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04/30/2007

Civic Alliance for the Protection of the Bay of Vlora (CAPBV)
Aleanca Qytetare për Mbrojtjen dhe Zhvillimin e Gjirit të Vlorës

Zyra Vlorë; Lagjja Hajro Çakërri, përballë shtëpisë së Beut
 Zyra Tirane; Rr Sami Frasheri P20/10 Tel/fax 250575
 E: mail; lferruni@icc-al.org; info@vloranerezik.org;
 www.VloraNeRrezik.org

To: Executive Secretary, The Inspection Panel
 1818 H Street, NW, Washington, DC 20433, USA
 Fax No. 202-522-0916;

1. I, Lavdosh Ferruni, on behalf of the Civic Alliance for the Protection of the Bay of Vlora (CAPBV) that represents a sizable number of local residents living in Vlora and the area known as Treport Beach present the following complaint before the Inspectional Panel. CAPBV's and my address are attached below.

2. We have suffered, or are likely to suffer, harm as a result of the World Bank's failures or omissions in the Vlora Thermal Energy Power Plant project [TEPP] [Project ID PO 77526] to be located in Treport, Vlora, Albania.

3. Describe the damage or harm you are suffering or are likely to suffer from the project or program: If built, the Vlora TEPP will irreparably destroy environment, tourism, safe fisheries, natural habitat, ecosystem, coral colonies as well as the unique historical and cultural significance of the entire Vlora Bay and Narta Lagoon. In short, it will destroy our past, present and future.

4. [List (if known) the World Bank's operational policies you believe have not been observed]. We believe the Bank has violated policies concerning environment, public participation, cultural heritage, the requirement for full compliance with Albania's domestic laws. There is violation of the World Bank's own guideline for new thermal power plants. (This guideline says: "When there is reasonable likelihood that in the medium term the power plant will be expanded or other pollution sources will increase significantly, the analysis should take account of the impact of the proposed plant design both immediately and after probable expansion in capacity or in other sources of pollution"). The EIA, in which the Bank based its loan, refers only to one thermal power plant of 100 MW, while in the decision of government No. 610 dt. 21.9.2004 – which the Bank is or should have been aware of - it is explicitly written that it is agreed to reach a capacity of 300 MW in next phases. Also the government approved (Law No. 9231 dt. 13.5.04) just one km far from TEP Vlora a concessional agreement of building of large oil storage deposits in the Vlora Bay.

5. We have complained to World Bank staff on the following occasions: Letter to Orsalia Kalantzopoulos and Nadir Mohammed, on date 20 June 2005¹; various letters to Mr. Shigeo Katsu during the entire year of 2006 by Dr. Anna Kohen, Honorary Citizen of Vlora and Honorary Member of Civic Alliance for the Protection of the Vlora Bay², meetings in Tirana with Ms. Orsalia Kalantzopoulos, Mr. Nadir Mohammad, Ms. Arlene

¹ <<http://guida-shqiptare.net/vloranerezik/GAZETA%20VLORA%20NE%20RREZIK.pdf>>

² To be found on World Bank's archives, or otherwise available to your office immediately upon your request.

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Fleming³. We have received no response, [or] we have received a response and we are not satisfied that the explanations and answers solve our problems for the following reasons:

The response to Sazan Guri et al's letter was misleading and ignoring or misrepresenting of the facts. The Bank staff that authored it was simply in denial.

The responses to Dr. Anna Kohen's letters have been more diligent, but still they failed to consider the brutal fact that:

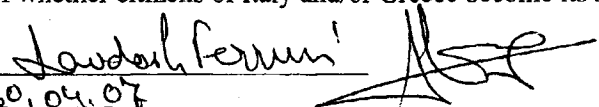
- (i) the Bank's project is based on the material misrepresentation of the site;
- (ii) the EIA upon which the Bank's loan was based was misleading, illegal and wrong;
- (iii) The whole Bank's procedure leading to the Project is in violation of Albania's laws on environment, public participation, cultural heritage and EIA, as well as the EU's laws and guidelines.

The various meetings with Bank's officials were also completely unproductive.

6. We note that the procedures concerning the Vlora TEPP were already found in violation of Article 6 of the Aarhus Convention on Access to Information, Public Participation and Access to Justice, as determined by the Aarhus Convention Compliance Committee in its Draft Finding and Recommendations of March 23, 2007.

We request the Inspection Panel to recommend to the World Bank's Executive Directors that an investigation of these matters be carried out as soon as possible and, pending the outcome of such investigation, we would like the Board to order the suspension of any loan disbursement of the above referenced Project.

We note that the Office of the Executive Director Giovanni Majnoni (EDS21) may have a conflict of interest in properly, thoroughly and impartially investigating this matter. Among other countries, EDS21 is comprised of Albania, Italy and Greece. Italian and Greek companies may have strong economic and financial interests in benefiting from World Bank's Vlora TEPP loan agreement. Moreover, Greek citizens who are employees of the World Bank are directly responsible for the TEPP violations in both planning and implementation stage. For example, Ms. Orsalia Kalantzopoulos was/is Country Director for Albania whereas Mr. Demetrios Papathanasiou is Bank Team Leader/Project Director. Finally, the contract for the construction of the Vlora TEPP, signed on February 9, 2007, is between the Albanian utility KESH and a major Italian company, Maire Engineering, partially or wholly owned by the Fiat group. We can simply hope that EDS21 carries out its duties in the most professional, ethical and responsible fashion and opens the way to the Inspection Panel for a thorough, impartial and objective investigation of such matter, regardless of whether citizens of Italy and/or Greece become its subject.

Signatures: 

Date: 30.04.07

Contact: Lavdosh Ferruni

Rr. Sami Frashëri, p20/10 Tirana. Tel/fax: +355 4 250575, mobile: +355692099047

Partial list of attachments: Includes reference to key documents. Full documents will be sent via email or regular mail – and not via facsimile – in order to contain cost.

We do authorize you to disclose our identities

³ With Kalantzopoulos and Mohammad on 24 April 2006 and with Arlene Fleming on July 14, 2006

CIVIL ALLIANCE FOR THE PROTECTION OF THE BAY OF VLORA

ALEANCA QYTETARE PER MBROJTJEN E GJIRIT TE VLORES

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E-mail: board@icc-al.org / forum@icc-al.org

Tirana: 20 June 2005

To: World Bank South East Europe - Albania

Coordinator:

Orsalia Kalantzopoulos

1818 H Street, NW

Washington, DC 20433 USA

Fax: (1-202) 477 1034

Country Manager:

Nadir Mohammed

Address:

The World Bank

Deshmoret e 4 Shkurtit, No. 34

Tirana, Albania

Fax: (355-42) 405 90

Cc: Country Officer:

Timothy Gilbo

Fax: (1-202) 477 1034

**CC: Project team leader – Power sector generation and restructuring project
Iftikhar Khail**

Subject: Case against the Thermo-electric Power Plant at Vlora, Albania

Dear madam and sirs,

In our capacity as qualified, scientific specialists to the expanded Civil Alliance for the Protection of the Bay of Vlora - environmental scientists and engineers, members of the Albanian Academy of Sciences and university professors – and on behalf of those many citizens of Vlora who have protested repeatedly against the construction of a TEP in the vicinity of near their city – and whose construction is envisaged by means of a credit from your very institution, wish to put to you, openly and sincerely, a number of arguments which can but cast doubt on any decision to designate the Bay of Vlora as an appropriate site for the construction of a TEP.