

Panel Translation of Request for Inspection

Initial Request (February 5, 2010)

To: Executive Secretary; The Inspection Panel
1818 H Street, NW, Washington DC 20433, USA
Fax: 202-522-0916; or c/o the appropriate World Bank Country Office

1. We, _____ and _____, represent persons living in the Republic of Kazakhstan: Birlik settlement, Karashik Rural District, city of Turkestan, South Kazakhstan Oblast. Our addresses are attached.
2. Damage may be caused to us by deficiencies or omissions by the World Bank during implementation of the South West Roads Project: the international Western Europe-Western China transit corridor (CAREC-1b & 6b), which is being carried out in the Republic of Kazakhstan.
3. The project design for the segment of the projected road through the city of Turkestan calls for it to follow the existing bypass route. In its narrowest section this road runs past 30 houses in the settlement of Birlik and is squeezed on one side by the building line of the houses and on the other by the rail spur of the Yuzhpolimetall company. The distance from the building line of the houses to the edge of the roadway is 5 to 15 meters, which does not conform to the environmental standards of the World Bank that provide for the buffer zone from the harmful toxic and noise effects of vehicles to be 50 meters wide. On 22 June 2009 I sent a letter to the Bank. Credit must be given Mr. Jacques Buré, the project director, reacted instantly, coming to Shymkent with his team and taking part in a conference presided over by the deputy akim of the oblast, B. N. Aliyev. As a result, a new project design appeared in August-September 2009, shifting the roadbed of the projected highway in the aforementioned area of Birlik settlement toward the railroad bed and installing a noise-protection screen and a tree-belt area. Even this new project design, however, does not meet the World Bank's standards with regard to the environmental safety of the persons whose interests are affected by the project. In addition, precisely in this area more than 1,000 pupils from the Birlik settlement cross the road every day to attend classes in school and return home. The project design does not provide for construction of either above-ground or underground pedestrian crossings, even though the settlement residents themselves spoke about this at the public hearings in Turkestan on 13 January 2009. The designers cited the client, and the client, represented by Mr. Syzdykov, the akim of Turkestan, who moderated the hearings, simply ignored the residents' demand. That is the weak link in the chain of persons responsible for the project—the local Kazakhstan officials: they are accustomed to considering themselves “fathers of the people who know better what their children need,” and they view “thrashing” as the best way to bring up “their children.” The existing bypass road in the city of Turkestan is a road that was built on the eve of the activities several years ago celebrating the 1,500th anniversary of Turkestan, although pursuant to the general plan for the city's development, according to informed residents, construction of the road was planned for much farther beyond the limits of the growing city: a 100-meter-wide strip was even allotted for this purpose in the northern part of the city's boundary, but it was forgotten.
4. This is a clear violation of the World Bank's Operating Policies OP 4.01 “Environmental Assessment.”
5. We appealed to officers of the World Bank on 22 July 2009 via an e-mail letter. The measures taken by the Bank to deal with this problem--holding a conference with the participation of the interested parties on 30 July 2009; a meeting on 5 October 2009 with the design team headed by Mr. Jacques Buré; a response from Mr. Jacques Buré dated 22 November 2009—ran into inflexible thinking and callousness on the part of the Kazakhstan officials

responsible for implementing the project. Therefore the officials' actions do not satisfy the residents of Birlik settlement. We believe the Bank is entitled to demand that the Client carry out its policies.

6. We ask that the Inspection Panel recommend that the Executive Directors of the World Bank conduct an investigation of the aforementioned issues.

5 February 2010

Phones: _____

e-mail: _____

Attachment (with paper clip):

-- 46 complaints from residents of Birlik settlement;

-- validation of authority of _____ and _____

First Communication (March 10, 2010)

To the Executive Secretary of the Inspection Panel

To: Executive Secretary; The Inspection Panel

1818 H Street, NW, Washington, DC 20433, USA

Fax: 202-522-0916; or c/o the appropriate World Bank Country Office

We are kindly asking you not to share our names with the authorities of the Republic of Kazakhstan, the Governor of South-Kazakhstan Oblast, or the Governor [Akim] of the city of Turkestan.

1. ____, resident of the city of Turkestan, settlement of Birlik, sub-settlement of Karashik, Mobile Phone ____.

2. ____, resident of the city of Turkestan, settlement of Birlik, sub-settlement of Karashik.

Request

On February 5, 2010, we sent you a complaint. After that, followed in February, the visit of the representative of the Transportation Ministry Koterbekov-mirza, Governor of our city and other officials whose names we do not recall. We were told that with the new road built, many of the residents will be happy, therefore, we agree that the road should go along the railroad.

Koterbekov-mirza promised that in 5 years the Government will build a new detour-road outside the city of Turkestan. He also promised that there will be trees and vegetation planted right in front of our houses and that our children will have a bus taking them from the settlement to school. Therefore, we would like that these promises be properly recorded and the officials who are responsible for these promises would sign off on them.

We fear that in 5 years when the World Bank will leave the country the above-mentioned promises will not be executed and will be forgotten. Therefore, we are asking:

1. To put together a document coming from the Ministry of Transportation asserting that the new detour-road will be built outside the city of Turkestan in 3 years [and not in 5 years], with signatories of Koterbekov-mirza and the seal of the Ministry of Transportation.

2. We would also like to include in this document the to-be-planted vegetation and the promised school bus for our children.

We believe that this document must be signed by the Governor [Akim] of the city of Turkestan along with Koterbekov-mirza and other officials responsible for the building of the China-Europe Highway.

In conclusion, we would kindly ask to keep this electronic address, as well as our names, confidential.

Kind regards,

____ and ____, residents of the Birlik settlement.

Second Communication (April 8, 2010)

To the Executive Secretary of the Inspection Panel

To: Executive Secretary; The Inspection Panel

1818 H Street, NW, Washington, DC 20433, USA

Fax: 202-522-0916; or c/o the appropriate World Bank Country Office

We are kindly asking you not to disclose our names and electronic address through which we are sending this letter:

1. ____, resident of the city of Turkestan, settlement of Birlik, sub-settlement of Karashik, Cell Phone ____.
2. ____, resident of the city of Turkestan, settlement of Birlik, sub-settlement of Karashik.

REQUEST

In the previous letter dated March 10, 2010 we raised two demands that expressed our concerns regarding the implementation of the Project that would place the transit corridor from China to Europe right next to our settlement.

In the present letter we demand certain guarantees that, as the transportation traffic going through the city of Turkestan intensifies in the future, the Government of Kazakhstan will offer to design and construct a different service road outside the city. There are two options for considering such service road:

1. Northern route may be designed to pass between settlements of Birlik and Karashik
or
2. Southern route may pass along the southern side of the city where the service road will cross the main railroad of Tashkent - Orenburg twice.

We propose to make the construction of this service road in the future guaranteed by the issuance of an official document signed by the representatives of the World Bank and by those of Republic of Kazakhstan. We would also like for this Request to be officially registered by the Executive Panel of the World Bank.

Once again, we would like to remind that our names and contact information should remain confidential.

Respectfully,

Residents of Birlik settlement

___ and ___.

Third Communication (April 24, 2010)

To: Executive Secretary; The Inspection Panel

1818 H Street, NW, Washington, DC 20433, USA

Fax: 202-522-0916; or c / o the appropriate World Bank Country Office

Please do not disclose our names and e-mail address from which we are sending this letter:

1. _____ residing in the city of Turkestan, Birlik settlement, rural district Karashik, mobile: _____.
2. _____ residing in the city of Turkestan, Birlik settlement, rural district Karashik.

REQUEST

In a letter dated April 8, 2010, we asked for the guarantees from the Government of the Republic of Kazakhstan for the guarantees for the construction of a new road bypassing the city of Turkestan in the future in a form of a release of an official document signed by the representatives of the World Bank and by the Government of the Republic of Kazakhstan.

In addition, we asked for our request to be officially registered by the Executive Board of the

World Bank.

In this letter we would like to describe the consequences of harmful effects of the planned bypass road project South-West: the international transit corridor "Western Europe - Western China" (CAREC (Central Asia Regional Economic Cooperation) 1b and 6b).

According to the feasibility study by Kazdorproekt (Kazakhstan Highway Project), by 2012 the number of cars entering the city of Turkestan will be 6,867 per day, whereas the traffic flow at the exit of Turkestan in the direction of the town of Kyzyl-Orda will amount to 2,971 cars per day. According to the Deputy Minister of the Ministry of Transport and Communication of the Republic of Kazakhstan Koterbekov, presently there are about 5,000 cars that enter the city of Turkestan coming from Shymkent and there are about 800 cars that exit it. Simple calculations show that the future traffic of the projected bypass road will increase in 3.5 times in two years, which eventually will end up in the center of our city. Consequently, the annual increase in the intensity of the transit traffic flow in 1.75 times in the heart of the city of Turkestan will become an environmental disaster for its residents.

Turkestan is viewed as the second Mecca for Muslims around the world. The city's potential unsafe life and health conditions for Muslim pilgrims will result in the irreversible damage to the budget of the city, as well as to the income of urban residents benefiting from tourism.

Thus, in order to minimize this potential adverse environmental and economic impact, a new bypass road should be built in 5 years outside the city of Turkestan. For this purpose, the Government of Kazakhstan should guarantee to the residents of the city of Turkestan the construction of a new bypass road in at least 5 years.

We are asking for our Request to be officially registered.

Once again, please keep our names and email addresses confidential.

Sincerely, villagers of the settlement of Birlik

_____ and _____.