



THE WORLD BANK
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COMPLAINT (REQUEST FOR INSPECTION) FORM

To:

The Executive Secretary, The Inspection Panel, The World Bank, MSN: MC 10-1007
1818 H St., NW, Washington, DC 20433, USA. Fax: +1(202)-522-0916. Email: ipanel@worldbank.org

Section 1: Complaint

1. What harm do you believe the World Bank-financed project caused or is likely to cause to you or your community? Please describe in as much detail as possible.

Neither the Cusco Regional Government, nor the PER COPESCO plan, [REDACTED] m2 of land. According to the Certificate of Real Estate Cadastral Search, this land exists, this certificate is attached to this claim.

The World Bank causes us harm, because the Bank should have been responsible for carefully reviewing the contracts and the release of the land where the Project would be executed before releasing the financing, free of any interference that may affect the development of said work.

Neither COPESCO, nor the Regional Government of Cusco, have the availability of the land, this land has not been expropriated, nor released, nor has it been ceded to the state. Neither do they possess the respective property titles for the land, which they illegally intend to appropriate. Why? the World Bank staff didn't check, didn't see. Why did the World Bank release the money for this project? knowing that they did not meet the requirements?

This being the case, a Judge could paralyze the intended work with the consequent damages for the World Bank, the Peruvian state and the Regional Government.

2. What is the name of the World Bank project? (If known)

PE Cusco Transport Improvement Project ID P132505 Notice No OP00032446 Borrower Bid Reference SBCC 002-2015 Lending Contract 8339-PE

3. Where is the World Bank project located? (Please include country name)

City of CUSCO - Country PERU

4. Do you live in the project area?

[REDACTED]

5. Have you previously reported your concerns to World Bank management? If yes, please provide the details about those communications and explain why you are not satisfied with the Bank's action in response.

Yes, we have made a complaint for the first time on [REDACTED] 2020, to the [REDACTED] World Bank [REDACTED], with abundant documentation.

We know that there are rules, policies, of the World Bank; which recommend that the Regional Government in this case act without aggressiveness and converse peacefully in the solution of the problems to free the areas and lands in which the works have to be built. All of this was not complied with and has been rudely and sagasically not complying with The IDB

6. If known, please list the World Bank's operational procedures you believe have not been followed.

[REDACTED]

They have not considered the social safeguards, because according to the World Bank, the social part is discussed, never litigated and since the demand of the Regional Government has been declared by an IMPROPER judicial sentence, therefore they have left the doors of the judiciary open for us to continue litigating claiming our rights before the judges of Peru. In other words, there is already a legal problem, that for as long as our complaints are not resolved, the land of the Via Expresa is not released and one of the requirements to execute the project is that the polygon must be released without any problem, or worse yet, no court order.

In other words, Copesco, the Regional Government, Proder and the Bank have permanently mistreated us, by not having solved by peaceful means or complying with the Social safeguards of the World Bank.

The lands of the Futura Via Expresa were expropriated using tractors, more than 100 policemen, a large number of personnel from the Regional Government and the Provincial Municipality of Cusco to EVICT the humble people who manufactured clay/bricks, whose only livelihood was that job. This forced eviction was carried out jointly by Copesco, the Provincial Municipality of Cusco, Copesco and PRODER.

The Executive Director of Copesco lies when he says that the neighboring district municipalities have peacefully evicted the area for this vehicle route. False, because what they have done is to violate the World Bank's social safeguard policies. Even with the presence of the Regional Governor of Cusco.

Copesco, by allowing an intervention with tractors, policemen and thugs to expropriate the vehicular road; has not complied with the norms of the World Bank and even worse has caused the Provincial Municipality of Cusco to misappropriate state funds. Furthermore, the Regional Government and Copesco have incurred the criminal offense of embezzlement, since the use of machinery, fuel and man-hours was not budgeted.

According to the loan contract between the Republic of Peru and the International Bank for Reconstruction and Development, signed on July 24, 2014, loan No. 8339-PE; Prior to the beginning of the civil works of the Project, the Borrower must urge the Regional Government of Cusco, acting through PER Plan COPESCO, to ensure that:

All acquisition of land required for civil works must have been completed and said land should be free of encumbrances and ready to be issued to the winning bidder, all in a manner acceptable to the Bank. BUT THAT HAS NOT BEEN DONE.

According to the aforementioned IBRD contract in order to start the execution of the project, the agreement of the loan contract No. 8339-PE must be fulfilled, otherwise IT CANNOT BEGIN THE BID OF WORK OR THE SUBMISSION OF PROPOSALS FROM THE BIDDERS FOR THE EXECUTION OF THE WORK.

7. Do you expect any form of retaliation or threats for filing this complaint to the Inspection Panel?

YES, IT IS VERY CLEAR THAT THEY ARE GOING TO RETALIATE AGAINST US.

1. The Regional government has published a report against the [REDACTED] [REDACTED] [REDACTED]. Saying that I probably didn't meet state standards. My fear is that they will continue to retaliate with new paid journalistic reports against [REDACTED] that have nothing to do with the Regional Government. Which harms me economically and seriously discredits me with my clients.
2. [REDACTED]
3. In our lands, PER PLAN Copesco and the Regional Government have violently mistreated those who occupy the lands, poor people who lived in small shacks made of clay/brick mats and wood with a corrugated iron roof, who are called ADOBEROS and who rented the plots from us to sell the bricks they manufactured have been evicted with violent actions, using tractors, thugs, 100 policemen, 2 colonels of the National Police, demolishing houses, mistreating poor people who were engaged in making adobes on the land of our property, violating the social safeguard policies of the World Bank, even with the presence of the Regional Governor and the Mayor of Cusco. Helped by hundreds of people who had been summoned by the Regional Government, hundreds of workers and trained people in order to intimidate us. We simply could not react, and we were paralyzed with the fear of being physically attacked.

Section 2: Contact Information

8. Are you complainants or a representative of complainants?

Complainants: ☒ Representing a complainant or community: ☐

9. Would you like your name and contact details to be kept confidential? (*The Inspection Panel will not disclose your identities to anyone without your prior consent.*) Yes ☒ No ☐

10. Complainants' Names (Minimum two names and signatures are required):

Complainant 1		Complainant 2	
Name	<input type="text"/>	Name	<input type="text"/>
Address	<input type="text"/> <input type="text"/> <input type="text"/>	Address	<input type="text"/> <input type="text"/>
Phone	<input type="text"/>	Phone	<input type="text"/>
Email	<input type="text"/>	Email	<input type="text"/>

11. We, the undersigned, request the Inspection Panel to investigate the issues described above.

Signatures (*More signatures can be sent as an attachment document*):

<input type="text"/>	<input type="text"/>
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NOTES:

- Please attach supporting documents, if available.
- If you have any difficulty in completing the form, please contact the Inspection Panel at ipanel@worldbank.org or by phone: +1-202-458-5200.