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LE34

SURVEYING CONSULTANCY



Expropriation of land rights for implementation of international infrastructure projects

*The case of the Baltic Pipe gas transmission system
between Norway and Poland*



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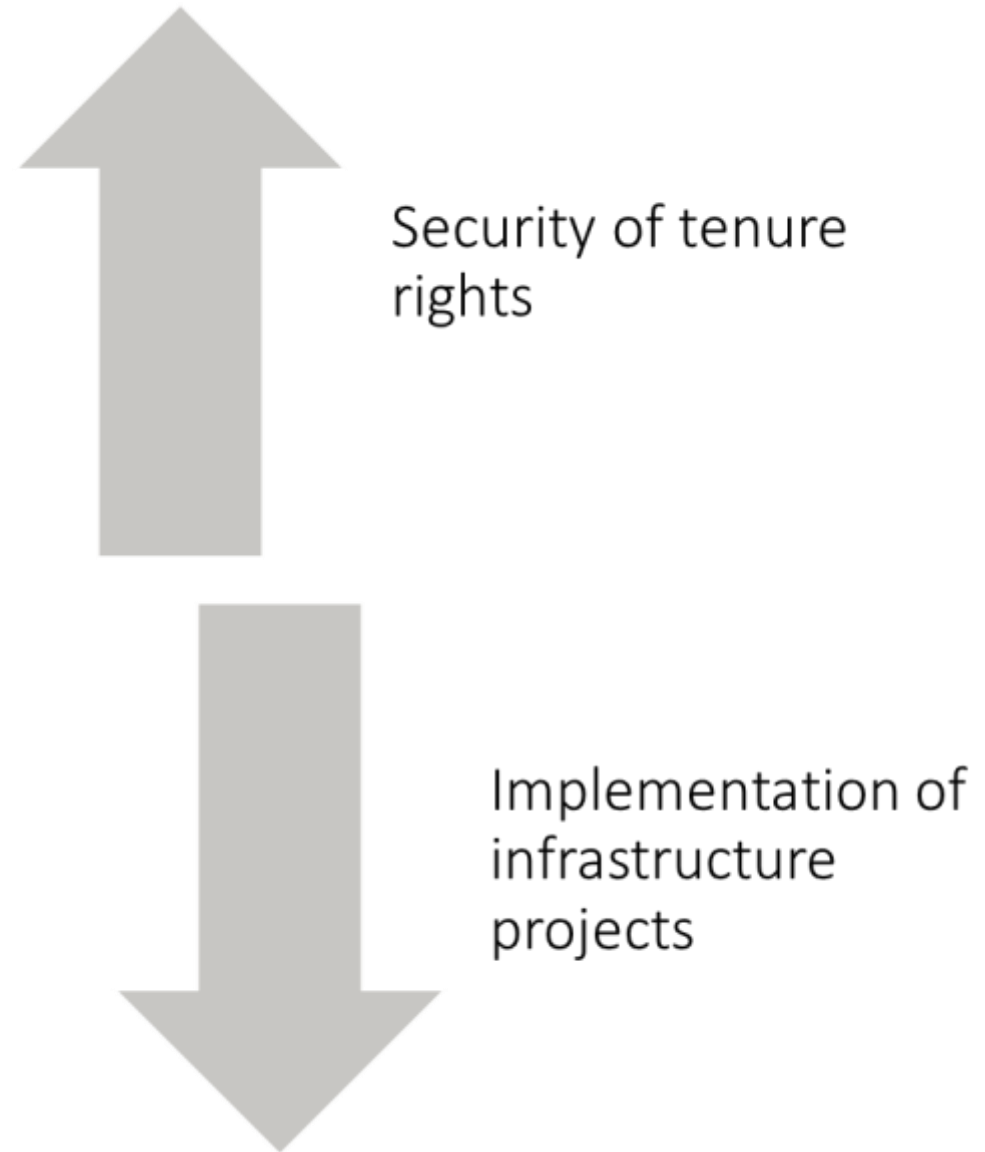
LE34 provides land management and surveying services

- Private land surveying company founded in 1817
- 26 Offices in Scandinavia
- Leading provider of land management and land surveying services in Northern Europe
- One of our service areas: Infrastructure projects (eg. environmental report, land management and surveying.)

Background: the paradox:

Security of tenure and implementation of infrastructure projects both contribute to achieving the SDG`s.

- Safeguarding of tenure rights.
- "Violation"/expropriation of tenure rights by implementing infrastructure project.





Denmark has a long historical tradition of registering and safeguarding tenure rights

- The first registration took place in the 1200s.
- Developed over more than 200 years
- Adapted and improved over time
- Meeting the changing societal requirements
- Focus on accessibility and transparency



Securing of tenure rights is stated in the constitutional act

”The right of property shall be inviolable. No person shall be ordered to surrender his property except where required in the public interest”.

.....And only against fair compensation.



Expropriation of tenure rights

How to manage a proper process:

- Is the project of a significant public interest ?
- The extent of the expropriation must be limited and only include what is absolutely necessary.
- Comprehensive inclusion of the affected landowners.
- Fair compensation.
- Voluntary agreements rather than expropriation.



The Baltic Pipe project

Introduction to Baltic Pipe:

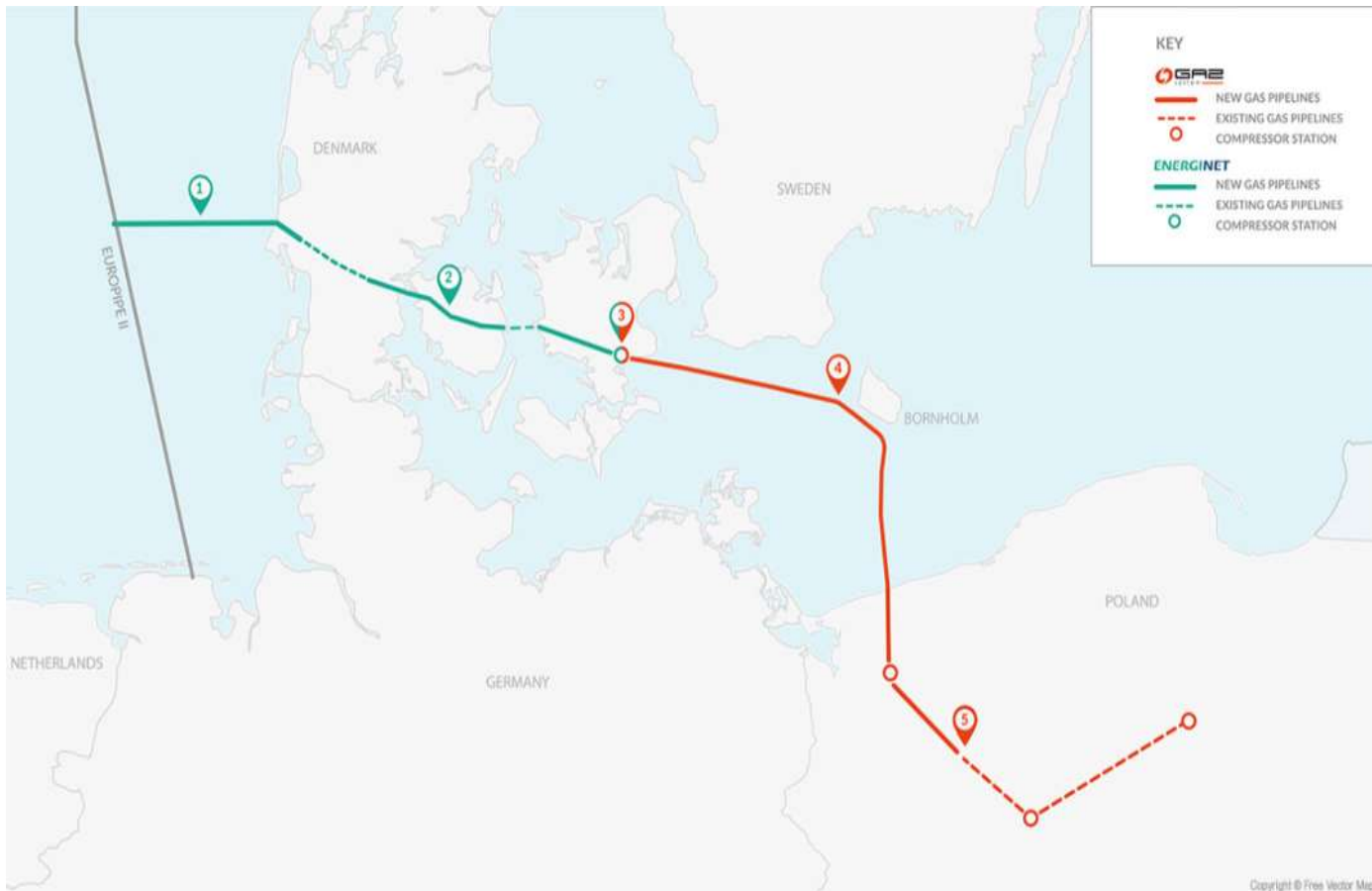
An international infrastructure project crossing Denmark.



The Baltic Pipe – a strategic important project

- Firstly providing Denmark and Poland with direct access to the Norwegian gas fields
- Potentially gassupply for the Baltic countries and for Central & Eastern Europe

A new gas pipeline from the North Sea to Poland



1. A 100 km new offshore gas pipeline from Norway's pipeline Europe II in the North Sea
2. Expansion of the Danish transmission system with a new gas pipeline
3. New compressor station in Zeeland.
4. A 275 km long offshore gas pipeline in the Baltic Sea between Denmark and Poland
5. Expansions of Poland's transmission system



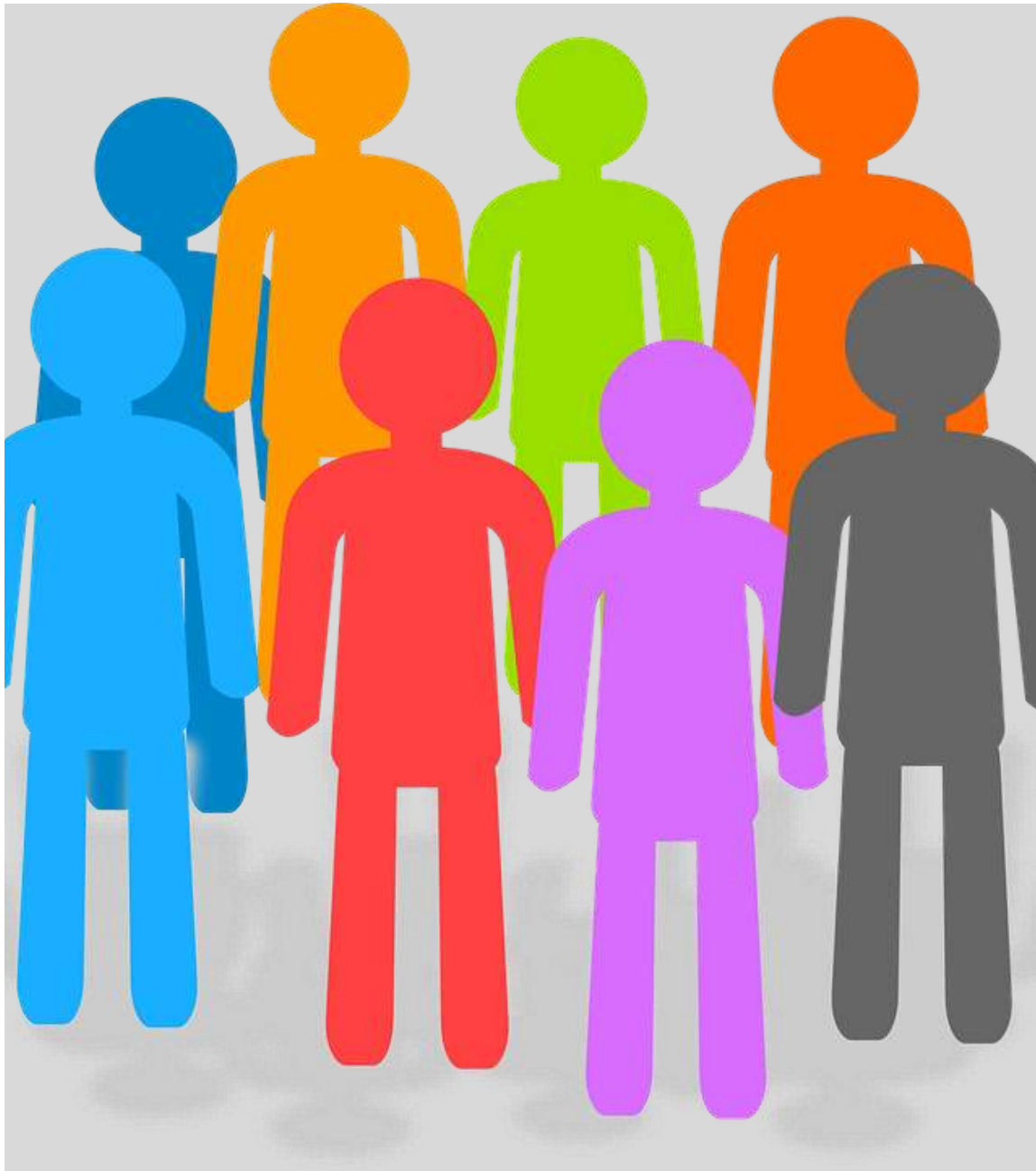
Baltic Pipe crossing Denmark

- New pipeline on land, approx. 210 km
- Rights on approx. 550 properties are expropriated:
 - To carry out the construction work
 - To secure the presence of the pipeline by registration of easements regarding:
 - Restrictions and safety zones
 - Access to inspection and maintenance of the pipeline



EIA – Environmental Impact Assessment

- All imaginable consequences for plants, animals and people.
- Consequences for the affected land and properties both in the construction phase and the operational phase
- The general public has been thoroughly involved during the process.
 - Public input to the coming EIA
 - Public meetings and hearings on the basis of a draft EIA
 - Right to appeal the final EIA



The expropriation process - the activities

- The independent Expropriation Commission takes care of the acquisition of rights
- Initial meeting with the land owners (is the expropriation reasonable in relation to what is to be achieved?).
- Adjustment of the project?
- Final – individual - meeting with the landowners. Review of the expropriation. Determination of the compensation.
- If a voluntary agreement is not achieved: Possibility to appeal to a higher and independent authority.

Concluding remarks

- The case of the Baltic Pipe project shows how a participatory process on an ongoing basis can mitigate the "violation" of tenure rights:
 - The Environmental Impact Assessment is carried out, by involving the public in a number of sub-processes
 - Ordinary Expropriation process is carried out through ongoing dialogue and inclusion of the affected landowners.
- Both interest of securing land tenure rights and the need for implementation of international infrastructure project is taken into account.



Thank you