a claim registration and follow-up form

#### Claim registration form

Date Received:

Reference number (in case of non-PAP):

Registration ID (in case of PAP):

Method of Submission:

Project Component/Lot:

Note: you can remain anonymous if you prefer or request not to disclose your identity to third parties without your consent. In case of anonymous grievances, the decision will be disclosed on the official government website.

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Address \_\_\_\_\_

☐ I wish to raise my grievance anonymously

☐ I request not to disclose my identity without my consent

☐ Contact Information Please mark how you wish to be contacted (telephone, e-mail).

☐ By Telephone: \_\_\_\_\_

☐ By E-mail \_\_\_\_\_

☐ I will follow up the resolution at the website as I want to remain anonymous

Preferred Language for communication: ☐ Romanian ☐ Other (indicate)

Description of Incident or Grievance (What happened? Where did it happen? Whom did it happen to?)

What is the result of the problem? Date of Incident/ Grievance)

☐ One-time incident/grievance (date \_\_\_\_\_)

☐ Happened more than once (how many times? \_\_\_\_\_)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Section	Field/Data Required	Description / Purpose
<b>I. Claimant Information</b>	Date Received:	(Date the grievance was logged)
	Name of the person that logged the grievance	(Name of the person that logged the grievance)
	Registration ID of PAP:	(Unique identifier for tracking)
	Reference number:	For non-PAP, host community, other stakeholders
	Name(s) of Claimant(s):	(Full name, allowing for anonymity if requested)
	Contact Information:	(Address, phone, email)
	Vulnerability Status:	(If identified in the Socio-economic Study/Census)
	Method of Submission:	(E.g., In-person, phone, email, registered mail, verbally to focal point)
<b>II. Grievance Details</b>	Type of Grievance:	(E.g., Compensation amount dispute, entitlement denial, valuation issue, timing of payment, access restriction, damage claim, LRP access)
	Project Component/Lot:	(E.g., M3 Lot 4 Giurgiuilești Bypass)
	Description of Grievance:	(Detailed factual account of the concern)
	Asset/Loss Affected:	(E.g., Agricultural land, Residential Structure, Lost business income)
	Relevant Cut-Off Date Status:	(Was asset/claim present before the declared cut-off date?)
<b>III. Investigation and Action</b>	Responsible Focal Point:	(Grievance Focal Point/Social Specialist)
	Investigation Steps Taken:	(E.g., Site visit, interviews, documentation review, consultation with Valuer)
	Finding & Verification Status:	(Was the grievance confirmed, unconfirmed, or partially confirmed?)
	Proposed Resolution/Action:	(Specific steps committed to resolve the issue, e.g., Re-valuation, Escrow deposit, LRP enrollment)
	Action Implementation Date:	(Target date for resolution)
<b>IV. Resolution and Follow-up</b>	Resolution Outcome:	(E.g., Resolved internally, Referred to recourse/mediation, Withdrawn, Referred to court)
	Date Resolved/Closed:	(Date the grievance was resolved/closed)
	Claimant Acceptance (Signature):	(Documentation of claimant agreement to the resolution)
	Follow-up Required?	(E.g., Livelihood monitoring, checking payment transfer)

Table 0-1: Claim registration follow up form

And any other relevant appendices (photographs, maps, drawings, etc...)