



Centar za ekologiju i održivi razvoj (CEKOR)  
Center for Ecology and Sustainable Development  
CEKOR, Korzo 15/13, 24 000 Subotica, SERBIA  
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Monday, September 07, 2015

## REQUEST FOR INSPECTION

- PROJECT: dewatering Tamnava West field in Kolubara mines-

**To: Executive Secretary, the Inspection Panel**  
**1818 H Street NW, MSN 10-1007, Washington, DC 20433, USA**  
**Email: [ipanel@worldbank.org](mailto:ipanel@worldbank.org)**

Dear Sir/Madame,

CEKOR- Center for Ecology and Sustainable Development is NGO working on environment, energy, and human rights issues in Serbia. Since 2006 CEKOR has campaigned to ensure fair resettlement conditions for several marginalized communities in Serbia. The most prominent examples include the informal Roma settlements at Gazela and Belvil in Belgrade, Vreoci in the proximity of the Kolubara open-pit mine and Brodarevo, which will be affected by a potential hydropower dam. In the course of last 2 years CEKOR is active in supporting villagers of Junkovac, Drmno and Radljevo in their fight for the protection of property rights in the face of large mining, transport and energy projects. CEKOR's legal team has initiated several cases to remedy these violations.

### Background of the Case

CEKOR is representing people who live in the part of Radljevo village in Ub municipality in Serbia, close to the area of Tamnava West coal open mine pit, namely [REDACTED], who are affected with severe impacts of EPS mining operations, supported also by the World Bank projects in Serbia. [REDACTED].

[REDACTED] family are only one example while there are other people who are also in similar position, living nearby, but are not yet maybe brave enough to send their complaint.

[REDACTED] family have suffered, they are suffering now and are likely to suffer as a result of the World Bank's failures and omissions in the Floods Emergency Recovery Project for Serbia - project of dewatering of the Tamnava West Field mine program, located in Serbia.

The damage and harm to people we represent is described below. Those people are still not reallocated, but they remain under heavy negative environmental, health and property impacts of EPS operations.

They live approximately 200 meters from the open mine and are under a number of harmful influences including emissions, vibrations, noise. There is a lack of drinkable water; technical water is also appearing every second hour creating a number of problems. By helping **dewatering Tamnava West field in Kolubara mines** The World bank is contributing to the suffering of those people by **not addressing properly the question of people who are not resettled properly from the area**. In accordance to Serbian law on mining and geological explorations from 22. November 2011. published in official gazetta Nr 88/2011 dated 24.11.2011. in section 58. it states under point 7:

„ 7) protective area surrounding the exploitation field necessary for the possible expansion of reserves and resources, in particular:

(1) for exploitation fields up to 25ha, the protective area of up to 100m of width from the relevant border of the exploitation field;

(2) for exploitation fields between 25ha and 100ha, the protective area of up to 250m of width from the relevant border of the exploitation field;

(3) for exploitation fields **larger than 100ha, the protective area of up to 500m of width from the relevant border of the exploitation field.**“

It is not clear how many of people live there and how many of them have to be resettled without compensation. **This should be investigated too.**

So, the main problem is that EPS/Kolubara mining company is not paying attention to the Mining law which demands 500 meter protective zone, so people living under 500 meters are not being resettled, and are forced to live in environmentally worst surrounding.

Unfortunately, Serbian authorities chose to turn blind eye to the existence of the problem. Villagers would agree with resettlement because they suffer under harm influences of nearby coal mine pit which came to 200 meters distance from their home. Those people live there for long-long time, some from birth, possibly 3 decades. **But since the recent floods and works to secure the locations, the industrial area get even closer to their homes.**

Failing to implement the Mining law, the weight of EPS wrongdoings is falling also to their investors lending, also the World Bank which is financing EPS's operations and maintenance that are harmful to people which unlawfully live in protective zone.

**The World Bank's operational policies we believe have not been taken into account.**

CEKOR have complained to World Bank staff on the following occasions:

On a meeting with Mrs Vesna Kostic, World Bank Senior Communications Officer, Belgrade Office on October 1<sup>st</sup> 2014 when we found out that the World Bank was misinformed. So we informed Mrs Kostic via her email [vkostic@worldbank.org](mailto:vkostic@worldbank.org) to the existence of the problem in following correspondence:

02.10.2014 13:33 - By sending document in which in para 2 we inform WB there are non resettled people in the region, on the contrary of the Bank's thinking

20.10.2014 10:47 - After Mrs Kostić asked a contact with [REDACTED] to visit him separately, we answered her we would like to go to the field together as earlier suggested since we represent him, and that we want to be part of communication.

31.10.2014 11:39 - Once again we asked Mrs Kostić to meet affected people like she suggested earlier during meeting in the WB offices in Belgrade. We stated:

“As we agreed during our last communication, I'm at your disposal for a meeting with people living 200 meters from the Tamnava West mine pit. Those people are not taken to safer place, nor expropriated, not properly informed about dewatering. They live in the village Radljevo, Ub municipality. Please do not hesitate to call me at any time for a chance to see the situation directly and meet those people we represent in their complaints towards international financial institutions.”

The responses received were not satisfactory as they did not answer nor solve our problems for the following reasons:

- first we were asked to go with WB representatives to field monitoring action in order to get a clear picture
- afterwards we were supposed to be left out from the field operation
- when we oppose to that, the field monitoring was downplayed
- the issue was left unsolved
- the World Bank staff decided to turn a blind eye to our arguments

Thus, the World Bank did not pay attention to those people during project preparation, realization and monitoring. The World Bank did not integrate these issues to the social impacts. Belgrade WB staff turned blind eye on this grave problem, in spite of our earlier communication and their promise they will visit the area **with us** to see facts for themselves. But instead they did not want to communicate with us on this question anymore. That is why the problem is left unsolved, and we believe, the WB policies were not respected.

**CEKOR request the Inspection Panel recommend to the World Bank's Executive Directors that an investigation of these matters be carried out.**

We want a Involuntary resettlement policy OP/BP 4.12 from the Integrated Safeguards data sheet appraisal stage to be applied in the case of project **dewatering Tamnava West field in Kolubara mines**, because resettlement and land acquisition is needed and it is needed to be conducted in line with World bank standards.

We believe a different opinion in the Summary of Key Safeguard Issues was issued because the bank staff missed the opportunity to give CEKOR possibility to present our informations. In the same part it is stated "To obtain a better understanding of the local context , a WB Social Scientist and a Senior Communications Officer visited the project site and its surroundings, specifically to those areas where there have been specific concerns relating to resettlement, to assess the current situation." However since it is a broad region, they possibly missed to meet people we represent, and that happened because on the contrary to our previous agreements they did not want us to take part in this visit.

Signature: Nataša Đereg, director



List of attachments:

- earth map of houses close to Tamnava West field
- photo from the [REDACTED]
- Kosticsvetskabanka.doc
- Kosticsvetskabanka translation.doc
- WB signatures

Contacts: Korzo 15/13, 24000 Subotica, Republic of Serbia, [natasa.djereg@cekor.org](mailto:natasa.djereg@cekor.org)

fax + 381 24 523 191

We do authorize you to disclose our identity





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Authorisation	Ovlašćenje
We, the undersigned people of the Radljevo village in Ub municipality, hereby authorize NGO Cekor (Centar za ekologiju i održivi razvoj, Korzo 15/13, Subotica, Serbia) to negotiate, discuss, communicate and press complains on our behalf towards international financiers including EBRD, World bank and KfW.	Mi, dole potpisani stanovnici sela Radljevo iz opštine Ub ovim ovlašćujemo nevladinu organizaciju Cekor (Centar za ekologiju i održivi razvoj, Korzo 15/13, Subotica, Srbija) da pregovara, kominicira i prilaže žalbu u naše ime prema međunarodnim finansijerima uključujući EBRD, Svetsku banku i KfW.
Ime i prezime / Name	Potpis / Signiture
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Radljevo, 15.6.2015.

Poštovana gđo Kostić,

još jednom vam se zahvaljujem na jučerašnjem srdačnom prijemu!

Dozvolite mi da vam u povodu ispumpavanja vode iz kopa Tamnava Zapad ukažem na sledeće:

- postoji slučaj [REDACTED] koji nije obeštećen za useve koji su uništeni tokom eksproprijacije njegovog placa koji je ušao u sastav polja Tamnava Zapad i čiju žalbu razmatra EBRD, u visini 10.000 eura [www.ebrd.com/downloads/integrity/PCM\\_AR\\_2013\\_final.pdf](http://www.ebrd.com/downloads/integrity/PCM_AR_2013_final.pdf)
- [http://www.liberation.fr/terre/2013/12/30/kolubara-mine-serbe-sur-du-charbon-ardent\\_969808](http://www.liberation.fr/terre/2013/12/30/kolubara-mine-serbe-sur-du-charbon-ardent_969808)
- kuće [REDACTED] sa porodicama se godinama nalaze na 200 metara od kopa (sada jezera) a pitanje njihovog raseljavanja nije pokrenuto [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/features/2013/05/13/feature-02](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2013/05/13/feature-02)
- <http://bankwatch.org/news-media/blog/fair-treatment-long-time-coming-serbias-kolubara-lignite-mine>
- imamo registrovan slučaj i njihovog komšije [REDACTED] koji nije eksproprian a zbog pukovina na objektu se morao odseliti iz svoje kuće. Nije kompenzovan <http://www.theguardian.com/global-development/2013/apr/24/serbia-coal-tremors-mining-communities>

- Žitelji sela Radljevo, opština Ub kažu da imo još oko 20 kuća koje su neeksporisane u delu sela pored kopa Tamnava Zapad

- žalbeni mehanizam RB Kolubara je ispod standarda <http://bankwatch.org/news-media/blog/campaign-update-ebd-not-digging-truth-kolubara-mine-serbia>

Dear Mrs. Kostić,

Once again thank you for yesterday's warm reception!

Let me on the occasion of pumping water from the open pit Tamnava West point to the following:

- there is a case that [REDACTED] was not compensated for crops that were destroyed during the expropriation of his wages which became part of the field Tamnava West and whose appeal considers the EBRD in the amount of 10,000 euros [www.ebrd.com/downloads/integrity/PCM\\_AR\\_2013\\_final.pdf](http://www.ebrd.com/downloads/integrity/PCM_AR_2013_final.pdf)
- [http://www.liberation.fr/terre/2013/12/30/kolubara-mine-serbe-sur-du-charbon-ardent\\_969808](http://www.liberation.fr/terre/2013/12/30/kolubara-mine-serbe-sur-du-charbon-ardent_969808)

- Houses of [REDACTED] with their families are for years at the distance of 200 meters from the mine (now a lake) and the issue of their displacement was not raised

[http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/features/2013/05/13/02-feature](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2013/05/13/02-feature)

- <http://bankwatch.org/news-media/blog/fair-treatment-long-time-coming-serbias-kolubara-lignite-mine>

- we have registered the case and their neighbor [REDACTED] who was not expropriated, but because of the cracks on the building they had to move out of their home. Neither is he compensated
- <http://www.theguardian.com/global-development/2013/apr/24/serbia-coal-tremors-mining-communities>

- Residents of the village Radljevo, Ub municipality, say there are about 20 houses that are still not expropriated in part of the village next to the West of open

- appeal mechanism RB Kolubara is below standard <http://bankwatch.org/news->

- preseljenje nije uvek tako idilično kao što su vama prikazali u RB Kolubara  
<http://bankwatch.org/news-media/blog/campaign-update-reality-resettlement-kolubara-out-frying-pan-fire>

Nadalje, što se tiče kupovine brojila:

- optužbe za korupciju pljušte još od juna  
<http://www.balkaninsight.com/en/article/serbian-flood-repairs-spark-fraud-claims>

Stojim na raspolaganju za sve dalje informacije.

Srdačno,  
Nikola Perušić  
060/0687546  
CEKOR

[media/blog/campaign-update-ebrd-not-digging-truth-kolubara-mine-serbia](http://bankwatch.org/news-media/blog/campaign-update-ebrd-not-digging-truth-kolubara-mine-serbia)

- relocation is not always so idyllic as you show in Kolubara

<http://bankwatch.org/news-media/blog/campaign-update-reality-resettlement-kolubara-out-frying-pan-fire>

Furthermore, as regards the purchase of counters:

- Allegations of corruption pouring since June

<http://www.balkaninsight.com/en/article/serbian-flood-repairs-spark-fraud-claims>

I am at your disposal for any further information.

Sincerely,  
Nikola Perušić  
060/0687546  
CEKOR