



Office of the Special Project Facilitator

Office of the Compliance Review Panel

A. Complainants' Choice and Contact Information

1. Complainants' Choice
a. Please forward complaint to: (Please choose only one and DO NOT leave this BLANK)
<input type="checkbox"/> Special Project Facilitator (Assists people who are directly and materially harmed by specific problems caused, or is likely to be caused, by ADB-assisted projects through informal, flexible, and consensus-based methods with the consent and participation of all parties concerned)
<input checked="" type="checkbox"/> Compliance Review Panel (investigates alleged noncompliance by ADB with its operational policies and procedures in any ADB-assisted project in the course of the formulation, processing, or implementation of the project that directly, materially, and adversely affects, or is likely to affect, local people)
b. Do not want your identities to be kept confidential?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

2. Information on the Complainants (The identities of complainants will be kept confidential unless the complainants agree to disclose their identities, but anonymous complaints will not be accepted.)				
Name and designation (Mr., Ms., Mrs.)	Signature	Mailing Address	Telephone numbers (landline/mobile)	E-mail Addresses
1. Mr. Luka Melashvili		Flat No 48, Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	597 58 53 94 (mob.)	lukamelashvili@yahoo.com
2. Mr. Ramaz Rokashvili		Flat No 38, Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	597 12 17 31(mob.)	Ramzes7779@mail.ru
3. Ms. Nino Vacheishvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 36 59 (landline)	
4. Ms. Naira Tediashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 43 82 (landline)	
5. Mr. Nikoloz Kochiashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	558 54 29 28 (mob.)	
6. Mr. Vaja Gabisonia		Building No 16 a/b, Rustavi Highway,	595 17 03 07 (mob.)	

		Tbilisi, Georgia		
7. Ms. Nazi Giorgadze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	577 22 54 00 (mob.)	
8. Mr. Otar Sukashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 98 16 10 (mob.)	
9. Mr. Beso Migriauli		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 00 79 19 (mob.)	
10. Ms. Maria Songulashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	568 68 81 05 (mob.)	
11. Ms. Sirana Imerlishvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	592 11 89 31 (mob.)	
12. Ms. Mzia Jumukhadze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	593 17 87 09 (mob.)	
13. Ms. Mzia Gabelaia		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 32 86 (landline)	
14. Ms. Dariko Savitskaia		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	571 14 81 08 (mob.)	
15. Mr. Shalva Kaplanishvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 31 21 (landline)	
16. Ms. Irina Nikuradze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 43 74 (landline)	
17. Ms. Irma Natroshvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	595 75 76 79 (mob.)	
18. Mr. Tamaz Barateli		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 13 60 98 (mob.)	
19. Ms. Nino Kochlamazashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 55 44 40 (mob.)	
20. Ms. Medea Machaidze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	577 33 66 42 (mob.)	
21. Mr. Gagik Karageziani		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	595 74 74 88 (mob.)	
22. Ms. Lia Besataeva		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	577 30 92 21 (mob.)	
23. Mr. Zviad Khmaladze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	557 14 15 01 (mob.)	
24. Ms. Nana		Building No 16 a/b,	557 93 58 45 (mob.)	

Malacidze		Rustavi Highway, Tbilisi, Georgia		
25. Mr. Irodion Sabanidze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	595 59 44 84 (mob.)	
26. Mr. Gaioz Dekanoidze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	570 50 34 59 (mob.)	
27. Mr. Koba Bachiasvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	597 75 00 21 (mob.)	
28. Mr. Gevork Karikosiani		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia		
29. Mr. Givi Gelkhauri		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	555 57 57 77 (mob.)	
30. Ms. Natia Garibashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	597 06 78 78 (mob.)	
31. Ms. Samaia Bairamova		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	593 66 42 55 (mob.)	
32. Mr. Giorgi Malashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	557 93 43 52 (mob.)	
33. Ms. Nazi Makhatadze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 43 12 (landline)	
34. Ms. Mzevinar Janjgava		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 38 96 (landline)	
35. Ms. Irma Todadze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 34 30 (landline)	
36. Ms. Veriko Kopaliani		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	579 64 00 66 (mob.)	
37. Ms. Liana Zviadadze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 28 09 91 (mob.)	
38. Mr. Ramazi Beroshvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	595 13 90 81 (mob.)	
39. Ms. Darejan Lomidze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 14 14 (landline)	
40. Ms. Eteri Jaladze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	595 30 29 64 (mob.)	
41. Ms. Aelita Tarkashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	555 50 28 24 (mob.)	

42. Ms. Nino Chelidze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	598 58 12 40 (mob.)	
43. Mr. Nodar Chokheli		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 33 16 77 (mob.)	
44. Mr. Emaz Isaevi		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	593 51 77 33 (mob.)	
45. Mr. Irakli Samadashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	595 07 76 44 (mob.)	
46. Ms. Irma Osipovi		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 80 79 70 (mob.)	
47. Mr. Pavle Kiriakovi		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia		
48. Ms. Tamar Odishvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 19 09 01 (mob.)	
49. Ms. Lika Babidzashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	551 43 66 99 (mob.)	
50. Ms. Eka Nachkepia		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 43 09 (landline)	
51. Ms. Ofelia Muradovi		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 35 30 (landline)	
52. Mr. Sergo Vartanovi		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	593 16 46 16 (mob.)	
53. Ms. Lali Kobuladze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 37 62 (landline)	
54. Mr. Tariel Jananashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	595 69 36 46 (mob.)	
55. Ms. Lili Kelberashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia		
56. Mr. Zurab Kelberashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia		
57. Ms. Nanuli Archvadze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 89 04 84 (mob.)	
58. Ms. Tamar Gigineishvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 89 04 84 (mob.)	
59. Mr. Rafael Davitashvili		Building No 16 a/b, Rustavi Highway,	599 39 16 82 (mob.)	

		Tbilisi, Georgia		
60. Ms. Naira Kurashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	595 70 40 71 (mob.)	
61. Mr. Levan Sadiliani		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia		
62. Mr. Nugzar Tsikaridze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	593 44 68 77 (mob.)	
63. Ms. Natia Lomidze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia		
64. Mr. Givi Aspanidze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 32 11 (landline)	
65. Mr. Nodar Kapanadze		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	558 07 02 00 (mob.)	
66. Mr. Andranik Ogenesiani		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	593 66 62 38 (mob.)	
67. Mr. Andro Shakhnazanovi		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	558 23 10 43 (mob.)	
68. Ms. Lali Shishmanashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	571 17 18 15 (mob.)	
69. Mr. Malkhaz Ejibia		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	2 40 53 63 (landline)	
70. Mr. Omar Sultaniani		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 99 16 19 (mob.)	
71. Ms. Vera Manishvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	598 64 14 54 (mob.)	
72. Mr. Mamuka Saneverashvili		Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia	599 03 29 39 (mob.)	

3. Information on Authorized Representative (if any). (The identity of representatives who are not at the same time complainants will be disclosed to ensure transparency.)

This complaint has not been filed by an authorized representative.

Name of Authorized Representative, designation, mailing address, telephone number, and E-mail addresses. (Please ask the representative to sign on top of his/her name.)

Please attach evidence of authority to represent the complainants, which will include the full name and signature of the complainants, and their mailing address, telephone numbers, and E-mail addresses, as applicable.

B. Project Information

Project name	Tbilisi-Rustavi Highway construction project, the Ponichala section (section 2) of the Project [CRO Note: The complaint relates to Loan No. 3063-Georgia Sustainable Urban Transport Investment Program, Tranche 3]
Project location	Rustavi Highway, Tbilisi, Georgia
Brief description of the project	<p>Tbilisi-Rustavi Highway construction project, namely the Ponichala section of the Project (section 2) envisages upgrading and enlargement of the Tbilisi-Rustavi Highway, precisely the Ponichala section of the Highway; more precisely building a new road at the bank of the Kura (Mtkvari) River and turning a two-lane road into a four-lane one. The Project is being carried out by the Municipal Development Fund of Georgia and is financed by the Asian Development Bank (ADB).</p> <p>The Environmental Impact Assessment Report for the Project was released on 6th April 2016; The public discussion on the Environmental Impact Assessment Report for the Project was held on 7th June, 2016. On 29th October, 2015, the “resettlement action plan for the Tbilisi-Rustavi urban traffic intersection – Section 2, stretch B” was released. The document has not been subject to public discussions.</p>

C. The Complaint

1. What direct and material harm has the ADB-assisted project caused to, or will likely cause to, the complainants?

Our residential building, which is situated on Rustavi Highway in Tbilisi, was affected by Tbilisi-Rustavi Highway construction project, namely by the Ponichala section (section 2) of the project. The residential building was built in 1968 and the exploitation period (lifespan) of the building has expired (we can provide relevant documents upon your request). The walls and the roof of the residential building are in poor condition, additional constructions attached to the building construction works launched in 1988) are in a very poor condition as well. Implementation of the Project as designed and planned (according to the information we possess, the distance between the residential building and the road under construction is going to be 12 meters) may end with destructive results for the residential building. In addition, it is worth considering the fact that part of the residents of our building are persons with disabilities; therefore a road constructed just 12 meters away from the building will affect their everyday life (the blind or visually impaired persons will face difficulties while walking outside the building and increased level of noise and vibration will have adverse effects on their lifestyle).

2. Have the complainants made prior good faith efforts to solve the problem(s) and issue(s) with the ADB operations department concerned?

Yes If YES, please provide the following: when, how, by whom, and with whom the good faith efforts were made.

- On August 17, 2016, we filed our complaint with Ms. Yesim Elhan-Kayalar - the Asian Development Bank (ADB) Country Director for Georgia (see enclosure 1).
- On August 17, 2016, we filed our complaint with Mr. Nurzhan Zhumabaev - Resettlement Expert at the Asian Development Bank (ADB) Country Office in Georgia (see enclosure 1).

Please describe any response the complaints may have received from or any actions taken by ADB

- In response to our appeal of August 17, 2016, we received a reply from Mr. Yi – Director of the Office of Urban Development and Water Management at Asian Development Bank Central and West Asia Department, in which he advised to continue cooperation and negotiations with the Municipal Development Fund. (the letter of September 14th of 2016 – see enclosure 2)

No

3. Have the complainants contacted the Office of the Special Project Facilitator or the Compliance Review Panel about their concerns?

Yes, Office of the Special Project Facilitator Yes, Compliance Review Panel

No

If YES, Please provide information on when the contact was made, how, by whom and with whom.

Please describe any response the complaints may have received from or any actions taken by the Office of the Special Project Facilitator or the Compliance Review Panel.

4. Please include any other information that you consider relevant.

D. Optional Information (The following information is not mandatory, but would be helpful in processing your complaint.)

1. Have the complainants sent their complaint to the grievance redress mechanism of the project concerned?

Yes If YES, Please provide the following: when, how, and with whom the contact was made.

1. On February 24th 2016, we appealed to the Executive Director of the Municipal Development Fund – Mr. Juansher Burchuladze (see enclosure 3).
2. On May 17th 2016, we repeatedly appealed to the Executive Director of the Municipal Development Fund – Mr. Juansher Burchuladze (see enclosure 4).

Please describe any response the complainants may have received or any actions taken.

1. In response to our appeal of August 17, 2016, we received a reply from Mr. Davit Tabatadze – Deputy Executive Director of the Municipal Development Fund of Georgia, informing us that our complaint was sent to the grievance redress committee (the letter of May 31st of 2016 – see enclosure 5).
2. Later we received a reply from Mr. Davit Tabatadze – Deputy Executive Director of the Municipal Development Fund, informing us that the Municipal Development Fund would continue cooperating with us and would do their best to protect the interests of the residents of the residential building concerned (the letter of June 21st of 2016 – see enclosure 6).

No If NO, why not?

2. What is the desired outcome or remedy that complainants believe ADB should provide through the ADB's Accountability Mechanism?

We realize the importance of the new Highway and of the Project in general, but herewith we realize and believe that the Project implementation should not result in violation of our rights or transgression of our interests; the Project implementation should not result in violation of our right to live in a safe, secure and healthy environment.

Considering the above mentioned, we would like all aspects of the problem associated with the construction of the Ponichala section of Tbilisi-Rustavi Highway and its influence on our residential building, life, health and security of its residents, as well as on their right to property to be thoroughly studied and considered. Besides, we call for the issue of resettling of the residents to be considered.

3. Why do complainants believe that the alleged direct and material harm is the result of ADB's failure to follow its operational policies and procedures? (This applies if the complainants choose the compliance review function.)

4. Please describe the operational policies and procedures that have not been complied with by ADB in the course of formulating, processing, or implementing the ADB-assisted project. (This applies if the complainants choose the compliance review function.)

5. Do the complainants have any other relevant matters or facts (with supporting documents) that the complainants would like to share with the Accountability Mechanism?

Below we present a brief description and a chronology of our communication with the Municipal Development Fund of Georgia and the Asian Development Bank:

We were first informed about the Project by the representatives of the Municipal Development Fund in summer of 2013. The representatives of the Municipal Development Fund of Georgia visited the building to carry out measurement works; they told us that the Tbilisi Rustavi Highway would run near our residential building. The workers who were hired by the representatives of the Municipal Development Fund of Georgia to carry out the measurements, after finalizing their works told us that the highway constructed near our residential building would make our life in this building unbearable and impossible. Since the works we have never been visited or informed about the developments concerning the Project implementation.

In February 2015, the residents of the residential building situated next to our residential building informed us that the representatives of the Municipal Development Fund of Georgia were planning a meeting with them. Although we were not invited to attend the meeting, we went there to meet the representatives of the Municipal Development Fund of Georgia, because we wanted to get the accurate information about the distance between the road under construction and our residential building, and whether the residents of our building were considered to be subject to resettlement. The representatives of the Municipal Development Fund of Georgia told us that resettlement of the residents of our residential building was not under consideration at the given moment and if they found that our residential building was in need of repair they would repair it and we would have no problems associated with our residential building. The same day we were told that our residential building and its residents would face no danger at all.

In May 2015, we took to the street and blocked the Tbilisi Rustavi Highway as an act of protest; our demand was for a meeting with the Mayor of Tbilisi to be organized and to receive strong guarantees that in case of the Project implementation our interests would be protected. Unfortunately, our protest did not make the relevant officials act accordingly: no representative of any institution except for the Head of local municipality and a few journalists showed interest towards our concern. The Head of the local municipality promised that the governor would visit us on June 1st, to study our concerns and problems on site. Despite this promise, the governor did not come to visit us.

On February 24th, 2016, we referred to the Public Administrator's Office in search of assistance. Besides we even sent a written request to the Office. The Public Administrator's Office recommended sending the written request to the Municipal Development Fund of Georgia. At the Office of the Chair of the parliamentary committee on Human Rights we were told that we could file our complaint with the Office only in case of violation of our rights.

In summer of 2016 we met with the representatives of the Municipal Development Fund of Georgia, who recommended filing a complaint with them. We filed the complaint with the Municipal Development Fund of Georgia.

In summer of 2016 we had one more meeting with the representatives of the Municipal Development Fund of Georgia; Juansher Burchuladze – the Executive Director of the Municipal Development Fund of Georgia – attended our meeting and he advised us to explain our situation clearly in writing and file our request with the Municipal Development Fund of Georgia. We followed his advice. Another representative of the Municipal Development Fund of Georgia attending the same meeting – Giga Gvelesiani told us that the project did not directly affect us and no prospective damage had been identified and besides, living in the city –in an urban territory implied that we had to adapt to some changes and the projects like that.

After that meeting we tried to arrange meeting with the representatives of the Municipal Development Fund of Georgia, on our own initiative, several times. Though no meeting with the representatives of the Fund had had any consequences; the

representatives of the Municipal Development Fund of Georgia failed to provide competent and substantiated answer to any of our questions.

On September 19, 2016 we had a meeting with the representatives of the Asian Development Bank. The representatives promised that they would study the condition of all the residential buildings in the territory concerned and will publish the relevant results.

On October 11, 2016, we had a meeting with the foreign representatives of the Asian Development Bank. They took photos of our residential building; and, also, recommended filing a complaint with the Head Office of the Asian Development Bank.

Name of the person who completed this form: Irma Svanidze, “Green Alternative”

“Green alternative provides assistance to the complainants, but the organization does not represent complainants formally. Please, see attached the letter (enclosure 7) of the complainants that authorizes “Green Alternative” to relay information/decisions between the complainants, on the one hand, and the Complaint Receiving Office (CRO) and/or Compliance Review Panel (CRP), on the other hand, regarding this complaint and subsequent correspondence/submissions relative thereto.

Signature: 

Date: 20th October, 2016

To: Ms. Yesim Elhan-Kayalar
The Asian Development Bank (ADB) Country Director for Georgia

CC: Mr. Nurzhan Zhumabaev
Resettlement Expert at the Asian Development Bank (ADB) Country Office in Georgia

August 17, 2016

Complaint

Of the residents of the Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia

Our residential building, which is situated on Rustavi Highway in Tbilisi, was affected by Tbilisi-Rustavi Highway construction project, namely by the Ponichala section (section 2) of the project. The residential building was built in 1968 and the exploitation period (lifespan) of the building has expired (we can provide relevant documents upon your request). The walls and the roof of the residential building are in poor condition, additional constructions attached to the building (construction works launched in 1988) are in a very poor condition as well. Implementation of the Project as designed and planned (according to the information we possess, the distance between the residential building and the road under construction is going to be 12 meters) may end with destructive results for the residential building. In addition, it is worth considering the fact that part of the residents of our building are persons with disabilities; therefore a road constructed just 12 meters away from the building will affect their everyday life (the blind or visually impaired persons will face difficulties while walking outside the building and increased level of noise and vibration will have adverse effects on their lifestyle).

We were first informed about the Project by the representatives of the Municipal Development Fund in summer of 2013. The representatives of the Municipal Development Fund of Georgia visited the building to carry out measurement works; they told us that the Tbilisi Rustavi Highway would run near our residential building. The workers who were hired by the representatives of the Municipal Development Fund of Georgia to carry out the measurements, after finalizing their works told us that the highway constructed near our residential building would make our life in this building unbearable and impossible. Since the works we have never been visited or informed about the developments concerning the Project implementation.

In February 2015, the residents of the residential building situated next to our residential building informed us that the representatives of the Municipal Development Fund of Georgia were planning a meeting with them. Although we were not invited to attend the meeting, we went there to meet the representatives of the Municipal Development Fund of Georgia, because we wanted to get the accurate information about the distance between the road under construction and our residential building, and whether the residents of our building were considered to be subject to resettlement. The representatives of the Municipal Development Fund of Georgia told us that resettlement of the residents of our residential building was not under consideration at the given moment and if they found that our residential building was in need of repair they would repair it and we would have no problems associated with our residential building. The same day we were told that our residential building and its residents would face no danger at all.

In May 2015, we took to the street and blocked the Tbilisi Rustavi Highway as an act of protest; our demand was for a meeting with the Mayor of Tbilisi to be organized and to receive strong guarantees that in case of the Project implementation our interests would be protected. Unfortunately, our protest did not make the relevant officials act accordingly: no representative of any institution except for the Head of local municipality and a few journalists showed interest towards our concern. The Head of the local municipality promised that the governor would visit us on June 1st, to study our concerns and problems on site. Despite this promise, the governor did not come to visit us.

In summer of 2016 we met with the representatives of the Municipal Development Fund of Georgia. At the beginning of the meeting, Mr. Davit Tabatadze – Deputy Executive Director of the Municipal Development Fund of Georgia - expressed his dissatisfaction with the fact that we had sent a letter to the Prime Minister, in which we described our situation and told us that we should not have behaved that way. The meeting was held in the atmosphere of controversy and heated discussions. The answers we received were the same: despite our protests they would not consider a change in the route of the highway under construction and neither would they consider the issue of allocating alternative housing options for the residents of the residential building. At the meeting the representatives of the Municipal Development Fund of Georgia informed us that the issue of resettlement of the residents of the building would be considered only in case the resilience of the building was endangered or the building developed some cracks during the road construction works. In response to our question regarding the responsibilities of the Municipal Development Fund of Georgia for the developments described by them, the Fund representatives explained that the

Municipal Development Fund of Georgia would not be held responsible for any developments with regard to the project. Our next question to the representatives of the fund concerned the plans in case the resilience of the building was endangered after finalization of the road construction works. In response to our question we were told that in that case Tbilisi City Hall would be held responsible for the consequences. At the same meeting Mr. Davit Tabatadze told us that the construction of a several-meter high wall between our residential building and the highway, protecting us from the adverse effect of noise, was being considered.

In summer of 2016 we had one more meeting with the representatives of the Municipal Development Fund of Georgia; Juansher Burchuladze – the Executive Director of the Municipal Development Fund of Georgia – attended our meeting and he advised us to explain our situation clearly in writing and file our request with the Municipal Development Fund of Georgia. We followed his advice. Another representative of the Municipal Development Fund of Georgia attending the same meeting – Giga Gvelesiani told us that the project did not directly affect us and no prospective damage had been identified and besides, living in the city –in an urban territory implied that we had to adapt to some changes and the projects like that.

After that meeting we had not been contacted by anyone, so we tried to arrange meeting with the representatives of the Municipal Development Fund of Georgia, on our own initiative, several times. Though no meeting with the representatives of the Fund had had any consequences; the representatives of the Municipal Development Fund of Georgia failed to provide competent and substantiated answer to any of our questions.

Below we present a chronology of our written communication with different institutions with regard to the subject matter of this complaint and the response we have received and the actions taken by the institutions we have filed our complaint with:

1. On February 24th 2016, we appealed to the Prime minister of Georgia – Mr. Giorgi Kvirikashvili (see enclosure 1). We were asking him to consider our problem and to render us the assistant within his competences. We have yet to receive a reply from him.
2. On February 24th 2016, we appealed to the Chairperson of the Parliamentary Committee for Human Rights – Ms. Eka Beselia (see enclosure 1). We have yet to receive a reply from her.

3. On February 24th 2016, we appealed to the Executive Director of the Municipal Development Fund – Mr. Juansher Burchuladze (see enclosure 1). We have yet to receive a reply from him.
4. On May 17th 2016, we repeatedly appealed to the Executive Director of the Municipal Development Fund – Mr. Juansher Burchuladze (see enclosure 2). In response to our appeal of August 17, 2016, we received a reply from Mr. Davit Tabatadze – Deputy Executive Director of the Municipal Development Fund of Georgia, informing us that our complaint was sent to the grievance redress committee (the letter of May 31st of 2016 – see enclosure 3). Later we received a reply from the same person - Mr. Davit Tabatadze, informing us that the Municipal Development Fund would continue cooperating with us and would do their best to protect the interests of the residents of the residential building concerned (the letter of June 21st of 2016 – see enclosure 4).

We realize the importance of the new Highway and of the Project in general, but herewith we realize and believe that the Project implementation should not result in violation of our rights or transgression of our interests; the Project implementation should not result in violation of our right to live in a safe, secure and healthy environment.

Considering the above mentioned, we would like all aspects of the problem associated with the construction of the Ponichala section of Tbilisi-Rustavi Highway and its influence on our residential building, life, health and security of its residents, as well as on their right to property to be thoroughly studied and considered. Besides, we call for the issue of resettling of the residents to be considered and studied and on the basis of the results to consider the alternatives of project implementation, which will not affect us and the property owned by us.

Yours sincerely,

P.S. please find 21 (twenty one) pages enclosed herewith.

1. **Mr. Luka Melashvili**

Name

signature

Flat No 48, Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 597 58 53 94 (mob.)

Contact details (address, telephone number)

2. **Ms. Nino Vacheishvili**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 36 59 (landline)

Contact details (address, telephone number)

3. **Ms. Naira Tediashvili**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 43 82 (landline)

Contact details (address, telephone number)

4. **Mr. Nikoloz Kochiashvili**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 558 54 29 28 (mob.)

Contact details (address, telephone number)

5. **Mr. Vaja Gabisonia**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 595 17 03 07 (mob.)

Contact details (address, telephone number)

6. **Ms. Nazi Giorgadze**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 577 22 54 00 (mob.)

Contact details (address, telephone number)

7. **Mr. Otar Sukashvili**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 98 16 10 (mob.)

Contact details (address, telephone number)

8. **Mr. Beso Migriauli**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 00 79 19 (mob.)

Contact details (address, telephone number)

9. Ms. Maria Songulashvili

Name	signature
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Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 568 68 81 05 (mob.)

Contact details (address, telephone number)

10. Ms. Sirana Imerlishvili

Name	signature
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Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 592 11 89 31 (mob.)

Contact details (address, telephone number)

11. Ms. Mzia Jumukhadze

Name	signature
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Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 593 17 87 09 (mob.)

Contact details (address, telephone number)

12. Ms. Mzia Gabelaia

Name	signature
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Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 32 86 (landline)

Contact details (address, telephone number)

13. Ms. Dariko Savitskaia

Name	signature
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Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 571 14 81 08 (mob.)

Contact details (address, telephone number)

14. Mr. Shalva Kaplanishvili

Name	signature
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Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 31 21 (landline)

Contact details (address, telephone number)

15. Ms. Irina Nikuradze

Name	signature
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Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 43 74 (landline)

Contact details (address, telephone number)

16. Ms. Irma Natroshvili

Name	signature
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Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 595 75 76 79 (mob.)

Contact details (address, telephone number)

17. **Mr. Tamaz Barateli**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 13 60 98 (mob.)

Contact details (address, telephone number)

18. **Ms. Nino Kochlamazashvili**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 55 44 40 (mob.)

Contact details (address, telephone number)

19. **Ms. Medea Machaidze**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 577 33 66 42 (mob.)

Contact details (address, telephone number)

20. **Mr. Gagik Karageziani**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 595 74 74 88 (mob.)

Contact details (address, telephone number)

21. **Ms. Lia Besataeva**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 577 30 92 21 (mob.)

Contact details (address, telephone number)

22. **Mr. Zviad Khmaladze**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 557 14 15 01 (mob.)

Contact details (address, telephone number)

23. **Mr. Ramaz Rokashvili**

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 597 12 17 31 (mob.)

Contact details (address, telephone number)

24. Ms. Nana Malacidze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 557 93 58 45 (mob.)

Contact details (address, telephone number)

25. Mr. Irodion Sabanidze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 595 59 44 84 (mob.)

Contact details (address, telephone number)

26. Mr. Gaioz Dekanoidze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 570 50 34 59 (mob.)

Contact details (address, telephone number)

27. Mr. Koba Bachashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 597 75 00 21 (mob.)

Contact details (address, telephone number)

28. Mr. Gevork Karikosiani

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; (mob.)

Contact details (address, telephone number)

29. Mr. Givi Gelkhauri

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 555 57 57 77 (mob.)

Contact details (address, telephone number)

30. Ms. Natia Garibashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 597 06 78 78 (mob.)

Contact details (address, telephone number)

31. Ms. Samaia Bairamova

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 593 66 42 55 (mob.)

Contact details (address, telephone number)

32. Mr. Giorgi Malashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 557 93 43 52 (mob.)

Contact details (address, telephone number)

33. Ms. Nazi Makhatadze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 43 12 (landline)

Contact details (address, telephone number)

34. Ms. Mzevinar Janjgava

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 38 96 (landline)

Contact details (address, telephone number)

35. Ms. Irma Todadze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 34 30 (landline)

Contact details (address, telephone number)

36. Ms. Veriko Kopaliani

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 579 64 00 66 (mob.)

Contact details (address, telephone number)

37. Ms. Liana Zviadadze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 28 09 91 (mob.)

Contact details (address, telephone number)

38. Mr. Ramazi Beroshvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 595 13 90 81 (mob.)

Contact details (address, telephone number)

39. Ms. Darejan Lomidze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 14 14 (landline)

Contact details (address, telephone number)

40. Ms. Eteri Jaladze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 595 30 29 64 (mob.)

Contact details (address, telephone number)

41. Ms. Aelita Tarkashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 555 50 28 24 (mob.)

Contact details (address, telephone number)

42. Ms. Nino Chelidze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 598 58 12 40 (mob.)

Contact details (address, telephone number)

43. Mr. Nodar Chokheli

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 33 16 77 (mob.)

Contact details (address, telephone number)

44. Mr. Emaz Isaevi

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 593 51 77 33 (mob.)

Contact details (address, telephone number)

45. Mr. Irakli Samadashvili

Name signature
Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 595 07 76 44 (mob.)

Contact details (address, telephone number)

46. Ms. Irma Osipovi

Name signature
Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 80 79 70 (mob.)

Contact details (address, telephone number)

47. Mr. Pavle Kiriakovi

Name signature
Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia;

Contact details (address, telephone number)

48. Ms. Tamar Odishvili

Name signature
Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 19 09 01 (mob.)

Contact details (address, telephone number)

49. Ms. Lika Babidzashvili

Name signature
Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 551 43 66 99 (mob.)

Contact details (address, telephone number)

50. Ms. Eka Nachkepia

Name signature
Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 43 09 (landline)

Contact details (address, telephone number)

51. Ms. Ofelia Muradovi

Name signature
Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 35 30 (landline)

Contact details (address, telephone number)

52. Mr. Sergo Vartanovi

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 593 16 46 16 (mob.)

Contact details (address, telephone number)

53. Ms. Lali Kobuladze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 37 62 (landline)

Contact details (address, telephone number)

54. Mr. Tariel Jananashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 595 69 36 46 (mob.)

Contact details (address, telephone number)

55. Ms. Lili Kelberashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia;

Contact details (address, telephone number)

56. Mr. Zurab Kelberashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia;

Contact details (address, telephone number)

57. Ms. Nanuli Archvadze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 89 04 84 (mob.)

Contact details (address, telephone number)

58. Ms. Tamar Gigineishvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 89 04 84 (mob.)

Contact details (address, telephone number)

59. Mr. Rafael Davitashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 39 16 82 (mob.)

Contact details (address, telephone number)

60. Ms. Naira Kurashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 595 70 40 71 (mob.)

Contact details (address, telephone number)

61. Mr. Levan Sadiliani

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia;

Contact details (address, telephone number)

62. Mr. Nugzar Tsikaridze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 593 44 68 77 (mob.)

Contact details (address, telephone number)

63. Ms. Natia Lomidze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia;

Contact details (address, telephone number)

64. Mr. Givi Aspanidze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 32 11 (landline)

Contact details (address, telephone number)

65. Mr. Nodar Kapanadze

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 558 07 02 00 (mob.)

Contact details (address, telephone number)

66. Mr. Andranik Ogenesiani

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 593 66 62 38 (mob.)

Contact details (address, telephone number)

67. Mr. Andro Shakhnazanovi

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 558 23 10 43 (mob.)

Contact details (address, telephone number)

68. Ms. Lali Shishmanashvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 571 17 18 15 (mob.)

Contact details (address, telephone number)

69. Mr. Malkhaz Ejibia

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 2 40 53 63 (landline)

Contact details (address, telephone number)

70. Mr. Omar Sultaniani

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 599 99 16 19 (mob.)

Contact details (address, telephone number)

71. Ms. Vera Manishvili

Name

signature

Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia; 598 64 14 54 (mob.)

Contact details (address, telephone number)



14 September 2016

Residents of Apartment Block #16 a/b
Rustavi Highway
Tbilisi, Georgia

Dear Residents:

Thank you for your letter to ADB dated 17 August 2016, related to the Tbilisi-Rustavi Road Project. We acknowledge your concerns regarding potential health, safety, and environmental issues associated with the road project.

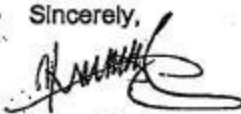
As part of the due diligence conducted prior to the finalization of the road design, an investigation into potential effects of road construction and operation on nearby buildings was commissioned by the Municipal Development Fund of Georgia (MDF). The report submitted by the expert consulting firm drew three important conclusions: (i) vibration produced during construction works will not cause risk of damage of the buildings; (ii) during road operation, there will be no impact on buildings that could result in any damage; and (iii) noise levels can be controlled through the design of appropriate noise barriers. Therefore, the ADB's policy on involuntary resettlement is not triggered in this instance.

Regarding the request to ADB to study alternative options expressed in your letter, we would like to inform you that the current alignment was selected from several alternatives as the solution offering the minimum social impact. However, a detailed review of the project focusing specifically on the Ponichala area is currently in progress, and you will be informed of the outcomes of this review in due course.

In the meantime, we encourage you to continue constructive dialogue with MDF. The grievance redress mechanism established by MDF will remain open to receive complaints throughout the project implementation cycle, and should you or any other community members in the area have any other concerns, at any stage, ADB remains committed to open consultations.

Rest assured that ADB is committed to ensuring that the policy principles for involuntary resettlement and environment as provided in its Safeguard Policy Statement (2009) are fully applied to all projects which it finances.

Sincerely,



Yong Ye
Director
Urban Development and Water Division
Central and West Asia Department



ASIAN DEVELOPMENT BANK
6 ADB Avenue, Mandaluyong City
1550 Metro Manila, Philippines
Tel +63 2 632 4444
Fax +63 2 636 2444
www.adb.org

cc: Executive Director, Municipal Development Fund of Georgia
Country Director, Georgia Resident Mission

Luka Melashvili, Niño Vacheishvili, Naira Tediashvili, Nikoloz Kochiashvili, Vazha Gabisonia, Nazi Giorgadze, Otar Sukashvili, Beso Migriauli, Maria Songulashvili, Sirana Imerishvili, Mzia Jumukhadze, Mzia Gabelala, Dariko Savitskaia, Shalva Kaplanishvili, Irina Nikuradze, Irma Natroshvili, Tamaz Barateli, Nino Kochlamazashvili, Medea Machaidze, Gagik Karagezian, Lia Besataeva, Zviad Khmaladze, Ramaz Rokashvili, Nana Malatsidze, Irodion Sabanidze, Gaioz Dekanoidze, Koba Bachiasvili, Gevork Karikosyan, Givi Gelkhauri, Natia Garibashvili, Samaia Bairamov, Giorgi Malashvili, Nazi Makhatadze, Mzevinar Janjgava, Irma Todadze, Veriko Kopalani, Laina Zviadadze, Ramazi Beroshvili, Darejan Lomidze, Eteri Jeladze, Aelita Tarkashvili, Nino Chelidze, Nodar Chokheli, Imaz Isaev, Irakli Samadashvili, Irma Osipov, Pavle Kiriakov, Tamar Odishvili, Lika Babidzasvili, Eka Nachkepia, Opelia Muradov, Sergo Vartanov, Lali Kobuladze, Tariel Jananashvili, Lali Kelberashvili, Zurab Kelberashvili, Nanuli Archvadze, Tamar Giginelshvili, Rapael Davitashvili, Naira Kurashvili, Levan Sadiliani, Nugzar Tsikaridze, Natia Lomidze, Givi Aspanadze, Nodar Kapanadze, Andranik Oganessian, Andro Shakhnazanov, Lali Shishmanashvili, Malkhaz Ejbida, Omar Sultanyan, Vera Manishvili

To: Mr. Giorgi Kvirikashvili
Prime Minister of Georgia

CC: Ms. Eka Beselia
Chairperson of the Parliamentary Committee for Human Rights

BCC: Juansher Burchuladze
Executive Director of the Municipal Development Fund of Georgia

Joint Letter

Of the residents of the Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia

(Please, send your reply to Otar Sukashvili
Address: Flat No 1, Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia
Telephone number: 599 98 16 10)

This is to inform you that 90 households (374 persons) live in the Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia. The Rustavi-Tbilisi Highway is planned to be constructed approximately 12 meters away from the back side of our residential building. We – as residents of Georgia - highly appreciate the aspiration of our country to development and strongly believe that the Project concerned is of high importance in view of the interests of the state, that we definitely value and respect. Herewith, we have to inform you that the residents of the Building currently face a big problem that may have irreparable consequences. First of all, while implementing the projects like that mentioned above, the state is obliged to consider the interests of the citizens of the country who are simultaneously the residents of the building located on or near the construction site affected by the project; besides, the state and resilience of the building, as well as compensation for the material and moral damages that may entail the construction works should be considered. As we have already mentioned, no one has yet expressed any interest in the concerns and future of the residents of the residential building No 16 a/b. The concerns of the residents of other buildings, situated near the road construction site and affected by the Project, have been more or less addressed through negotiating some conditions with the residents of these buildings, whereas no institution or official has shown any interest in the future and fate of the residents of our building, which is not least surprising, as our residential building is situated very near – approximately 12 meters away from the road construction site. The question is whether it will be possible to live in the building concerned; and the answer is very simple: it will be impossible to live in the Building 16 a/b, due to the following reasons:

- 1) The residential building was built in 1968 and the exploitation period (lifespan) of the building has expired; under the applicable law of Georgia the building is subject to demolition; accordingly, the building, in the state as it is now, presents a threat to its residents, even without it being affected by outer forces.
- 2) The additional constructions attached to the building at the back side are in a very poor condition and, therefore, road construction works carried out near the building, involving traffic of heavy equipment and vehicles, will cause destruction of these structures and, we have to warn you that the consequences might be disastrous and may even involve a number of casualties. We also inform you that the building is in a very poor condition, the exploitation period (lifespan) of the building has expired, there are serious cracks in the walls of the building; as for the additional constructions attached to the building they are in a very poor condition even without them affected by any outer force and in case of the road construction works are carried out near our residential building, involving traffic of heavy equipment and vehicles, these structures will be demolished and the residents will be left without a place to live in.
- 3) Besides the abovementioned, it should be considered that during the construction works and after the highway starts functioning, the dust and the noise will not allow us to open the windows on that side of our flats, and thus we will be deprived of normal living conditions. The residents of the single-room flats will have no opportunity to breathe fresh air, as these flats have windows facing the planned highway. One can only imagine a highway running as near your windows as 12 meters, that means non-stop noise and dust 24 hours a day penetrating your flat and depriving you of all the possibilities of living a normal life. That can be qualified as an inhuman and humiliating treatment towards the residents of the residential building on the part of relevant institutions.
- 4) It should also be considered that 24 households of all the households living in the residential building have a member or more, who are blind or visually impaired persons and are socially vulnerable persons as well. For them the consequences would mean deprivation of their right to life and violation of their rights as of disabled persons.

The concerns mentioned above require to be addressed in a timely manner; the problems need to be studied and relevant decisions need to be taken to eliminate any kind of complications with regard to the residents of the residential building concerned. Thus the violation of imperative norms of the legislation will be prevented and the threat of damage incurred by the residents will be averted. As you must be aware, the right to property is

ensured by the Supreme Law – the Constitution of Georgia, by international norms and European conventions. Construction of the highway as near as 12 meters away from our residential building endangers not only our property but our health and lives as well. The exploitation period (lifespan) of the building we live in has expired and under the conditions which involve traffic of heavy equipment and vehicles, the building will simply no longer exist, it will be destroyed that might have dire consequences; and until that the health of the residents will be affected due to environmental stressors such as dust and noise directly intruding into their flats.

We would like to inform you herein that measurements of all the flats within the Building 16 a/b were carried out in summer 2016, after which we have not been informed about the developments with regard to the project implementation. As for the building situated near our residential building, some terms and conditions were negotiated with them, whereas our residential building is situated nearer the highway under construction and besides, it has additional constructions attached to it at the back side which are in a very poor condition.

We would like to once again formulate our strong position that we appreciate the construction of the important road link connecting two countries, we appreciate the aspiration of our country towards development and ensuring the compliance with European norms and standards, but simultaneously we believe that the state is obliged to consider our interests the interests of its citizens, whose rights to property, health and lives are endangered.

Dear Prime Minister we place high hopes on you, as well as on the Parliamentary Committee for Human Rights and the Directorate of the Municipal Development Fund of Georgia and we believe that you will consider and study the problem, commission relevant institutions to solve the problem in a timely manner and control the measures and actions taken by these institutions. The rights of the citizens of this country, of the electorate who voted for you are being endangered as well as health and lives of their family members, including those of children and the young.

We look forward to your prompt response.

P.S. Enclosed herewith please find the list of the signatories - the residents of 16 a/b, Rustavi Highway, Tbilisi Georgia

	Name	Identity Card No:	Signature
1.	Ms. Magda Mikadze	18001033126	

2.	Mr. Otar Sukashvili	01001030184	
3.	Ms. Mariam Songhulashvili	01016008817	
4.	Mr. Beso Migriauli	01015123870	
5.	Ms. Leila Dekanoidze	38001021835	
6.	Ms. Sirana Imerlishvili	01016021422	
7.	Mr. Irakli Samadashvili	01016002214	
8.	Ms. Nadejda	01016003026	
9.	Mr. Rati	35501138487	
10.	Ms. Raia Seleziova	01016018122	
11.	Ms. Mariam Kapanadze	01017055446	
12.	Ms. Zina Aspinadze	01016005142	
13.	Ms. Irma Todadze	01016007475	
14.	Ms. Natali Chokheli	01019821047	
15.	Ms. Ketino Ejibia	01016004107	
16.	Mr. Emaz Isaevi	01016002546	
17.	Mr. Nodar Chokheli	01001004935	
18.	Mr. Oganessiani	01011758162	
19.	Mr. Dato Botaevi	351346401	
20.	Ms. Lia Besataeva	01016006467	
21.	Ms. Valia Stepanova	01016004755	
22.	Ms. Marina Vepkhvadze	01016007201	
23.	Mr. Zviadi Khmaladze	01016006317	
24.	Ms. Ema Oganessiani	01016000882	
25.	Ms. Valia Valievi	010160008	
26.	Ms. Tamari Odishvili	0101600891	
27.	Ms. Nana Malacidze	01016010377	
28.	Ms. Marine Sabanidze	01013656671	

To: Juansher Burchuladze
Executive Director of the Municipal Development Fund of Georgia

Joint Letter

Of the residents of the Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia

(Please, send your reply to Nino Vacheishvili
Address: Flat No 56, Building No 16 a/b, Rustavi Highway, Tbilisi, Georgia
Telephone number: 579 30 02 20)

The Project aiming at construction of the Tbilisi-Rustavi Highway which is to be an international express highway was prepared and is being implemented by the Asian Development Bank and the Government of Georgia. The Municipal Development Fund of Georgia states that the implementation of the Project will ensure the safest and most comfortable travel and transportation from Tbilisi to Rustavi and back; though nobody mentions how safe and secure the risks created as a result of construction of the highway concerned would be for the residents living in the residential buildings located along the Kura (Mtkvari) River bank. Paradoxically, our fate is being decided without anyone asking our opinion!!! Notwithstanding the fact that “Everyone has the inviolable right to life and this right shall be protected by law”! /Article 15.1 of the Constitution of Georgia/ and “Citizens shall have the right to: live in an environment that is harmless and sound for their health” /Paragraph a), Article 6 of the Law of Georgia on Environmental Protection/

As regards to the above-mentioned, we would like to inform you about the following:

1. Highly adverse environmental impacts of the implementation of the Project are unavoidable - during the construction works performed as well as after the highway starts functioning: spread of inorganic dust, unbearable noise pollution and vibration that we, together with our young children, will have to endure on a daily basis.
2. Local landscapes will be affected - vegetation cover will disappear and the highway will be constructed at expense of vanishing greenery – in twelve meters away from our residential building – we will no longer be able to enjoy the peace and quiet and breathe fresh air from the windows of our flats facing the side where the highway is planned to run.
3. The risks related to the ambient air pollution and safety of the residents:

- a) Transport is considered to be an ambient air pollutant; transport contributes to more than 90% of the pollution in the City of Tbilisi. An engine of a single car consumes 45 times the amount of oxygen consumed by a person.
- b) Exhaust fumes from cars will have highly adverse health effects. It is estimated that combustion products in the form of exhaust fumes from cars are particularly dangerous, toxic and carcinogenic and cause multiple diseases.
- c) During the road construction works and after the highway starts functioning, ambient air will be polluted by solid particles of dust, containing carcinogens. Dust is highly likely to affect the respiratory system, to cause allergic reaction, bronchitis, spasms, can seriously impair immune system and can cause a cancer in the long run!

We realize the importance of and appreciate the development of the state and we believe that this very state should ensure our right to live in an environment that is harmless and sound for our health. They say that “without health all the rest is nothing” and sustaining the health of the environment is critical to our health and life!!!

This is to inform you that 90 households (374 persons) live in the Building No 16 a/b, Rustavi Highway. The residential house was built in 1968, by the Union of the Blind in Georgia, and the exploitation period (lifespan) of the building has expired.

The highway that is planned to run as near as 12 meters away from the residential building is highly dangerous!!! The ceilings and walls in our residential building have cracks, there are some visible gaps and spaces between the walls, the additional constructions attached to the building are in a very poor condition as well and there is a high likelihood of these constructions being destroyed in the process of road construction works which involve traffic of heavy equipment and vehicles, the consequences of which may be casualties and material loss. For example: in October 2010 a two- storeyed residential building located in Rustavi Highway N 22 a) was destroyed as a result of restoration works being carried out there. Some were killed as a result of this accident and those who survived are currently renting flats as they have nowhere to live!

Considering the above mentioned, our fears are not groundless!

The matter is complicated by the fact that exactly 30 households living in our residential building will be deprived the right to breathe fresh air as their only source of fresh air are the windows that overlook the Kura (Mtkvari) River and they have no alternative source of sunlight and oxygen. This will intensify the level of dampness within the building, as

adequate ventilation of the building will no longer be possible; in case the residents open the windows, the space they live in will be filled with exhaust fume, dust and unbearable noise at any time of the day or night, which will make living in these flats impossible and unendurable. The abovementioned conditions will result in the depreciation of our property and as minimum will halve their market price, which means violation of our rite to property.

Besides, it is worth considering that some of the residents of the building are persons with disabilities, whose rights should be protected and deterioration of their living conditions should not be allowed.

We would like to draw your attention to the fact that constructing a highway 12 meters away from a residential house contradicts all the applicable standards and you should be well aware of this!!!

Considering the above mentioned, and considering the fact that our health and lives as well as the health and lives of our children are endangered, we earnestly ask you to study and evaluate the property owned by each household in the residential building and considering the state of their property and the market prices to consider the compensation plan for each household. Besides, considering the number of flats in the residential building, alternative compensation plans can be offered to and accepted by the households. Although, the majority of the households in the residential building will prefer to receive a sum of money in the form of compensation in exchange for the property they own.

We look forward to your prompt response.

P.S. Enclosed herewith please find the list of the signatories - the residents of 16 a/b, Rustavi Highway, Tbilisi Georgia

Date: May 17. 2016

	Name	Identity Card No:	Signature
1.	Ms. Nino Vacheishvili	01016000563	
2.	Ms. Naira Tediashvili	01016008119	
3.	Mr. Nikoloz Kochaishvili	01016010021	
4.	Ms. Eliza Abelashvili	01017323013	
5.	Ms. Nazi Giorgadze	01016008095	
6.	Ms. Magda Mikadze	18001033126	
7.	Mr. Berdia Migrauli	01027027685	

8.	Songhulashvili	01016001858	
9.	Mr. Konstantine Gochelashvili	01016007911	
10.	Kabulia	62006013863	
11.	Ms. Dariko Savitskaia	01016005647	
12.	Ms. Natia Lomidze	01029015078	
13.	Mr. Shalva Kaflanishvili	01016008393	
14.	Ms. Irina Nikuridze	01016000298	
15.	Ms. Irma Natroshvili	01016004231	
16.	Mr. Tamaz Barateli	01016003507	
17.	Ms. Nino Kochlamazashvili	01005010710	
18.	Ms. Medea Machaidze	01015022587	
19.	Mr. Vagik Karakeziani	01016000557	
20.	Mr. Lia Bestaeva	01016006467	
21.	Mr. Zviadi Khmaladze	01016006317	
22.	Mr. Ramaz Rokashvili	01016003854	
23.	Ms. Tina Malatsidze	01016010377	
24.	Mr. Irodion Sabanidze	02001005086	
25.	Mr. Zurab Shubitidze	25001002210	
26.	Mr. Gaioz Dekanoidze	01016010327	
27.	Mr. Koba Bachiashvili	22001003374	
28.	Mr. Gevork Karakosiani	01015022976	
29.	Mr. Givi Gelkhauri	01001006406	
30.	Ms. Natia Garibashvili	01017025228	
31.	Ms. Samaia Bairamovi	01016006867	
32.	Mr. Giorgi Melashvili	01016002023	
33.	Ms. Irma Kutubidze	01016006039	
34.	Ms. Mzevinar Janjghava	01016008241	
35.	Ms. Irma Todadze	01016007475	
36.	Mr. Givi Sabanidze	01016002405	
37.	Ms. Veriko Kopaliani	01017542565	
38.	Ms. Lana Zviadadze	01016010333	
39.	Mr. Ramazi Beroshvili	01016001761	
40.	Ms. Darejan Lomidze	01016009983	
41.	Mr. Luka Melashvili	01016008072	
42.	Ms. Eteri Jeladze	62001013499	
43.	Ms. Avita Tarkashvili	01016004078	
44.	Ms. Nino Chelidze	18001048628	
45.	Mr. Nodar Roseli	01001004935	
46.	Ms. Mzevinar Gogitidze	01016000003	

47.	Mr. Irakli Samadashvili	01817058663	
48.	Mr. Irma Osipova	01016000559	
49.	Mr. Pavle Kiriakovi	01016001880	
50.	Ms. Ineza Khazhomia	36001001954	
51.	Ms. Elene Valishvili	01016607957	
52.	Ms. Lika Gabidzashvili	01016000001	
53.	Ms. Eka Nachkebia	01016009922	
54.	Ms. Opelai Muradovi		
55.	Mr. Sergo Jartanovi	01030006001	
56.	Ms. Lali Kobuladze	01016003804	
57.	Mr. Tariel Jananashvili	01015026005	
58.	Mr. Andranik Oganessiani	01016010353	
59.	Ms. Lili Kelberashvili	22001000727	
60.	Mr. Zurab Kelberashvili	22001604380	
61.	Ms. Nanuli Archvadze	01016006235	
62.	Ms. Tamar Gogineishvili	01016006235	
63.	Mr. Rafael Davitashvili	40001002596	
64.	Ms. Naira Kurashidze	01016009996	
65.	Mr. Levani Sadiliani	49001013276	
66.	Mr. Nugzar Tsikaridze	01016007219	

Decree # 1205

Of the Government of Georgia

Dated June 19, 2012

Tbilisi

On Purchase of Real Estate for the Implementation of the Project for Upgrading Tbilisi-Rustavi Section of “Tbilisi-Red Bridge” (the borderline between Georgia and Azerbaijan) Highway Project of International Significance Implemented by the Municipal Development Fund of Georgia

1. LEPL - the Municipal Development Fund of Georgia under state control implemented by the Ministry of Regional Development and Infrastructure of Georgia shall ensure implementation of the measures envisaged by the plans for the purchase of the *plots* of land and resettlement of residents (LARP-I and LARP-II) in right-of-ways, agreed upon between the Municipal *Development Fund* of Georgia and the Asian Development Fund, until commencement of the construction works under the Project for Upgrading Tbilisi-Rustavi Section (the sections I and III Tbilisi Ponichala and Ponichala Rustavi) of “Tbilisi-Red Bridge” (the borderline between Georgia and Azerbaijan) Highway Project of International Significance, implemented under the Sustainable Urban Transport Investment Program of Georgia, financed by the Asian Development Bank.
2. The Ministry of Finance of Georgia shall allocate Gel 15 500 000 (fifteen million five hundred thousand) to LEPL - the Municipal *Development Fund* of Georgia of the Ministry of Regional Development and Infrastructure of Georgia from the Fund for Regional Project Implementation established under the Law of Georgia “On 2012 State Budget of Georgia” for financing the measures envisaged by the first paragraph of this Decree.

Prime Minister of Georgia

Nika Gilauri

Decree # 42

Of the Government of Georgia

Dated January 15, 2013

Tbilisi

On Amending the Government of Georgia Decree # 1205 Dated June 19, 2012 “On Purchase of Real Estate for the Implementation of the Project for Upgrading Tbilisi-Rustavi Section of “Tbilisi-Red Bridge” (the borderline between Georgia and Azerbaijan) Highway Project of International Significance Implemented by the Municipal Development Fund of Georgia”

Under Article 63 of the General Administrative Code of Georgia, the Government of Georgia Decree # 1205 dated June 19, 2012 “on Purchase of Real Estate for the Implementation of the Project for Upgrading Tbilisi-Rustavi Section of “Tbilisi-Red Bridge” (the borderline between Georgia and Azerbaijan) Highway Project of International Significance Implemented by the Municipal Development Fund of Georgia” shall be amended and supplemented by adding Paragraph 3 as given bellow:

“3. In 2013, LEPL - the Municipal Development Fund of Georgia, if necessary, shall ensure financing of the measures envisaged by the first paragraph of this Decree under the Article “on regional and municipal infrastructure rehabilitation” designed for the LEPL - the Municipal *Development Fund* of Georgia under the Law of Georgia “On 2013 State Budget of Georgia” (program code 25 03), and on the basis of the payment order to be financed through budgetary funds envisaged by the Article on “sustainable urban transport development investment program” (the Asian Development Bank) (program code 25 03 05) approved by the Order # 549 of December 31, 2012, of the Ministry of finance of Georgia “On Approval of the Revenues, quarterly distribution of the decline in the non-financial assets and the decline in financial assets of the 2013 state budget and consolidated budget of Georgia”.

Prime Minister of Georgia

Bidzina Ivanishvili

Decree # 1505

Of the Government of Georgia

Dated September 1, 2014

Tbilisi

On Amending the Government of Georgia Decree # 104 Dated February 18, 2009 “On Measures to be Implemented for Reconstruction and Upgrading (Construction) Works on a Number of Sections of Roads in Georgia”

Under Article 63 of the General Administrative Code of Georgia, the Government of Georgia Decree # 104 Dated February 18, 2009 “On Measures to be Implemented for Reconstruction and Upgrading (Construction) Works on a Number of Sections of Roads in Georgia” shall be amended and the Preamble and Paragraphs 1 and 2 shall be read as follows:

“In view of the fact that *the* reconstruction and upgrading works on the Zahesi-Natakhtari and Chumateleti Nakhshirghele sections of the Tbilisi-Senaki-Leselidze (the borderline between Georgia and the Russian Federation) Highway, the Tbilisi-Sagarejo section of the Tbilisi-Bakurtsikhe-Lagodekhi (the borderline between Georgia and Azerbaijan) Highway, Ponichala-Marneuli section of the Ponichala-Marneuli-Guguti (the borderline between Georgia and Armenian) Highway, Tbilisi-Red Bridge (the borderline between Georgia and Azerbaijani) Highway and Entrance Road to Tbilisi is planned to be commenced, it is considered inexpedient to sell the plots of land and issue permits for the deployment or placement of the *roadside* infrastructure (Roadside Units (RSUs)) within the row 100-metre away from the road length axis, because *purchase of the* plots of land and dismantling of roadside infrastructure units might become necessary during the implementation of the reconstruction and upgrading works, which will be associated with the need to allocate additional funds from the Budget. In view of the above mentioned:

1. The executive bodies of the municipalities of Tbilisi, Kutaisi, Rustavi, Mtskheta, Gori, Marneuli, Gardabani, Sagarejo, Kaspi, Kareli, Khashuri, Kharagauli, Zestafoni, Terjola, Tskaltubo and Samtredia are recommended to suspend selling the plots of land and issuing permits for the deployment or placement of the roadside infrastructure (Roadside Units (RSUs)) within the row 100-metre away from the road length axis, on the sections subject to reconstruction and upgrading on the above mentioned highways, until complete implementation of the works envisaged by the projects.

2. Together with the prospective development of the roads, decisions regarding placement of different kinds of infrastructural units (recreational areas, public catering and shopping facilities, maintenance and petrol stations) in right-of-ways of the highways, as well as the decisions related to the architectural and aesthetic quality of these infrastructural units shall be made in a comprehensive manner on the basis of cooperation and agreement between Government of the State and executive bodies of relevant municipalities.”

Prime Minister of Georgia

Irakli Gharibashvili

Decree # 407

Of the Government of Georgia

Dated June 18, 2014

Tbilisi

On Approval of the List of the Roads of International and National Significance

Article 1

Under Paragraph 6 of Article 3 of the Georgian Law “On Roads” the List of the Roads of International and National Significance attached hereto shall be approved.

Article 2

The decree shall come into force on the day of its publication.

Prime Minister of Georgia

Irakli Gharibashvili

Roads of International Significance				
Index	Name of the Road	The Length of the Road		
		(Kilometers)		
		Total	On the Balance of the Roads Department of Georgia – A State Institutions Subordinated to the Ministry of Regional Development and Infrastructure of Georgia	On the Balance of the Municipality
1	2	3	4	5
ბ-1	Tbilisi-Senaki-Leselidze (the borderline between Georgia and the Russian Federation)	552.0	525.0	Tbilisi-16 Sukhumi-11

ბ-2	Senaki-Poti (Asaktsevi)-Sarpi (the borderline between Georgia and Turkey)	119.0	110.5	Batumi – 8.5
ბ-3	Mtskheta- Stepantsminda- Larsi (the borderline between Georgia and the Russian Federation)	139.0	139.0	
ბ-4	Tbilisi-Red Bridge (the borderline between Georgia and Azerbaijan)	57.0	44.2	Tbilisi – 12.8
ბ-5	Tbilisi- Bakurtsikhe- Lagodekhi (the borderline between Georgia and Azerbaijan)	160.0	140.5	Tbilisi – 19.5
ბ-6	Ponichala- Marneuli-Guguti (the borderline between Georgia and Armenia)	98.0	94.3	Tbilisi – 3.7
ბ-7	Marneuli (starting from Kostava st.)- Sadakhlo (the borderline between Georgia and Armenia)	34.0	34.0	
ბ-8	Khashuri- Akhaltsikhe-Vale (the borderline between Georgia and Turkey)	97.0	97.0	
ბ-9	Tbilisi Entrance Road	49.0	49.0	

ბ-10	Gori (the transport hub)-Tskhinvali-Gupta-Java-Roki (the borderline between Georgia and the Russian Federation)	92.5	89.0	Tskhinvali – 3.5
ბ-11	Akhalsikhe-Ninotsminda (the borderline between Georgia and Armenia)	112.0	112.0	
ბ-12	Samtredia-Lanchkhuti-Grigoleti	57.0	57.0	
ბ-13	Akhalkalaki-Kartsakhi (the borderline between Georgia and Turkey)	36.5	36.5	
	International roads total:	1603.0	1528.0	75

Roads of National Significance				
Index	Name of the Road	The Length of the Road		
		(Kilometers)		
		Total		
On the Balance of the Roads Department of Georgia – A State Institutions Subordinated to the Ministry of Regional Development and Infrastructure of Georgia	On the Balance of the Municipality			
1	2	3	4	5
შ-1	Batumi (Angisa)-Akhaltsikhe	159.0	159.0	
შ-2	Sajavakhi-	73.4	73.4	

	Chokhatauri- Ozurgeti-Kobuleti			
შ-3	Abasha-Gaghma Kodori-Guleiskiri- Japana	33.0	33.0	
შ-4	Abasha-Martvili	34.0	34.0	
შ-5	Senaki-Nokalakevi- Bandza-Khoni	36.9	36.9	
შ-6	Zugdidi- Tsalenjikha- Chkhorotsku- Senaki	86.0	86.0	
შ-7	Zugdidi-Jvari- Mestia-Lasdili	198.0	198.0	
შ-8	Zugdidi-Anaklia	34.0	34.0	
შ-9	Ochamchire- Tkvarcheli	27.2	27.2	
შ-10	Machara-Samkhret Tavshesafari	101.0	101.0	
შ-11	Bzipi-Ritsa Lake- Avadkhara	60.0	60.0	
შ-12	Kutaisi (Moto Factory)- Khoni- Samtredia	40.0	40.0	
შ-13	Baghdati-Vani- Dapnari	47.8	47.8	
შ-14	Kutaisi(Saghoria)- Baghdati- Abastumani- Benara	102.2	102.2	
შ-15	Kutaisi (Tskaltubo Driveway)- Tskaltubo-Tsageri- Lentekhi-Lasdili	157.0	157.0	
შ-16	Kutaisi(Choma)- Alpana-Mamisoni Mountain Pass (the borderline between Georgia and the Russian	161.0	161.0	

	Federation)			
შ-17	Kutaisi (Motsameta)- Tkibuli- Ambrolauri	73.5	73.5	
შ-18	Alpana-Tsageri	22.2	22.2	
შ-19	Cholaburi Bridge- Terjola-Tkibuli	29.0	29.0	
შ-20	Borjomi-Bakuriani- Akhalkalaki	82.0	82.0	
შ-21	Akhalkalaki Entrance Road	2.3	2.3	
შ-22	Gomi-Sachkhere- Chiatura-Zestaponi	106.0	106.0	
შ-23	Agara-Kornisi- Tskhinvali	49.6	49.6	
შ-24	Gori-Variani- Tskhinvali	25.7	25.7	
შ-25	Gufta-Oni	64.2	64.2	
შ-26	Zhinvali- Barisakho-Shatili	106.0	106.0	
შ-27	Tianeti-Zaridzeebi- Zhinvali	21.5	21.5	
შ-28	Tsikhisdziri- Akhalgori-Largvisi	45.0	45.0	
შ-29	Zahesi-Mtskheta- Kavtiskhevi-Gori- Skra-Kareli-Osiauri	109.5	108.0	Gori – 1.5

MUNICIPAL DEVELOPMENT FUND OF GEORGIA

1387-გ-2-201605311618



N 1387-გ

31/05/2016

To: Ms. Nino Vacheishvili

Address: Flat No 56, Building 16 a/b Rustavi Highway, Tbilisi Georgia

Phone number: 579 30 02 20

This is to inform you that your letter has been reviewed and sent to the grievance redress committee at the Municipal Development Fund of Georgia for consideration. You will be informed about the decision made on the subject matter of your letter.

Davit Tabidze

Deputy Executive Director of the Municipal Development Fund of Georgia

No 150, D Aghmashenebeli Ave.

0112, Tbilisi Georgia

Tel: (+99532) 2437001/02/03

Fax: (+99532) 2437077

E-mail: mdf@mdf.org.ge

Web: www.mdf.org.ge

MUNICIPAL DEVELOPMENT FUND OF GEORGIA

1582-გ-2-201606211241



N 1582-გ

21/06/2016

To: Ms. Nino Vacheishvili

A representative of the residents of the Building 16 a/b Rustavi Highway, Tbilisi, Georgia

Address: Flat No 56, Building 16 a/b Rustavi Highway, Tbilisi, Georgia

Phone number: 579 30 02 20, 555 57 57 77

In response to your letter No 2074, dated May 17, 2016, we would like to inform you that the Tbilisi-Rustavi Highway Upgrading Project, which was entered in the list of high priority projects by the Government of Georgia, aims at enlarging the existed 17.1 km long two-lane road and turning it into the first category four-lane highway which will meet international standards. The Tbilisi-Rustavi Highway is a part of the Tbilisi-Red Bridge (the border line with Azerbaijan) Express Highway and is conventionally divided into three sections, from which the section I and the section III are already completed and as for the 6.8 km long section II, construction works of the section is planned to be launched in the second half of 2016.

The section II of the Tbilisi-Rustavi Highway runs through Ponichala, which is a densely populated residential and industrial territory. Accordingly, intense volume (or flow rate) of traffic is associated with certain problems on the section II. Therefore, while drafting the project for this section of the highway, several versions of building highway on this section was considered. Ultimately, after a comprehensive technical-economic analysis and having studied the issue of anticipated resettlement, a technically feasible version, was selected from the three alternatives considered; the selected project envisages the maximum possible distance from the most densely populated part of Ponichala and construction of a new comfortable urban road along the right bank of the Kura (Mtkvari) River.

An Environmental Impact Assessment report was prepared for the project, substantiating the need for and the importance of the implementation of the Project, detailing research methodology and providing the results of studies carried out on the site. The technical factors that may obstruct or hinder implementation of the Project, as well as anticipated positive and negative effects of the planned construction activities on natural and social environment and the measures to mitigate anticipated adverse consequences are discussed in

the report. The report on the Environmental Impact Assessment prepared for the Project is available for any interested parties on the web sites of the LEPL Municipal Development Fund of Georgia and the Ministry of Environment and Natural Resources Protection of Georgia.

Different environmental measures were implemented in the course of technical and economic analysis of the Project. Experts in the relevant fields conducted laboratory and field studies. As the result of the studies of samples of the surface waters, soil and ambient air conducted in 2013 the baseline indicators for dust, CO, NO₂ and SO₂ were identified. The group of specialists working on the Project examined the levels of noise and radiation for the entire site of the Project. The impact and the level of emissions from transport were evaluated within the framework of a licensed program "Ecolog-Magistral". Besides, in 2015, a team of engineers and consultants from the company "Nord Est Progetti S.r.l." carried out modeling of the noise and vibration caused by traffic flow and assessed their impact on the most sensitive sites, i.e. residential territories. The abovementioned studies supplemented the baseline studies conducted by the National Agency for Environment Protection. Consequently, the results of the studies were used as a basis to define measures for mitigating negative impact on natural and social environment caused by the implementation of the Project; the measures will be carried out at any stage of the project implementation; the measures cover waste and dangerous material management, dust and atmospheric emissions control, traffic management, health and safety procedures and other activities associated with road construction, considering the international best practices; therefore, the environment impact management plan, envisaging the above mentioned mitigation measures, will be an integral part of the contracts concluded within the Project; a special article is considered to be dedicated to the inclusion of environmental management in the estimations of project costs.

For the purpose of mitigating atmospheric emissions in the process of construction works as well as after the construction works - in the process of exploiting the road, different mitigating measures are considered to be implemented, for example: exhaust fume from all the machinery used in construction works will not exceed the limit established under the applicable norms of Georgia, stone quarries and concrete producing facilities will be located far from the residential areas, constant monitoring of air quality and emissions from transport will be carried out, exhaust fumes from the machinery will be controlled, engine maintenance schedules and relevant standards will be strictly followed, watering of the construction sites and local roads will be conducted when necessary; transportation of goods

will be carried out using the routes established in advance and in the places assigned, according to the good transportation plans, the speed limit for the vehicles will be established, trees will be planted along the road, mitigating the negative impact of the atmospheric emissions on the local residents living within or near the territory affected by the Project.

As for the anticipated impact on landscape you mentioned in your letter, I would like to inform you that within the area of the Project implementation there is no ecologically sensitive habitat area. The significant part of the construction site represents an urban landscape. The Project does not have any impact on forestry; within the municipal territory of the City of Tbilisi, the process of cutting trees is regulated by the Law of Georgia "On Special Protection of the Green Plants and the State Forest Fund within the City and in the nearby territories", according to which cutting green plants shall be agreed with the municipality of the City of Tbilisi.

As for the impact of vibration and noise during the period of implementation of construction works and in the process of exploitation of the road, according to the findings of the above mentioned studies and modeling, the vibration caused by the ongoing road construction works does not pose any serious risks to the integrity of the building. According to the assessments the impact of the vibration caused by road construction works or road exploitation is below the permissible exposure limit, and the likelihood of the level of vibration affecting the integrity of a building is considerably low or does not exist at all. It should be mentioned herein, that no heavy technique or construction method (such as explosions) except those envisaged by the project will be used and the some precautions and preventive measures are planned to be applied to the additional constructions attached to the building.

A detailed project aiming at retaining the level of noise within the permissible exposure limits while exploiting the road, envisages construction of a wall (barrier) of a particular type and shape, which will help retain the level of noise the permissible exposure limits. Besides, the speed limit on the section of the road will be 80 km/hour and the parameters of the noise barrier will be adapted to this speed. The design of the noise barriers will not prevent pedestrians' access to the zebra crossings which are used to get to the bank of the Kura (Mtkvari) River.

In view of the fact that at one stretch (From 5.2 km to 6.9 km) of the Section II of the Rustavi-Tbilisi Highway construction of a new buffer road is planned, which will run

between the multistoried residential buildings (including the Building # 16 a/b) and the right bank of the Kura (Mtkvari) River, considering safety and social issues, it was decided to conduct static stability analysis of the buildings and to study the impact of noise and vibration on the stability of the buildings, despite the fact that construction of the buffer road does not directly affect the buildings. In order to conduct the abovementioned studies and analysis, the Municipal Development Fund of Georgia announced a tender which was won by an Italian company “Nord Est Progetti S.r.l.”

The company “Nord Est Progetti S.r.l.” implemented field research works and submitted the results detailing the state and condition of 10 residential buildings situated along the road in view of their structural stability and the resilience against impacts caused by noise and vibration.

In addition we would like to inform you that the letter written by the residents of the Building 16 a/b was reviewed and considered by the Grievance Redress Committee of the Municipal Development Fund of Georgia at the session convened on June 3, 2016. The decision made by the Committee was to inform the residents of the building about the measures taken by the Municipality Development Fund of Georgia. As you have already been informed, on June 14 of the current year, on the initiative of the LEPL - Municipality Development Fund of Georgia, a meeting with the representatives of the residents of the Building 16 a/b was organized; at the meeting the representatives received answers to all the questions asked by them and they were provided with additional information about the measures planned to be implemented.

The LEPL - Municipality Development Fund of Georgia is ready to continue communication with the residents of the Building 16 a/b and, on its part the Municipality Development Fund of Georgia will use all the rights granted by the Legislation of Georgia to ensure protection of the interests of the residents and to for their interests to be considered.

Sincerely,

Davit Tabidze

Deputy Executive Director of the Municipal Development Fund of Georgia

Authorization Letter

Date: 20 October, 2016

We, the undersigned complainants, are:

Authorizing Green Alternative to relay information/decisions between the complainants, on one hand, and the Complaint Receiving Officer (CRO) and/or Compliance Review Panel (CRP), on the other hand, regarding the complaint dated 20 October 2016 and subsequent correspondence/submissions relative thereto;

Mr. Luka Melashvili



Mr. Ramaz Rokashvili



Ms. Nino Vacheishvili



უფლებამოსილების მინიჭების შესახებ

თარიღი: 20 ოქტომბერი, 2016

ჩვენ, ქვემოთ ხელმომწერი მომჩივნები:

ვანიჭებთ მწვანე ალტერნატივას უფლებამოსილებას, მოახდინოს 2016 წლის 20 ოქტომბრის საჩივართან დაკავშირებული ინფორმაციის/გადაწყვეტილებების და შემდგომი კორესპონდენციის/შასალების გადაცემა, ერთი მხრივ, მომჩივნებსა და მეორე მხრივ, საჩივრების მიმღებ ოფიცერსა ან/და საჩივრების განმხილველ საბჭოს შორის;

ლუკა მელაშვილი



რამაზ როკაშვილი



ნინო ვაჩეიშვილი

