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Project Information Document/ Integrated Safeguards Data Sheet (PID/ISDS)

Concept Stage | Date Prepared/Updated: 06-Sep-2017 | Report No: PIDISDSC20702



BASIC INFORMATION

A. Basic Project Data

Country Moldova	Project ID P161238	Parent Project ID (if any)	Project Name Land Registration, Valuation and Local Taxation Project (P161238)
Region EUROPE AND CENTRAL ASIA	Estimated Appraisal Date Dec 18, 2017	Estimated Board Date Feb 28, 2018	Practice Area (Lead) Social, Urban, Rural and Resilience Global Practice
Financing Instrument Investment Project Financing	Borrower(s) Ministry of Finance	Implementing Agency Public Service Agency/State Enterprise Cadastre	

Proposed Development Objective(s)

To improve the quality of the land administration and property valuation systems and to enhance transparency of the property taxation system.

Financing (in USD Million)

Financing Source	Amount
International Development Association (IDA)	35.00
Total Project Cost	35.00

Environmental Assessment Category B-Partial Assessment	Concept Review Decision Track II-The review did authorize the preparation to continue
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Other Decision (as needed)



B. Introduction and Context

Country Context

Moldova is a small, economically and culturally open, lower middle income country with 3 million people in 2014¹. Remittances from Moldovans abroad account for a quarter of Moldova GDP, one of the highest shares in the world. The country is vulnerable to climatic and regional economic conditions and its economic performance remains volatile. The country's economy had been hit hard by severe droughts over the recent years, but also by deep recession of Moldova's eastern partners and trade restrictions imposed by Russia. Moldova has made progress reducing poverty and boosting shared prosperity in the past years but remains one of the poorest countries in the region. Based on the ECA regional poverty line of USD 5/day at PPP², Moldova's poverty rate declined in recent years, going from 45.3 percent in 2011 down to 39.6 percent in 2013 and a projected rate of 36.6 percent in 2014. The poor and the bottom 40 percent are concentrated in rural areas, which are significantly less well-off than urban areas.

Moldova is divided to thirty-two districts (raion), three municipalities, and two autonomous regions (Gagauzia and Transnistria³). There are 1,681 localities, of which 982 localities have their own LPAs. Five localities have municipality status, 66 have city status, and 916 are villages with commune status. The remaining 699 villages are too small to have an independent administration, and belong to either cities (40) or communes (659). LPAs exercise local autonomy through elected local councils and mayors. There are also councils at the district level. The Territorial Office of the State Chancellery is responsible for the administrative control of the LPAs.

European Union integration prospects have been driving the Government's policy reform agenda since 2009. Political instability however impedes the progress of the reforms, and the governance and corruption challenges remain high. Over the recent years, the Government's reform priorities have included business environment reforms, modernization of public services and more balanced regional development. In that context the Government would need to work to: (a) improve the security of property rights; (b) further develop the real estate markets and property data; (c) enhance e-services for enabling access to real estate information which will attract investors and reduce transaction costs and time; (d) expand property valuation system, which in turn would improve the quality of commercial lending and the health of the banking sector; (e) improve public property management to generate more revenues from state-owned properties; and (f) enhance property taxation, which would be an important source of revenue for local governments and would reduce their reliance on central government transfers, thereby improving the overall stability of the public sector finances.

Sectoral and Institutional Context

As other former Soviet republics, Moldova conducted a land reform which included the transfer of land from state to private ownership, followed by allocation of individual titles to land and property (or real estate), and finally, registration of those individual private rights. In 1998-1999 a real estate registry was established. Since 1994, the Agency for Land Relations and Cadastre (ALRC) has been responsible for implementation of state land policy and the real estate register. ALRC hosts several technical institutions and state-owned enterprises. State Enterprise Cadastre (SEC) is responsible for the management of the cadastre, land registry and valuation. SEC operates 39 self-financed branch offices, but it depends on the state budget for large investment projects, such as systematic registration. SEC's income is 100 percent fee-based. SEC provides efficient, transparent, and cost-effective services⁴ which is also reflected

¹ *Key results of the 2014 Population and Housing Census*, National Bureau of Statistics, Republic of Moldova, <http://www.statistica.md/newsview.php?l=en&id=5583&idc=168>

² Purchasing Power Parity

³ The status of Transnistria is disputed and the central government does not control this region. The proposed project will not be implemented in Transnistria.

⁴ World Bank. 2014. "Moldova Land Governance Assessment Report," Washington, DC: World Bank.



in the 2016 Doing Business where Moldova ranks 21st in Property Registration out of 189 countries⁵. These institutional arrangements are currently undergoing a change. A public services delivery agency (PSA) is being established by merging the Civil Registry with SEC and several other registries. SEC will no longer be an enterprise. The ALRC would probably be placed under or become part of a ministry. The full extent of this institutional reform will have to be clarified during project preparation in order to ensure that project interventions are compatible with changes currently underway, and will enhance and support those changes.

About 85 percent (4.7 million) properties in Moldova (of total estimated 5.5 million) were registered during the First Cadastre Project (1998-2007), including 4.2 million through the systematic process, and 0.5 million through the sporadic procedure. Today, there are an estimated 580,600 unregistered properties in some 290 localities throughout the country.⁶ The First Cadastre Project was primarily concerned with private land registration and enhancing land administration. Some training in property valuation and support for valuer licensing were undertaken but there was no work on property taxation, mass valuation, public land delineation or registration, which the Government pursued independently. The key constraint to completing the first registration of all properties in Moldova since the completion of the First Cadastre Project has been the lack of financing. Completing the register for the whole of Moldova will increase the information available to users of the cadastre, support the land market and enable completion of a nationwide property valuation.

The Moldova's public lands account for 45 percent of the country's total surface area. About half of these public lands (52 percent) are state-owned and the rest fall under LPA authority. More than 60 percent of state-owned lands are not demarcated or registered. Among LPA-owned public lands, only 15 percent are registered, of which 80 percent are demarcated. This situation provides fertile ground for corruption, and causes conflicts and insecurity for people with land rights adjacent to, or inside, public lands. It also causes significant income losses for the state and LPAs due to unauthorized use of public land or resources and encroachment. Incomplete documentation causes additional problems pertaining to the registration of publicly-owned assets, principally those under the control of ministries or LPAs. The delimitation of public property is conducted upon request of the public authorities managing public lands. The state budget finances the delimitation of the state owned lands, and local authorities finance locally owned land delimitation. The Public Property Agency under the Ministry of Economy maintains an inventory of state-owned land and property but does not interact directly with the SEC and the property register. Completing the register of state/LPA land for Moldova nationally will increase clarity over whether land is in public or private ownership, provide greater transparency and provide opportunities for more efficient use of assets by municipalities and the state.

Project support to the SEC (or its new equivalent) is intended to facilitate the completion of the register of both private and public land in Moldova.

Moldova raised just 0.16 percent of its Gross Domestic Product from recurrent property taxes in 2013 compared with an average of 0.40 percent for middle and low-income countries estimated by the IMF. This results in two problems for the country. Local administrations are financially constrained by their limited ability to levy local taxes to support local public services. Secondly, they are highly dependent on government grants and shares of national taxes, such as income tax, at a time when the central government's finances are under extreme financial pressure. In 2013 local governments' share of incomes tax revenues accounted for 84 percent of local government tax revenues. This fiscal imbalance is surprising as between 2004 and 2008 Moldova implemented a successful reform of recurrent property taxation, changing a system of taxation based upon the area of the property to one based on its value using mass valuation. The problem with that reform was that it was never fully implemented. The new mass valuation system was applied to urban areas but not to rural housing, agricultural land, or special properties like utility networks. As Moldova is predominantly a rural country, only 12.5 percent of properties were included in the mass valuation system.

⁵ Doing Business Indicators (database). 2016. World Bank, Washington, DC.

⁶ World Bank, May 2, 2016 "Republic of Moldova Village Development Scoping Study, Land Sector Note"



The system has yet to be rolled out to include the majority of properties. The new system was supposed to result in revaluations taking place every three years. None have occurred with the result that the current valuations and tax rolls in urban areas are seriously out of date. It is estimated that the tax valuations of apartments in Chisinau, that were valued in 2004, are only 44 percent of current market values. Moldova's fiscal situation, and in particular the financial position of its local governments, would be considerably improved by a program to extend the system of mass valuation nationwide, as was originally intended, and to carry out revaluations of the properties included in the mass valuation reform and to embed regular revaluations into the system. The particular problem that has arisen is that the costs of first registration, extending the mass valuation system to include all properties, and periodic revaluations have been borne by the Central Government but the perception, until recently, has been that the beneficiaries are local governments, thus resulting in a mismatch between those paying for and those benefitting from the reforms. The inter-related nature of public finances was not appreciated so that enhanced revenue in one area can relieve pressures in others. This perception has changed and Government accounts are now being viewed and managed as a whole. This also means that there is now greater political support to implement the property valuation and taxation reform in Moldova.

With donor support, a National Spatial Data infrastructure (NSDI) is being created in Moldova under the responsibility of ALRC. A draft NSDI law is under review and a prototype geo-portal, including a number of geospatial datasets and services, has been developed. Good progress has been made but further support is required if the achievements made so far are to be developed into meaningful benefits. In particular, data exchange protocols and procedures need to be developed, standards have to be defined and adopted, more data must be made available in the correct format, and further capacity built in the sector.

Relationship to CPF

The Project will support the following key priority areas of the new Country Partnership Framework (FY2018-2022): (i) Strengthening the rule of law and the accountability of institutions by enhancing the security of property rights, increasing the transparency of property data and improving efficiency of the cadastre system; and (ii) Improving efficiency, quality and inclusive access to public services by completing the cadastre and conducting property valuation to improve equity and fairness of the property taxation system.

The Project will build on and/or be complementary to the ongoing Government and the World Bank joint work on the Tax Administration System reform, Assets Registration, Financial Accounting and Reporting reform, State Owned Enterprise reform, Tax Legislation revision and Modernization of Government Services (eGov).

The Project will coordinate with the relevant donor funded projects, such as the EU Twinning Project financed by the European Commission for development of the National Spatial Data Infrastructure (NSDI) in Moldova (first phase completed, second phase is planned); Norwegian support for development of a Geoportal, improvements to the IT system; and UNDP's support to the SEC for building a new information system for the address register that is compliant with the EU INSPIRE standards. The project will ensure that assistance to develop the NSDI will be done in a way that supplements existing initiatives; avoiding any duplication of effort. Project support will aim to enhance the current developments so that practical use can be made of the NSDI.

C. Proposed Development Objective(s)

Note to Task Teams: The PDO has been pre-populated from the datasheet for the first time for your convenience. Please keep it up to date whenever it is changed in the datasheet.

To improve the quality of the land administration and property valuation systems, and to enhance transparency of the property taxation system.



Key Results (From PCN)

- i. Proportion of land in Moldova registered in the cadastre increased (private/public);
- ii. Public access to information on land registration (private/public) enhanced;
- iii. User perception of quality of registration services (gender-disaggregated) improved.
- iv. Property valuation system based on current market values established for all properties (Y/N)
- v. Property tax assessments and methods of property valuation publicly available (online or otherwise) (Y/N)

D. Concept Description

While the project is primarily focused on land registration and property valuation it will include a number of other activities that come under the umbrella of land administration. Registration and valuation are significant enablers that will enhance the current taxation system. First Cadastre Project has gone a long way to establish the land register (85% of private land parcels registered) but completion of a national register of private and public land will enable an up to date property valuation to take place, which will increase the transparency of the current property tax system and ensure that the tax burden is shared by all registered property owners. Projects supported by different donors in the past have resulted in cadastral data of variable quality. This project provides an opportunity to bring the data in the cadastre and register up to a uniform level of quality that is sufficient to provide efficient and effective services to users.

The development objective of the proposed project would be achieved by:

- (i) completing property registration, first property valuation of properties not previously included in the mass valuation system, and revaluations to current market values of those properties covered by the mass valuation system ;
- (ii) improving the quality of data held within the land register, bringing it up to a uniform national standard;
- (iii) increasing the availability of property information, and improving land registration services;
- (iv) strengthening the property valuation system to stabilize local governments' revenues by enhancing income from the property tax and reducing dependence on inter-governmental fiscal transfers;
- (v) completing public land registration by conducting public land delineation and registration of public properties to support enhancement of economic opportunities to exploit public properties and secure the titles of neighboring private properties;
- (vi) modernizing property registration and valuation procedures and infrastructure, and enhancing the quality of data available about the property market, thereby improving the transparency of valuations;
- (vii) strengthening local administration capacity to efficiently utilize available systems and property data to generate more revenue from properties and property tax; and
- (viii) contributing to the eGovernment agenda to improve information sharing and e-services development to public and private sector related to land and real estates.

The beneficiaries of the Project would be:

- a) the public who can own, lease, mortgage and use land and property under the protection of legal registration of rights;
- b) property tax payers and who will benefit from more equitable and transparent land values;
- c) investors who can rely on the secure access to real estate and improved access to credit and greater stability of the banking system through improved valuation of property collateral;



- d) government (both central and local) who can benefit from government properties being registered and managed more efficiently and more sustainable public revenues; and
- e) citizens, private sector, local authorities, government agencies, and non-governmental organizations that can make use of online access to accurate property information.

Society overall would benefit from improved land registration and valuation supported by up-to-date, accessible and transparent information on land and property and their transactions, which will increase accountability, reliability and informed decision-making, as well as policy-making concerning land, property and natural resources.

The Project would have four (4) main components with a proposed cost of USD 35 million (M):

Component A. Land Administration System Improvement (USD 12M)

Component B: Public Property Registration (USD 12M)

Component C. Property Valuation and Taxation (USD 6M)

Component D: Policy, Regulatory, Capacity Building and Management (USD 5M)

Component A: Land Administration System Improvement. The objective of this component is to enhance the existing land administration system, to improve its on-going sustainability and further develop the delivery of services to users. The objective would be achieved by completing the first registration of all private lands in Moldova, by providing access to cadastral and land registration data and services, and to other public geospatial datasets through the NSDI. This component would finance:

- (1) completion of Systematic First Registration of private lands;
- (2) support to the newly established unit under the PSA which will perform former SEC functions to
 - (i) develop a business plan for sustainable cadastre and land register;
 - (ii) conduct land and property surveys using “fit for purpose” new data capture methods;
 - (iii) implement data quality improvement;
 - (iv) develop eConveyancing;
 - (v) expand the current eArchive; and
 - (vi) establish a Utility Cadastre.

“Fit for purpose” data capture methods will mainly involve the use of aerial imagery (derived by conventional and/or UAV means) rather than more traditional ground survey methods. By defining appropriate positional accuracy parameters data capture can be more speedily and cost effectively achieved while still providing sufficient accuracy to support land registration.

This component would also support:

- (3) the development of Policy and Strategy for the Land Sector; and
- (4) NSDI.

Support to define a Policy and Strategy for the Land Sector is required to ensure that existing and future land related initiatives are done in a “joined-up” way, so that land related activities are coordinated, and duplication and overlaps are avoided. Part of the work will involve a review and consolidation of current legislation. Defining institutional responsibilities will provide clarity and avoid gaps and overlaps that might otherwise occur without a holistic overview of the sector.

Support to the NSDI will supplement previous and ongoing initiatives, and will aim to help the realization of NSDI benefits, for example the availability of up to date and relevant spatial data to support evidence based decision making



in government.

Component B: Public Property Registration. The objective of this component is to complete the registration of land parcels owned by public authorities in Moldova (by both the State and Local authorities), and thereby complete the national cadastre for all private and public lands. The completion of registration is a pre-condition for extending mass valuation to include all properties. This project would finance the survey and registration of public property, which is anticipated to involve 60,000 parcels managed by state authorities and 235,000 parcels managed by local authorities. The procedure for delineation and registration has already been developed in ALRC and the procedure has so far been implemented in approximately 6% of the public property land parcels (18,000). Clarity of ownership will reduce uncertainties and insecurity for private citizens with land rights adjacent to or within public land, will allow state and LPA owners to increase income possibilities, and provide a level of transparency that will diminish corruption opportunities. The process of reconciling boundaries with existing private lands (and other public land) will involve public awareness campaigns and public display of the proposed delineation (in the localities and on-line) with a mechanism put in place to address the appeals that might occur during the delineation process.

Component C. Property Valuation and Taxation. The objective of this component is to enhance the financial viability of local governments by providing them with a sustainable source of own tax revenues in the form of value-based recurrent property taxation. It would improve the financial viability of Central Government by reducing the dependence of local governments on intergovernmental fiscal transfers and the need to finance them. The objective would be achieved by extending the system of mass valuation system to include those types of properties currently outside the system so that they are assessed on their market values rather than nominal values, and by revaluing the properties within the mass valuation system so that they are assessed at current market values rather than ones that are in some cases a decade or more out of date. Extending the mass valuation system to rural areas requires the completion of land registration. This has to be financed by Central Government though the beneficiaries of enhanced stability of property tax yields would be local governments. Similarly, the costs of revaluation of the properties within the mass valuation system fall on Central Government though local governments benefits from the revenues. There is now a greater appreciation of the inter-related nature of public finances along with the understanding that strengthening local government finances reduces reliance on intergovernmental transfers, increases fiscal stability, and generates more resources for improving service delivery to citizens.

The component would finance:

- 1) the application of mass valuation methodologies to rural properties and special purpose properties such as networks;
- 2) the revaluation of those properties valued by mass valuation between 2004 and 2012; (ii) updating of urban tax rolls; and (iii) embedding regular revaluations in the property tax system.
- 3) methods to enhance the efficiency and equity of the property tax system and the functioning of the property market by
 - (i) creating a system of fair and independent appeals;
 - (ii) supporting the development of national valuation standards and professional codes of practice; and
 - (iii) improving the quality of data available for valuation; and
 - (iv) improving the quality of valuations relied upon by third parties such as in mortgages; and
 - (v) strengthening the capacity of property tax administration.

These activities would have an impact on the property valuation system (whether properties were being valued on their market values); the efficiency of property taxes (the percentage of billable taxes collected within the fiscal year; administrative costs as a percentage of property tax revenues); the quality of property taxation (percentage of properties actually billed; the development of national valuation standards compatible with international ones; the



development of a transparent regulatory system for valuers; the accuracy of property tax assessments as a percentage of subsequent sale prices); and the transparency of property valuation (the establishment of an independent appeals system). The Project can improve the efficiency with which property taxes are assessed and administered but cannot control the tax rates that are levied or the exemptions granted as these are political decisions. Therefore, it cannot guarantee an increase in the tax collections as the tax rates are determined locally. At the same time, the Project will be instrumental in giving local governments the tools and flexibility to do so.

Component D. Policy, Regulatory, Capacity Building and Management. The objective of this component is provide critical technical assistance and capacity building to ensure the sustainability of the planned outcomes and to permit the successful implementation of the overall project. This component would support

- 1) an establishment of a platform for policy dialogue;
- 2) support for change management in land administration and property taxation;
- 3) review of the existing regulatory framework and improvement where possible;
- 4) enhancing the capacity of LPAs to generate more revenues from land and properties;
- 5) strengthening the capacity for project implementation and provide project management, reporting, fiduciary and safeguards support to the project implementation;
- 6) awareness raising to support project activities (including awareness raising and information sharing activities property rights targeting rural women and other vulnerable groups);
- 7) monitoring and evaluation of project activities;
- 8) technical assistance to support project implementation; and
- 9) an establishment and maintaining a Project Implementation Unit (PIU) through the project period.

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SAFEGUARDS

A. Project location and salient physical characteristics relevant to the safeguard analysis (if known)

The project supports the development of national level systems for national coverage. The project supported investments would target central and regional government offices covering the whole country and providing services countrywide.

The registration of private land, estimated 560,000 land plots will take place in approximately 290 rural locations scattered around the country. As for public land delineation and registration it will involve approximately 270,000 land plots in 850 so called territorial administrative units (locations). Property valuation will involve properties in all 900 locations in all 32 districts (raions) in Moldova.

B. Borrower's Institutional Capacity for Safeguard Policies

The First Cadastre Project (1998-2007) supported development and implementation of a national real estate and registration program for urban and rural land, to establish a system of clear and enforceable ownership rights, so as to promote the privatization of land and the development of real estate markets in Moldova. It was Safeguards Category C project and no safeguards documents were required. The project closed with Satisfactory outcome. There were no safeguards issues reported during the implementation or after project completion.



The implementing agency for the project will be the Public Services Agency (PSA). This is a new agency created by a decision of the Government dated May 26, 2017 by merging several registers/agencies including the State Enterprise Cadastre (SEC), and overall has a limited capacity to implement the World Bank’s safeguards policies. The Project Implementing Unity (PIU) PIU that will be established within PSA would be responsible for all fiduciary aspects, as well as implementation and preparation of the ESMF. The project will be implemented in close cooperation with key sector stakeholders: Public Property Agency, e- Government Center, Ministry of Justice (responsible for notaries), professional associations of surveyors, valuers and notaries, Fiscal Authority, LPAs, and the national organization of the local authorities - Congress of Local Authorities (CALM). Land management issues are mainly regulated by local authorities in Moldova. Since the main beneficiary of the loan proceeds will be PSA as an implementing entity, the PIU will have to ensure a close coordination of the PSA with all relevant local authorities, especially on establishment and operationalization of the grievance redress mechanism to be used by project affected people for any disputes (including boundary) that may arise during project implementation.

C. Environmental and Social Safeguards Specialists on the Team

Cesar Niculescu, Environmental Safeguards Specialist
Aimonchok Tashieva, Social Safeguards Specialist

D. Policies that might apply

Safeguard Policies	Triggered?	Explanation (Optional)
Environmental Assessment OP/BP 4.01	Yes	The project will possibly support minor renovation and remodeling works of office space, thus OP/BP 4.01 on Environmental Assessment will be triggered. The associated environmental impacts would typically include: dust, noise, on-site safety and waste management. The above impacts are to be successfully mitigated through application of the good engineering and construction practices, and with mitigation and monitoring measures to be specified in the project Environmental and Social Management Framework (ESMF) prepared by PSA (SEC) and approved by the World Bank. This document will provide the necessary environmental and social conditions, guidelines and measures to be taken by the small works contractors to ensure that health, safety and environmental standards were met. Site-specific Environmental Management Plans (EMPs) will be prepared in accordance with the ESMF provisions aiming to mitigate any environmental impacts, to provide the necessary environmental conditions, as well as guidelines and measures to be taken by small works contractors to ensure that health, safety and environmental standards were met. Social assessment and appropriate social risk management strategy will also be an integral part of the ESMF. Appropriateness



of triggering OP 4.12 will be carefully considered at a later stage of the project cycle (as described below under OP 4.12 “Explanation”), but regardless of such a decision, OP/BP 4.01 will provide sufficient guidance on the requirements to carry out adequate consultations and setting up a viable grievance redress mechanism addressing both environmental and social impacts of the project. Social assessment will be conducted to assess: (i) social risk assessment with review of the national legislative and regulatory framework; (ii) lessons learned from previous land administration project; and (iii) establishing a typology of issues to be most commonly encountered during project implementation. The ToR for this social assessment (including the environmental aspects, i.e. ESMF in its entirety) will be prepared.

Natural Habitats OP/BP 4.04	No
Forests OP/BP 4.36	No
Pest Management OP 4.09	No
Physical Cultural Resources OP/BP 4.11	No
Indigenous Peoples OP/BP 4.10	No

Although the project activities may only finance minor works and will not require land acquisition/physical displacement, there is a risk that the improved information and the desire for better management of public property could potentially lead to increased boundary disputes. To manage such social risks, a social assessment will be conducted as described above under Explanation for triggering OP 4.01. Appropriateness of triggering OP 4.12 will be carefully considered at a later stage upon reviewing the findings of the social assessment against the following factors: (i) suitability and potential limitations of OP 4.12 instruments to address the risk factors present in this project; and (ii) ability of social risk mitigation tools already envisioned under OP 4.01 to manage any identified risks (including through the OP 4.01 requirements on establishing Grievance Redress Mechanism and carrying out adequate consultations).

Involuntary Resettlement OP/BP 4.12	TBD
Safety of Dams OP/BP 4.37	No
Projects on International Waterways OP/BP 7.50	No
Projects in Disputed Areas OP/BP 7.60	No



E. Safeguard Preparation Plan

Tentative target date for preparing the Appraisal Stage PID/ISDS

Dec 01, 2017

Time frame for launching and completing the safeguard-related studies that may be needed. The specific studies and their timing should be specified in the Appraisal Stage PID/ISDS

Social and environmental risks will be assessed through preparation of Environmental and Social Management Framework, which will also provide mitigation measures as per requirements of OP 4.01 as described above. Social assessment would be conducted during preparation as described above.

CONTACT POINT

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APPROVAL

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