

**COMPLAINT ON THE CAREC TRANSPORT CORRIDOR I (Zhambyl Oblast Section)
[Western Europe-Western People's Republic of China International Transit Corridor]
INVESTMENT PROGRAM – PROJECT 2
ADB Loan 2562-KAZ (22 October 2008)**

**Consultation Meetings on the Course of Action
Consultation 1
Hotel Ausulu - Merke, Kazakhstan
2 March 2010**

A. Introduction

1. The CAREC Transport Corridor I (Zhambyl Oblast Section) [Western Europe-Western People's Republic of China International Transit Corridor] Investment Program - Project 2 aims to improve road sections in the Kazakhstan portion of the Central Asia Regional Economic Cooperation Transport Corridor and to construct bypasses and new alignments to make the corridor suitable for international traffic. The Asian Development Bank (ADB) approved the first tranche comprising a \$340 million loan on 30 December 2008 to improve 125 kilometers (km), and the second tranche of \$187 million on 7 October 2009 to improve 79 km. The Ministry of Transport and Communications (MOTC) is the executing agency, and the Committee of Roads under MOTC is the implementing agency, with the Zhambyl Oblast Committee of Roads being the implementing unit for the tranche 2 loan. ADB's Central and West Asia Department, Transport and Communications Division is administering the project.

2. On 5 November 2009, the Office of the Special Project Facilitator (OSPF) received a complaint from Janaturmis, a village under the second tranche of the project. A nongovernment organization (NGO), the Taraz Press Club Public Union, facilitated the complaint. OSPF registered the complaint on 10 November 2009 and determined it to be eligible on 3 December 2009. The review and assessment was conducted from 17 to 28 January 2010. The complainants raised concerns about the number of cattle passes and a bridge for their agricultural machinery, which they were not sure would be provided.

3. The formal complainants are two signatories to the initial complaint letter. They represent at least 30 other villagers who signed a request for two cattle passes and a bridge or underpass for agricultural machinery, which they had also requested in earlier consultations. They are concerned about access to grazing pastures; the safe passage of agricultural equipment; adequate means of water flow from the south side to the north side of the road, where the village is located; accessing the highway; and obtaining information about the project.

4. As recommended in the Review and Assessment Report (RAR), invited participants included staff from the ADB's Central and West Asia Department (project officer, environment specialist, Kazakhstan Resident Mission staff), the Committee of Roads, the project management consultant or other engineering expert, *raion* and village *akim*, a selected group of villagers from Janaturmis, and two NGO representatives as observers. The list of participants is in Attachment 1. The objectives of this consultation were to (i) review the existing detailed design, including numbers of cattle passes, crossings for agricultural machinery, and culverts; and access to the road for the villagers of Janaturmis; and reach agreement on any required changes; (ii) clarify the planned start of construction in the Janaturmis area; and (iii) agree on the future flow of communication, sharing of information, and submission of concerns.

B. Issues

5. The main issues from the complaint and the RAR were framed as shared issues for joint problem-solving:

- (i) How do we decide on the number and location of cattle passes near Janaturmis?
- (ii) How can we ensure transportation of agricultural equipment from one side of the new road to the other?
- (iii) How will water flow be managed under the new reconstructed highway?
- (iv) How will Janaturmis residents' vehicles have access to and from the new reconstructed highway?
- (v) How will we engage in and manage project-related communication going forward?

C. Process

6. The process was designed and managed as a multiparty, facilitated, collaborative problem-solving consultation. OSPF opened the consultation meeting by welcoming everyone and reviewing the objectives. After the participants introduced themselves, OSPF explained the various roles of the stakeholder groups and confirmed agreement on ground rules for the meeting, including confidentiality of the process.

7. The facilitator then reviewed the agenda for the day and confirmed the issues to be addressed. He then asked participants to share personal values they thought would be relevant and needed for the meeting to be successful. Next, the Committee of Roads presented the draft road design and answered questions from other participants. This led to a discussion of how the various issues regarding the road could be resolved. After some proposals, much discussion, and clarifications, the group developed a tentative consensus around some options. After lunch a small subgroup, including one of the complainants and the MOTC representative from Astana, drafted the agreement on flip charts. This agreement was then reviewed and finalized by the entire group of participants. OSPF explained that the agreement should be considered confidential and could be made public and posted on the ADB website only with the permission of MOTC and the complainants.

8. Finally, the participants were asked to sign the agreement and complete a written survey on the consultation process, outcome, and facilitation.

D. Agreement

9. The agreement, as signed and translated from Russian, is as follows:

- (i) To agree on the location of the underpass at kilometer 382-280 (as per the design).
- (ii) To agree with the proposal of the complainants on an additional underpass at kilometer 382-977, with a size of 4 x 2.4 meters, in place of the 1.5 meter diameter water pipe. (60-90 days for review and approval and road to be completed by 2012).

- (iii) To agree with the proposal of the complainants on construction of the approach dirt roads south of the new road alignment for agricultural machinery. [Note: This road is not part of the ADB-assisted project.]
- (iv) To agree with the designer on retaining the location of the culverts.
- (v) Providing information on the project:
 - (a) Review of complaints and proposals of the community under the road reconstruction project will be ensured in accordance with Republic of Kazakhstan procedures and laws.
 - (b) MOTC will provide the community with information on the project through
 - the MOTC website,
 - all mass media means in conformity with the approved media plan of MOTC, and
 - announcements made to the community via the village *Akimat* of Janaturmis.
- (vi) OSPF will monitor implementation of the agreements reached.

10. A copy of the original Russian version of the agreement is in Attachment 2. Pictures of the consultation are in Attachment 3.

E. Feedback Summary

11. The surveys completed by the participants reveal that there was overwhelming satisfaction with the consultation.

LIST OF PARTICIPANTS
Merke, Kazakhstan
2 March, 2010

No.	Name	Contact Details
COMPLAINANTS/VILLAGERS		
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3	Umirzak Shyngozhaev	Zhanaturmys village
4	Adembai Shanbaev	Zhanaturmys village
5	Bolat Buribaev	Zhanaturmys village
6	Aben Aldibekov	Zhanaturmys village
7	Samenbai Toktaganov	Zhanaturmys village
8	Kuandyk Sholakov	Zhanaturmys village
9	Amangeldy Moldabekov	Zhanaturmys village
NON-GOVERNMENTAL ORGANIZATIONS		
1	Svetlana Koshelekova	Zhanaturmys village Taraz Press Club Public Union 080000, Jaylau Microdistrict (3), 32 Apt.22, Taraz City, Kazakhstan Tel: 7 (7262) 271-67 Mobile: 8 (701) 758-27-70 Email: svetlanakoshelekova@rambler.ru
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GOVERNMENT		
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4	Bahytzhan Inkarbekov Deputy Raion Akim	Alkimat of Turar Ryskulov Raion Kulan Zhambyl Oblast Republic of Kazakhstan Phone: 8 (72631) 2-23-42 Mobile: +7 (777) 320-29-26 Fax: 8 (72631) 2-26-99 Email: kulan2008@mail.ru
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6	Sovet Amanzhanovich Kalmambetov Director, Road Maintenance Department #35 Of Merkenskii Raion Deputy Member Of Oblast Maslikhat	Tel: 8 (726 32) 2 22 51
ROAD DESIGNERS		
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СПИСОК

участников консультационной встречи 2 января 2010 г. в гостинице «Айсұлун», усадьбе Меркенса

	ФИО	Место работы, должность	Подпись
	Государственные органы		
1.	Абдышев Саткан	г. Астана, МТК, Комитет автомобильных дорог, председатель	
2.	Жунисов Ерлан	г. Тараз, областной департамент КАД МТК РК, директор	
3.	Туганова Айжан	г. Тараз, областной департамент КАД МТК РК, старший специалист	
4.	Нуралiev Абдулы	Аким Т. Рыскулиевского района	
	Азиатский Банк Развития		
5.	Марк Кунцер / Marc Kunzer	АБР - Мангистау	
6.	Асем Чакенова	АБР-Астана	
	Занятые		
7.	Аблирахманов Мурат	житель с. Жанатурмыс	
8.	Сатылганов Ондисек	житель с. Жанатурмыс	
9.	Шынгызов Умиряз	житель с. Жанатурмыс	
10.	Шайбаев Адембай	житель с. Жанатурмыс	
11.	Ермегенди Балтаев - Бурманов Балас	житель с. Жанатурмыс	
12.	Алибеков Абен	житель с. Жанатурмыс	
13.	Абдрахманов Бисенбай - Бисенбаев Аманбай	житель с. Жанатурмыс	
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15.	Светлана Кошелева	Таразский Пресс-клуб	
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	Проектная организация		
17.	Сабар Сергей	КазНИИ ПИДортранс	
18.	Приходкин Алексей	КазНИИ ПИДортранс	
	Офис специального посредника по проектам (ОСПП) АБР		
19.	Карин Освальд / Karin Oswald	АБ Р-Мангистау, ОСПП / ADB - Mangistau	
20.	Скотт Адэмс / Scott T. Adams	АБР - Мангистау, ОСПП / ADB	

21.	Светлана Шакирова	консультант, ОСИП, г. Алматы	
22.	Марьям Кеңірүкова	переводчик, ОСИП, г. Алматы	
23.	Кудайназ Шаманов	мұдирі және қараушысы	
24.	Аманжолға Мақсұтқызы	Тәрбиелік кеңесшісі	
25.	Мәсқұтқызы Аманжолға Аманжолқызы	Заманалық 7. Наурызбаевский р. а.	
26.	Аманжолға Аманжолқызы	Мектептегі ТДЖ - 35 Аманжолға р. а. Тараз БДЖ - 35	
27.	Аманжолға	ММТ "Аманжолға", г. Тараз (Аманжолға)	

Original Version of the Agreement

1) Согласиться с местоположением скотопрогона на км 382⁸⁸⁰ (по проекту).
2) Согласиться с предложением заявителей о дополнительном скотопрогоне на 582-977 размером 4x2,5 км взятых водопропускной трубой $\phi 1,5$ м.

3) Согласиться с предложением заявителей по строительству подземных грунтовых дорог к югу от трассы для с/х техники.
4) Согласиться с проектировщиком о сохранении местоположения водопропускных труб.

5) Информационное обеспечение по проекту.
1. Рассмотрение жалоб и предложений населения по проекту реконструкции автодороги обеспечивается согласно процедуре и законов РК.
2. МТК обеспечивает информирование населения о проекте через:
а) Веб-сайт МТК;
б) все СМИ согласно утвержденного медиа-плана МТК;
в) объявления для населения через акциат сельского округа Манатуринское.

6) Опис специального посредника по проектам (ОСПП) будет осуществлять мониторинг выполнения достигнутых договоренностей.

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А. Б. Р. представленные документы
или заверены нотариально (09.09.2018)
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Александр Каратаев
Ирина Каратаева
Игорь Каратаев
Ирина Каратаева
Игорь Каратаев

Kazakh Version of the Agreement

Қол қойылған және орыс тілінен аударылған келісім:

- (i) Өткізу жолының 382-280 км-дегі орналасқан жерімен келісу (жобаға сәйкес).
- (ii) Арыз берушілердің диаметрі 1,5 метр су өтетін жерде, мөлшері 4 x 2.4 метр болатын 382-977 км-дегі қосымша өткізу жолы туралы ұсынысымен келісу (қарастыру мен бекіту үшін 60-90 күн; және жол 2012 ж. аяқталатын болады).
- (iii) Арыз берушілердің жаңа жол профилінен оңтүстікке қарай ауыл шаруашылық техникасы үшін кіріс грунт жолының құрылысын салу туралы ұсынысымен келісу. [Ескерту: Бұл жол АДБ көмегімен іске асырылатын жобаның бөлігі болып табылмайды.]
- (iv) Жобалаушының су өткізу құбырларының орналасқан жерін қалдыру туралы ұсынысымен келісу.
- (v) Жоба туралы ақпаратты ұсыну:
 - (a) Жолды жаңарту жобасына қатысты қоғамның шағымдары мен ұсыныстары Қазақстан Республикасының рет-жосықтары мен заңдарына сәйкес қарастырылады.
 - (b) ККМ қоғамға жоба туралы ақпаратты төмендегілер арқылы ұсынады:
 - ККМ веб-сайты,
 - ККМ-нің бекітілген медиа-жоспарына сәйкес барлық бұқаралық ақпарат құралдары, және
 - Жаңатұрмыс ауылының *Әкімдігі* арқылы қоғамға хабарламалар беру
- (vi) ЖАДО қол жеткізілген келісімдердің орындалуын қадағалап отырады.

Pictures of the Consultation
Фотографии с места Консультации
Кеңес жүргізудің фотосуреттері



Facilitator opens the consultation in Merke
Фасилитатор открывает консультацию в Мерке
Фасилитатор Меркедегі кеңес жүргізуді ашып жатыр



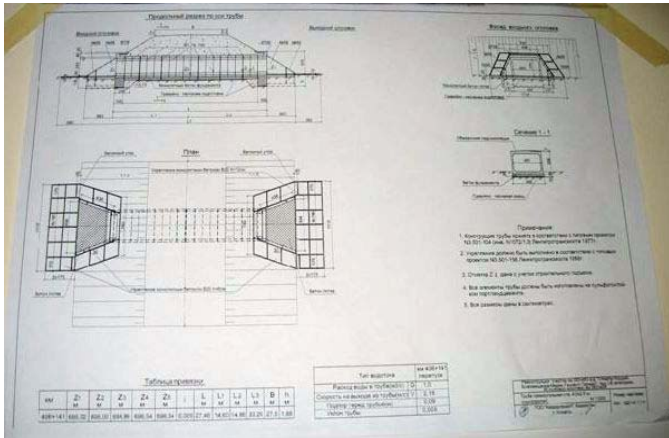
Participants listening to Committee of Road's explanations
Участники слушают разъяснения представителя Комитета автомобильных дорог
Қатысушылар Автомобиль жолдары комитетінің өкілін тыңдап отыр



The villagers' interest in the road design is huge
Жители села с большим интересом знакомятся с проектом дороги
Ауыл тұрғындары зор ықыласпен жолдың жобасымен танысып жатыр



The maps help communicating more clearly
Карта помогает лучше понимать ситуацию
Карта жағдайды жақсырақ түсінуге көмектеседі



This is how the cattle (under-) pass will look like
 Так будет выглядеть скотопроезд
 Мал өткелдері осындай болады



A small group formulates the agreement
 Небольшая группа формулирует соглашение
 Шағын топ келісімді тұжырымдауда



Signing the agreement
 Подписание соглашения
 Келісімге қол қою