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Asian Development Bank

MONITORING REPORT

**Complaint on 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)

March 2011

The original English version of this report was translated by OSPF consultants into Russian. In case of discrepancy, the English version will prevail.

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A. Background

1. 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 CAREC Transport Corridor I (Zhambyl Oblast¹ Section) [Western Europe-Western People's Republic of China International Transit Corridor] Investment Program - Project 2. The project aims to improve road sections in the Kazakhstan portion of the Central Asia Regional Economic Cooperation (CAREC) 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's (CWRD) Transport and Communications Division (CWTC) is administering the project. 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. A nongovernment organization (NGO), the Taraz Press Club Public Union, facilitated the complaint. The complaint letter is on OSPF's website in English, Kazakh, and Russian.²

2. On 3 December 2009, OSPF determined that the complaint met all of the eligibility requirements of the Consultation Phase of the Accountability Mechanism. OSPF conducted a review and assessment from 17 to 28 January 2010 that revealed the following concerns raised by about 30 villagers: (i) the number and location of cattle passes near Janaturmis, which was not clear, since villagers were not familiar with the existing draft road design; (ii) the transport of agricultural equipment from one side of the road to the other, which needed to be explained; (iii) how to maintain adequate water management and flow under the new rehabilitated highway; (iv) Janaturmis vehicle access to and from the new rehabilitated highway in both directions from the village; and (v) highway project-related communication. The review and assessment report is on OSPF's website.³ OSPF facilitated three multiparty, facilitated, collaborative problem-solving consultations from 2 to 4 March 2010. In the consultation on 2 March 2010, the parties agreed to (i) the location of an underpass at kilometer 382-280 as per design, (ii) an additional underpass at kilometer 382-977, (iii) the construction of a dirt approach road for agricultural machinery south of the new road alignment, (iv) retaining the location of the culverts, (v) providing information on the project, and (vi) OSPF monitoring the implementation of the agreement reached. In the consultation on 3 March 2010, CWRD and the NGOs that are monitoring the ADB section of the road discussed project implementation and monitoring systems, clarified CWRD's role in project implementation, explained how CWRD deals with complaints, and agreed on a future flow of communication, sharing of information, and submission of concerns. During this consultation, the issues for the consultation on 3 March with MOTC were clarified. The consultation on 4 March 2011 further refined roles and responsibilities and discussed communication channels. Many participants noted that the meetings helped

¹ An *oblast* is the administrative unit below the national level in Kazakhstan.

² http://www.adb.org/Documents/SPF/KAZ-Complaint-Letter.pdf?bcsi_scan_7823DFCE46415F3E=45Q1SEqz0g9HP9N7DbW63ScAAAAfvT9h&bcsi_scan_filename=KAZ-Complaint-Letter.pdf.

³ <http://www.adb.org/SPF/documents/RAR-KAZ-CAREC-en.pdf>,
<http://www.adb.org/SPF/documents/RAR-KAZ-CAREC-kk.pdf>,
<http://www.adb.org/SPF/documents/RAR-KAZ-CAREC-ru.pdf>.

improve mutual understanding and relationships. The documentation of the three consultations is on OSPF's website in English, Kazakh, and Russian.⁴

3. According to Operations Manual Section L1/OP, the Special Project Facilitator is in charge of monitoring the implementation of the agreement and has to report the status of the implementation to the President annually, with a copy to the Board.⁵

B. Monitoring Activities 2010/2011

4. Monitoring activities in 2010 and 2011 have consisted of (i) two OSPF missions, one in July and one in November 2010; (ii) regular communication with the complainants through the Taraz Press Club; and (iii) CWRD safeguard specialists' communication and visits during regular safeguard missions to the project.

5. The mission in July confirmed OSPF's role in monitoring the implementation of the agreement and found that the complainants were confused about the detailed design of the underpass they had negotiated and were still worried about crossing the new road with wider agricultural machinery. These issues were remedied through a phone conversation with the Oblast Committee of Roads. Information was still an issue, and the Committee of Roads in Astana felt that more efforts could be made to keep the communities informed. The Oblast Committee of Roads reported that the contract for the section where Janaturmis is situated had been signed and estimated that the civil works would start approximately at the end of July/early August. The OSPF mission in November 2010 visited the project site and met with complainants, the Taraz Press Club, and the Oblast Committee of Roads in Taraz. The mission found that clearing and some excavation and leveling had already been undertaken.

6. Latest information from the CWRD safeguard specialists and the complainants through the Taraz Press Club confirmed that one half of the precast components of one of the two underpasses had already been placed under one of the two lanes of the highway. For the second underpass, the excavation has already been done. See attachment for the status of the underpass constructions as provided by Jose T. Nicolas, CWRD social development specialist (safeguards).

C. Current Situation and Next Steps

7. Construction work will resume after the winter break and within the coming weeks. OSPF will continue to seek information on its progress through the Taraz Press Club and the CWRD safeguard specialists.

D. Conclusion

8. Implementation of the agreement went smoothly. Small issues that arose out of insufficient information could be solved quickly through phone calls or talks between the contractor and the complainants. OSPF is optimistic that the agreement will be fully implemented within the next few months, and the complaint can be closed.

⁴ <http://www.adb.org/SPF/documents/agreement-carec-en.pdf>,
<http://www.adb.org/SPF/documents/agreement-carec-kk.pdf>,
<http://www.adb.org/SPF/documents/agreement-carec-ru.pdf>.

⁵ Operations Manual Section L1/OP, ADB Accountability Mechanism, paragraph 32.

**KAZ CAREC Transport Corridor 1: Loan 2562 (Tranche 2):
Animal Crossing at Km 382-977, Janaturmis
(photos of civil works, 3 February 2011)**



Km382+977 (the main additional requested cattle crossing at Janaturmis, under construction, but halted due to winter season – will resume in April 2011)

**Other Animal Crossing Under Construction at Janaturmis
(included in the original scope of work)**



Km 382+280