

[Possible Forged Sender]RE: RE: Complaint on Nenskra HPP in Georgia

Dato Chipashvili to: amcro

Cc: manana, wawa.wang

From: "Dato Chipashvili" <dchipashvili@greenalt.org>
To: <amcro@adb.org>
Cc: <manana@bankwatch.org>, <wawa.wang@bankwatch.org>

Dear Ms Rubinos,

Thank you for your email. As the complaint was made full involvement of locals the choice of compliance review function is final.

Sincerely yours,

David

Green Alternative

Compliant Review Officer

ADB Compliant review Panel

Manila, Philippines

Email: amcro@adb.org

Dear Officer

The Asian Development Bank plans to fund Nenskra 280 megawatt hydroelectric power plant (HPP). Nenskra HPP represents one of the 35 power plants, planned to be constructed in Zemo Svaneti (Georgia). The project is being implemented by the State Partnership Fund and the Korean State company K-water. The project documentation has been published by the Asian Development Bank's web site. Chuberi and Nakra population have a negative attitude towards construction of Nenskra HPP, and we consider that the construction of the plant will result decreasing of the quality of life while increasing the healthcare and safety risks.

Our concerns and worries connect with a number of the issues, including

1. Participation in decision making processes

We are Svan, an ethnic subgroup of Georgian, we have our cultural and religious traditions, unique language and law, which runs in our communities and the region, we recognize ancestors rules and customs on land ownership, we carry on the traditional activity (agricultural, livestock, wood processing, crafting and etc.). We represent the indigenous population. Therefore, we believe that we have our say and Government should agree with us the projects its planned in the region. However, the government does not consider our demands and protests, to ensure sustainable development, protect nature and population of Svaneti.

We would like to underline that public participation process since 2012 actually does not exist. Despite the fact that the project was announced by former President Saakashvili, who arrived at the site and had the grand opening ceremony of Hydro construction together with Chinese company Sinohydro, there was no project related discussions in our communities. It was just said that the power plant should be built in 2015.

Taking into account that we are the indigenous population, which in the last few thousand years of living in the region, we believe that Indigenous people's policy should be applied and the government as well as the project sponsor were supposed to ask do we want implementation of this type of the project.

The last 40 years, we, Svan people are fighting against Khudoni HPP project, construction of which is planned 20 km away from us in Khaishi community. In addition the government plans to build another 33 HPPs in the region, including five large reservoirs and dam project. The 50-megawatt power plant construction has already begun in Mestiachala Mestia. It should be noted that on September 1, 2017 river flood takes the HPP territory and its pipes.

Public Participation

There were number of meetings in front of issuance of the environmental impact assessment, including meetings held by our request in the Ministry of Environment. Despite a number of issues raised by us the Ministry of Environment in October 2015 permitted the project.

Our protests and blocking off the road in May 2016 ended with the police raid, including women and children, and 8 people were arrested. In 2016 year we have been under pressure to accept the project.

Despite that, after the protests, more public hearings being held by the project implementor K-waters, as well as with its Italian subcontractor Salini Impregilo, during these meetings answers on the issues we worried has not been given. (see. Below). In addition, there was and is a lot of pressure on the individual level, when they tell us that should we accept the project, or they will plant drugs, or frighten us not to take videos of the meetings, etc.

In 2017 was published, a new environmental impact assessment document, however, that again could not respond to the number of questions, including the project associated risks, the need of the project, the traditional land ownership and its compensation.

In August 2017, during the discussions, has still not been given detailed answers to the interested issues by company representatives. After each awkward question, organizers immediately asked for the next question.

Geological risks

- Nakra and Chuberi valleys are landslide prone and located in a high seismic activity zone. Place the reservoir characterized by a number of landslide areas, correspondingly, cutting forest down on the slopes, together with damming water and respectively changing microclimate change will increase the risk of landslides.
- The main problem in the village Nakra mudflow Rivers, who brought a large amount of sediment that accumulated over the village and the river Nakra washes It. In case of leaving river Nakra as small streams, may prevent river to wash sediment and village is under the great calamity. It should be noted that a few years ago, debris flow, sediment transported by river took away few households in the village and some part of the cemetery.

It should be mentioned that these rivers were not mentioned in the EIA in 2015, on which the Ministry of Environmental Protection granted permission. In the ESIA documents of 2017, it is mentioned that there will be monitoring and if during the spring large amount of debris would be accumulated in the pumping of water would be stopped. However, we don't know do it will be really safe for the community. For example, what happens if this system of monitoring will get out of order and / or will not work as planned?

The Risks of Reduced Environmental Flow

- There will be only 5% of the Nenskra river whole volume left, while in case of Nakra 10%. Will it be enough for sediment transportation? In Addition, have the impact over the fish, that according to EIA does not exist, but we are fishing. It will also have the impact on our mineral waters, which are located along the river and from where people with different types of spa waters takes.

- At the same time, river Nenskra and Nakra represents important rivers in our villages. The rivers in the summer help us against high temperatures. While the EIA claims that reduced river flows will not affect agriculture and accessibility of water for us, we believe that the project will have a negative impact, as on mineral, as well as on groundwaters, and it would adversely affect our activities and livelihood, and the problem of access to water would increase.

Issues related to Microclimate change

- We concerned that what would be the impact of the reservoir on the microclimate. In 2017 EIA it said that project would not have any impact on Microclimate and there should be no worries. However, it does not say that the clauses from 2015 ESIA is not correct, “its [reservoir’s] effects on the climate will be substantial in spring, when the ice starts melting and breaking, and in late autumn, before ice phenomena begin. Sharp difference between water and air temperatures and strong wind will intensify evaporation. Evaporated moisture will cover buildings and fruit trees in a form of hoar frost and damage them. The damage caused by early frosts is graver as it will damage buds and sprouts, and ultimately result in premature aging, fruitlessness and dying of plants. For the people, that experience from rheumatism and/or need treatment respiratory or cardiovascular diseases the health condition will further aggravate.”
- As a result of the construction of the Enguri Hydro power plant, In our gorges humidity have been significantly increased, and caused not only health-related diseases growth, but also increased probability of avalanches, landslides and floods. In 1976 and 1987 Chuberi snowstorm and avalanches destroyed part of the village. The survivor, a homeless population in Dmanisi (Kvemo Kartli) were deported. We fear that due to the increased moisture, geological and health-related risks at the end, we will be forced to be resettled.

Traditional ownership

Nenskra reservoir will flood the pastures and forests, that represents the for us and our ancestors the source of livelihood. The villagers still do not know the fate of their traditional lands. The agreement between government and company is confidential and not published for public. For ministries is not clear, who owns the lands, that once was owned by State, but President Saakashvili takes out of Forestry fund. Although the project developer promised that the issue of land acquisition would be discussed with the villagers and during the public consultation, however, detailed answers never has been given including meetings in August 2017.

The company meanwhile, on its Facebook page (15 August 2017) claims that that it has almost completed the land acquisition procedure.

However, in one of the responses of the company, *states that the majority of people may not know about* (published 11 October 2017, business and Human Rights) about the land acquisition because the negotiations in some cases, for example in Nakra case, has not yet started.

It contradicts the company’s own the Land Acquisition and Livelihood Restoration Plan and the implementation of the schedule, released in March 2017. Meanwhile, we learned that 700 hectares of land, has been already handed over by government to the company for 1 GEL.

It should be stressed, that the project EIA does not include the impact of the associated infrastructure, as well as not fully clear the amount of land will be needed. The environmental impact assessment also does not include the route of 220 KV transmission line, that would at the end creates lots of the problems fro to the village Lakhmi. Neither on these issues we have not received a response from the company. We consider, that company might think that the impact will be minimal, which raises many questions for Lakhmi village residents.

Social Impact

We consider that project Social Impact is not studied properly, and its limited only with consideration of social impacts of directly affected. The project does not consider the significant impacts, such as the impact on agriculture, increased traffic and safety, impact on women, etc.

The Project contract

Despite numerous requests for publishing the contract , including public hearings at the 27 April and 22 August, where representatives of the Non Governmental organizations as well as local communities directly request contract transparency for the public. The company and the government representatives refused without any justification. Given the fact that the project cost is very high, more than 1 billion US dollars, and that it represents public-private project, we believe that it is necessary to ensure publicity of the contract.

At the same time, is impossible without transparency of the contract to assess the project economic benefits for the country, that can be the major argument for us to agree or not agree on the project.

Based on the above mentioned, we would like to ask you to study the project impact on the environment and its compliance with the safety standards of the ADB, what impact the project will have our livelihood and quality of life.

Please, protect confidentiality of the signatories, in order to avoid pressure from the governmental structures.

Meantime, we would like to give the representation authority regarding the complaint to the Chairman of the Association Green Alternative, Manana Kochladze and Green Alternative IFI Coordinator, Mr. David Chipashvili.