

January 29, 2016

**Complaint**  
**Of**  
**the residents of 12-38 Block, Rustavi Highway, Tbilisi, Georgia**

To: Complaints Receiving Officer

Asian Development Bank

**6 ADB Avenue, Mandaluyong City 1550, Metro Manila, Philippines**

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Dear Sir/Madam,

We would like to hereby inform you that our residential block located on Rustavi Highway, Tbilisi, Georgia, is under the influence of Tbilisi-Rustavi Highway project middle section (Ponichala). The block is deformed and continuing the project in its current form (according to the information we hold, the distance between the road and the block is determined to be 14 m.) may inflict to it disastrous damage. In addition, it should also be considered that the part of the residents of the block are people with limited abilities. Consequently, constructing a road with the distance of 14m. from the block will significantly affect their everyday lives (will make movement harder for blind residents; increase noise and vibration levels).

Below is our correspondence with the Municipal Development Fund (MDF) of Georgia and Asian Development Bank in a chronologic manner:

Originally, we learnt about the project at a public review held by MDF in August, 2013. The review was also attended by the residents of other blocks located along the road. The representatives of MDF told us that a several meter-wide wall would be constructed between the blocks and the road and they would also put PVC windows in the flats which looked out on the road. The proposal was not acceptable for us and we immediately expressed our concerns towards the project. As long as we (the residents and the representatives of MDF) could not arrive to an agreement, we left the meeting.

From time to time we received information from the employees of local executive body (via telephone) that the project would still be implemented, though nobody ever came to us since then for continuing negotiations.

In 2014, through the help of the local executive body (“Gamgeoba”) we (the residents of our block) hired an independent company “Laboratory” LLC to conduct a study on the technical condition of the block (See appendix N1).

In February, 2015 the representatives of the MDF visited us with the intention to carry out inventory of the block. We did not let them do so until the Head of the local executive body (“Gamgebeli”) and a member of Tbilisi City Assembly (Beqa Natsvlishvili) arrived. They promised us that we would not be affected by implementation of the project. After that we allowed the representatives of MDF to carry out inventory and they took samples to establish resistance level of the block. It is important to highlight that the specialists hired by MDF (who took samples), told us that the resistance level of our block was 180 units even though the standard was 500 units. On the same day they told us that they would inform us with the final conclusion and results on April 18, though we have not been provided with the above-said information to this day.

In May 2015 we blocked Tbilisi-Rustavi road to express our protest. We insisted on meeting with the Mayor of Tbilisi and demanded that he guaranteed our interests be protected if the project were to be carried out. Unfortunately, our protest rally was left without attention by respective persons. None of the representatives of any of the responsible agencies except for the head of the local municipality and journalists (Maestro and Rustavi 2 – local broadcasters) visited us. Head of the local municipality promised us that Gamgebeli would visit us on June 1 and make inquiry of the issue though it did not happen so.

On June 1, 2015 we gathered to protest against the project in front of a “Blinds’ Club”; this time the protest rally was visited only by patrol police (they threatened us with imprisonment if we opposed implementation of the project).

In September 2015 MDF called us again at the public review. Some of the representatives of the block’s initiative group participated in the public review and voiced our above-mentioned demands again. The response from the MDF representatives was the same: despite our opposition to the project the route of the road would not be changed and they would not ensure allocation of alternative residential area either. It is important to mention that at the review the representatives told us the following: if the implementation of the project jeopardized the condition of the block no one would take responsibility.

On November 10, 2015 we met ADB Georgia Resident Mission representatives: Ms. Tea Papuashvili and Mr. Medgar Chelidze. Mr. Chelidze told us that he fully agreed with our demands but we had to apply to him in writing and formulate our demands clearly. They also promised us that they would arrange a meeting with foreign staff of ADB.

On November 16, 2015 we met Mr. David Tabidze from MDF. Mr. Tabidze told us that our resettlement has never been a subject of discussion and neither did the block need any fortification. He also added that changing wooden windows with PVC, as it was considered in the previous project, would not be possible for it might have caused damage to the building.

On the same day we met foreign employees of ADB. They also told us that it was a governmental project and making changes to it was impossible. They said that the project did not have direct influence on us and plus, we lived in a city and things like this might happen in a city and we had to get accustomed to it. Considering all the above-said, ADB employees told us that our block was not subject to resettlement and that instead of a concrete wall they might construct a better noise cancellation barrier of some sort and we should be grateful for that. They said that by that time they could not help us as the Georgian legislation did not allow them to. They then called us to continue negotiations with MDF and agree on compensation amount.

Couple of days later we had a meeting with Mr. David Tabatadze from MDF who instead of determining compensation amount offered us a study establishing resistance level of the block. He also added that those who would receive compensation should not have any claims later on. He said that we should wait for the cracks to appear on the building and if they did, only then they would resettle us. We had another meeting with Mr. David Tabatadze, though without achieving any agreement.

On December 19, 2015 we held another protest rally, although no one came or paid attention to it except for the Rustavi 2 journalists.

In addition to protest rallies since June, 2015, we started communication in writing with MDF and other state institutions.

1 On June 24, 2015 we submitted an application to the Chairman of the Parliament of Georgia, Mr. Davit Usupashvili. In our application we asked for a motion with respective agencies and alternative residential area if the route of the project were to remain the same (See appendix N2). We have not received response to our letter until now.

2. On June 24, 2015 we submitted an application to the Chair of the Human Rights and Civil Integration Committee, Ms. Eka Beselia (See Appendix N3), who diverted our letter to the Ministry of Regional Development and Infrastructure of Georgia (See Appendix N4). In response, on August 14, 2015 we received a copy of a letter sent by MDF to the Ministry. The letter said that at that stage the project did not consider granting alternative residential area to the residents of multistory block (See Appendix N 5).

3. On June 24, 2015 we submitted an application to the Prime-Minister of Georgia, Mr. Irakli Garibashvili. In the application we asked for motion with respective agencies and alternative residential area if the route of the highway were to remain the same (See Appendix N6). We have not received an answer to this letter until now.

4. On June 24, 2015 we submitted an application to the majoritarian deputy of Krtsanisi District, Mr. Shota Khabareli. In our letter we asked him to raise the issue at the Parliament session for discussion (See Appendix N7). Within several days after submitting the application Mr. Khabareli visited us and promised that he would raise the issue before the Parliament. However, the issue was never brought up before the Parliament.

5. On July 14, 2015 we submitted an application to the Executive Director of MDF, Mr. Ilia Darchiashvili and asked him to consider an alternative of widening the highway on the other side of the road or grant us alternative residential area (See Appendix N8). We have not received response to our letter so far.

6. On July 14, 2015 we submitted an application to the Architecture Service of Tbilisi City Hall and requested to consider an alternative of widening the highway on the other side of the road or grant us alternative residential area (See Appendix N9). We have not received response to this letter either.

7. On July 14, 2015 we submitted an application to the Minister of Regional Development and Infrastructure of Georgia, Mr. Nodar Javakhishvili and asked him to consider an alternative of widening the highway on the other side of the road or grant us alternative residential area (See Appendix N10). We have not received response to this letter either.

8. On November 9, 2015 we submitted a complaint to Ms. Yesim Elhan-Kayalar, Country Director of ADB Georgia Resident Mission and Mr. Medgar Chelidze, Resettlement Specialist of ADB Georgia Resident Mission (See Appendix N11). We have not received response to this letter either.

We would like to inform you that we are very well aware of the importance of widening the highway and the project as a whole. However, we firmly believe that our rights and interests should not be disregarded because of the project. Our right – to live in an environment safe for life and health – should not be violated because of the implementation of the project.

Based on the above-said we hereby ask you to review the influence of Tbilisi-Rustavi Highway Ponichala section on our residential block, on the lives, health condition, safety as well as property of its residents. We ask you to study and propose us the alternatives of the project that would save our lives and property from damage.

Please see the copies of the letters sent by us and the results of the study carried out by “Laboratory” LLC on the technical conditions of our block.

Appendix: 66 pages

Sincerely,

1.	ანკო ნიჯარაძე	Ms. Aniko Nijaradze	599 99 06 27	ა. ნიჯარაძე
2.	ნათია ბიჭვინაშვილი	Ms. Natia bitskinashvili	568 76 73 10	ნ. ბ. ბიჭვინაშვილი
3.	ლამარა იორდანიძე	Ms. Lamara Iordanidze	593 38 02 70	ლ. იორდანიძე
4.	ზაზა ბილიაშვილი	Mr. Zaza Bigiashvili	558 24 99 37	ზ. ბილიაშვილი
5.	მარინე შუბითიძე	Ms. Marine Shubitidze	551 13 66 93	მ. შუბითიძე

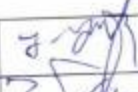
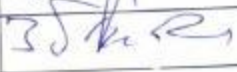
6.	აიდა მარჯარიანი	Ms. Aida Marqariani	597 10 12 65	მარჯარიანი
7.	დიანა ბოტკოველი	Ms. Diana Botkovieli	593 60 37 12	ბოტკოველი
8.	მედეა სიდამონიძე	Ms. Medea Sidamonidze	568 99 63 70	სიდამონიძე
9.	ეკატერინე ფანცხავა	Ms. Ekaterine Phanckhava	551 67 01 11	ე. ფანცხავა
10.	მერი დალაქიშვილი	Ms. Meri Dalaqishvili	2 40 36 81	დალაქიშვილი
11.	აბას ავდალოვი	Mr. Abas Avdalovi	2 40 43 29	ავდალოვი
12.	რუსუდან დეკანოიძე	Ms. Rusudan Dekanoidze	2 40 39 67	დეკანოიძე
13.	იზაბელა კაზარიანი	Ms. Izabela Kazariani	599 87 32 07	იზაბელა
14.	ნაირა მაგრადე	Ms. Naira Magradze	558 04 44 04	ნ. მაგრადე
15.	თეა მესტირიშვილი	Ms. Tea Mestvirishvili	599 72 35 71	თ. მესტირიშვილი
16.	სირანუშ ჩტჩიანი	Ms. Siranush Chtchiani	2 40 34 61	სირანუშ
17.	ირაკლი მაისურადე	Mr. Irakli Maisuradze	597 72 97 09	✓
18.	აკაკი ფირცხალავა	Mr. Akaki Phirckhalava	568 86 10 71	ფირცხალავა
19.	გოჩა ზაფირიდი	Mr. Gocha Zaphiridi	557 64 83 28	გ. ზაფირიდი
20.	ალბერტი ვართანიანი	Mr. Albert Vartaniani	592 07 37 36	ალბერტი
21.	თენგიზი ამირიძე	Mr. Tengiz Amiridze	598 71 07 67	თ. ამირიძე
22.	თეა დემეტრაშვილი	Ms. Tea Demetrashvili	579 02 10 65	თეა დემეტრაშვილი
23.	მარინე გალუსტიანი	Ms. Marine Galustiani	579 09 18 92	მარინე
24.	ემა ვართანიანი	Ms. Ema Vartaniani	2 40 30 07	ემა
25.	ზინა შამოევა	Ms. Zina Shamoeva	2 40 45 04	შამოევა
26.	ვიქტორია კაროლ	Ms. Viktoria Karol	574 01 03 78	კაროლ
27.	კობა ჭიგლაძე	Mr. Koba Chigladze	593 26 58 23	ჭიგლაძე
28.	რაულ მაყაძე	Mr. Raul Maqadze	593 33 25 48	რაულ მაყაძე
29.	ნანა დინგაშვილი	Ms. Nana Dingashvili	555 53 51 12	ნანა

30.	ნინო შუკაკიძე	Ms. Nino Shukakidze	568 82 15 02	მ. შუკაკიძე
31.	ლეილა ხოსიტაშვილი	Ms. Leila Khositashvili	558 54 09 05	ლ. ხოსიტაშვილი
32.	ლია ვეკუა	Ms. Lia Vekua	599 73 03 67	ლ. ვეკუა
33.	ვალენტინა შლეირე	Ms. Valentina Shleire	599 95 67 58	ვ. შლეირე
34.	რატჩიკ სარქისიანი	Mr. Ratchik Sarkisiani	593 42 32 06	რ. სარქისიანი
35.	დარეჯან ნიკოლიშვილი	Ms. Darejan Nikolishvili	599 92 17 49	დ. ნიკოლიშვილი
36.	გურამ გვიანიძე	Mr. Guram Gvianidze	599 42 43 86	გ. გვიანიძე
37.	ნინო შალიბაშვილი	Ms. Nino Shalibashvili	555 99 22 23	ნ. შალიბაშვილი
38.	ჯონი ცერცვაძე	Mr. Joni Cercvadze	514 37 76 67	ჯ. ცერცვაძე
39.	ქეთო ჭკადუა	Ms. Keto Chkadua	579 21 37 84	ქ. ჭკადუა
40.	ივეტა ნავტიკოვა	Ms. Iveta Navtikova	555 72 98 15	ი. ნავტიკოვა
41.	კახა ახვლედიანი	Mr. Kakha Akhvlediani	599 78 92 34	კ. ახვლედიანი
42.	არმიკ ავდალიანი	Mr. Armik Avdaliani	593 15 62 52	არმიკ ავდალიანი
43.	ალიონა სინეროვა	Ms. Aliona Sinerova	579 18 95 50	ალიონა სინეროვა
44.	მარია კოზმოვა	Ms. Maria Kozmova	579 10 04 14	მ. კოზმოვა
45.	ემა ხათოევი	Ms. Ema Khatoevi	579 70 73 12	ე. ხათოევი
46.	ნუგზარ ყელბერაშვილი	Mr. Nugzar Yelberashvili	2 40 28 54	ნ. ყელბერაშვილი
47.	ნატალია რატიანი	Ms. Natalia Ratiani	599 11 19 28	ნ. რატიანი
48.	ალვინა კოჩიძე	Ms. Alvina Kochidu	2 40 45 61	ალვინა კოჩიძე
49.	ლოვა პანასიანი	Mr. Lova Panasiani	2 40 36 72	ლოვა პანასიანი
50.	ზაირა აბაზოვა	Ms. Zaira Abazova	2 72 99 79	ზ. აბაზოვა
51.	ცირა ხითაროვა	Ms. Cira Khitarova	555 97 98 06	ც. ხითაროვა
52.	მაია მიკირტიჩიანი	Ms. Maia Mikirtichiani	593 65 59 57	მაია მიკირტიჩიანი
53.	მანანა ფანცულაია	Ms. Manana Phanculaia	2 40 43 21	მ. ფანცულაია



54.	ვაჟა ხადური	Mr. Vaja Khaduri	574 01 03 78	ხადური
55.	ქრისტინა კურგიანი	Ms. Kristina Kurgiani	2 40 28 86	კურგიანი
56.	ედუარდ ბეგოევი	Mr. Eduard Begoevi	2 40 45 04	ბეგოევი
57.	თემური შუბითიძე	Mr. Temur Shubitidze	597 54 80 08	თემური შუბითიძე
58.	მარინა მარტიროსიანი	Ms. Marina Martirosiani	555 18 58 55	მარტიროსიანი
59.	ლელა ილიაევა	Ms. Lela Iliaeva	591 41 04 07	ილიაევა
60.	ფიქრია გოგიშვილი	Ms. Phiqria Gogishvili	557 13 50 21	გოგიშვილი
61.	ალა დევიატკინა	Ms. Ala Deviatkina	555 37 66 07	დევიატკინა
62.	ნიკოლოზ ლალიაშვილი	Mr. Nikoloz Laliashvili	557 93 88 13	ლალიაშვილი
63.	შორენა მაჩიტაძე	Ms. Shorena Machitadze	555 50 69 44	მაჩიტაძე
64.	ანზორ გვიშანი	Mr. Anzor Gvishiani	595 11 15 22	გვიშანი
65.	მანონი სართაია	Ms. Manoni Sartaia	2 40 28 78	სართაია
66.	შოთა არჩაია	Mr. Shota Archaia	555 58 08 06	არჩაია
67.	ლალი ფეიქრიშვილი	Ms. Lali Peikrishvili	557 95 94 94	ფეიქრიშვილი
68.	გრისა გალიანი	Mr. Grisha Galoiani	568 70 39 65	გალიანი
69.	ლეილა კაზაროვი	Ms. Leila Kazarovi	2 40 33 72	კაზაროვი
70.	ზინა ავდალოვი	Ms. Zina Avdalovi	2 40 23 29	ავდალოვი
71.	ცისანა კავთელაშვილი	Ms. Cisana Kavtelashvili	555 21 61 93	კავთელაშვილი
72.	სამანა დგებუაძე	Ms. Samana Dgebuadze	599 73 03 67	დგებუაძე
73.	ჯუმბერ სეკანია	Mr. Jumber Sekania	558 35 60 27	სეკანია
74.	ნუგზარ ზუბალოვი	Mr. Nugzar Zubalovi	577 73 05 53	ზუბალოვი
75.	შორენა სარიშვილი	Ms. Shorena Sarishvili	599 92 17 49	სარიშვილი
76.	ევგენია პოგოსოვი	Ms. Evgenia Pogosovi	2 40 30 51	პოგოსოვი
77.	ქრისტინე კალაშოვი	Ms. Kristine Kalashovi	2 40 28 43	კალაშოვი



78.	ნიაზ ბეჰვაია	Mr. Niaz Bechvaia	558 78 77 32	
79.	სილვა ვართანიანი	Mr. Silva Vartaniani	2 40 42 11	

80. ნანო ჩუგოძე Ms. Nino Chugidze 555 63 82 24 6. ლგ

81. სენა გელაშვილი Ms. Ledi Gelashvili 393 88 86 65 ე.პ.პ. 300 300