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THE INSPECTION PANEL

**Request for Inspection**

To: Executive Secretary, Inspection Panel  
World Bank

1. We, Andon Koka, Stefan Koka, Leida Koka, Zaho Andoni, Neco Dhimogjika, Bashkim Andoni, Aleksander Bala, Sanie Halilaj and our families are part of a peaceful community that lives in the area known as Jal, Vuno, Himare in Albania. Attached you will find a list of the names of our families as well as our addresses and signatures.
2. We have suffered greatly as a direct consequence of the World Bank's failures and/or oversights in the Integrated Coastal Zone Management and Clean-Up Project (ICZMCP), specifically, its sub-project the Southern Coastal Development Plan (SCDP) in the village of Jali in Albania. Details of this claim will be described in length in point 4.
3. During the April 17- 21, 2007 period, our permanent, year-around residences were either entirely (in the cases of A. Koka, S.Koka, L.Koka, Z.Andoni, N.Dhimogjika) or partially (in the cases B. Andoni, S. Halilaj, A.Bala) demolished by the Construction Police of the municipality of Vlore under the supervision of the Ministry of Public Works, Transport and Telecommunication (MPWTT) and in line with the Southern Coastal Development Plan of the World Bank. The rationalization suggested for this horrific event was that we did not possess building permits, similar to 50% of construction in Albania built post 1990 (World Bank, 2006<sup>i</sup>) and approximately 100% of construction in Coastal Albania. A government owned summer resort (built in 2006), as well as other houses that did not possess such building permits were left intact.

Jali is a small village on the Ionian Sea coastline, inhabited by 60 people in 10 families. It is part of a larger village, called Vuno, and has been a residential area for centuries. The Koka and Dhimogjika families and their Goreci ancestors, and the Andoni families have lived in Jali for almost 300 years. The Halilaj family came to Jali 42 years ago and the Bala family came from Vuno in 1990.

Up to 1990, we have lived under conditions of extreme poverty in small and over one hundred-years old houses that were inherited from previous generations. As rural communities, we experienced the economic hardship during communism most harshly. Barely capable to fulfill our basic needs for food, we had very few resources left for improving shelter, which remained in severe conditions. Following the fall of communism, all of our families had if not all, a few members of their family immigrating for many years to the neighboring country of Greece. To fulfill their housing needs and that of their children, each of our families<sup>ii</sup> reconstructed the old houses and/or built new ones on our private properties.

We requested building permits from the relevant authorities, who indicated that issuance of permits is not available in regions which lack an urban planning and study. Since Jali is an area within the development of tourism-priority zones, any building permit has to be approved by the Council of Territorial Adjustment of the Republic of Albania (KRRTRSH). The Council of Territorial Adjustment of the Republic of Albania is also responsible for approving the urban plan for these areas (Law Nr.8405 "On Urban Planning", article 70, date 17/09/1998).

The lack of urban planning for an area is not unique to the village of Jali but extends to a large part of Albania. We had lost all hope and confidence that the previous or the current government of Albania would eventually provide and approve an urban

planning of the area, considering that we are a small and isolated community and lack basic needs such as fresh water.

The Government of Albania finally acknowledged its failure to provide building permits in years and that if it were to demolish housing without permits it would have to destroy a large part of the country' capital. Consequently, in 2006 it passed a law "On the legalization, urbanization and integration of buildings without permits" under which all of our families were eligible to apply and did so in compliance with the instructions provided by the appropriate authorities. Our applications were verified and registered by local authorities and a copy of these documents is attached to this letter.

Awaiting the second phase of the legalization process, we received a notice (April 3, 2007) from the Construction Police and MPWTT that a decision had been made for the demolition of our houses. We later learned from the media and onsite managers of the project that the demolition was a result of executing the Southern Coastal Development Plan of the World Bank for the area. Under Albanian Law, we were allowed to file a complaint at the MPWTT regarding this decision and further proceed to the legal system with a lawsuit against the Construction Police. Only a limited time (5 days) was allowed to file a complaint at the MPWTT and only a few families managed to undertake such action. Fewer proceeded with the lawsuit. Some families already had their preliminary hearings; however, all court dates were scheduled for after April 17.

In an **unexplained urgency**<sup>iii</sup> and in conflict with local authorities, which publicly condemned the actions and the project, the Construction Police followed by a large police force (law enforcement police) arrived in Jali on April 17, at 4:00am in the morning and started the demolition of our houses and everything that surrounded them. During the demolition, one resident, Mrs. Klemendina Koka was hit while inside her house in an attempt to take out her cellular phone.

The implementation of this project resulted in the displacement of a small number of families from their permanent year round residences, as well as:

- Human rights violations including the right to a fair trial, the right to shelter as well as violations of pre-existing laws regarding the subject matter.
- Inhumane actions including violence from a large police force.
- A complete lack of information and transparency regarding any projects or further plans for the area.

After the demolition project, World Bank officials visited the site of destruction on at least two occasions. The first time they talked with two families of the community, mainly asking about the size of the damages. We received no other information on the project. The second time, they did not talk to the local community.

4. The Integrated Coastal Zone Management and Clean-Up Project and in particular its sub-project, the Southern Coastal Development Plan, implemented in collaboration with the Government of Albania has violated our rights to shelter and adequate housing and the right to a fair trial. It has brought turmoil in a small and peaceful community and has impoverished us severely. Project managers have acted with a lack of transparency with the local community in presenting any kind of planning or any steps necessary to comply with the plan for the area. The project has failed to take into consideration the local community of Jali and monitor inhumane actions undertaken by one of World Bank's implementing partners, the Construction Police.

The Integrated Coastal Zone Management and Clean-Up Project is a multi-level project with its main objective being to “protect the coastal natural resources and cultural assets, and promote sustainable development and management of the Albanian coast”. A description of this project and objectives for its sub-projects can be found at the World Bank projects website<sup>iv</sup>.

Component A of this project aims at: “Strengthening capacity at the central, regional and local levels to enforce regulatory responsibilities for land use planning and regulations including compliance with construction permits”.

The Integrated Safeguard Datasheet for the Integrated Coastal Zone Management and Clean-Up Project, dated on 04/13/2005 and submitted and signed by Task Team Leader Ms. Rita E. Cestti (04/01/2005 ), Environmental Specialist Mr. Frank Van Woerden (04/01/2005), Social Development Specialist Ms. Radhika Srinivasan (04/06/2005) and approved by Regional Safeguards Coordinator Mr. Ronald N. Hoffer (04/08/2005) indicates that:

**“Since the proposed Southern Coast Development Plan is expected to develop land use zoning requirements, recommendations for demolitions of illegal structures along the coastal line to regulate land use may cause controversy. However, no large-scale relocation of people or communities is envisaged and Albanian laws provide for the possibility of legalization and regularization of property ownership. Further, as reflected in the Development Program Letter and the ESSF, the government is committed to ensuring that the SDCP will have adequate provisions to mitigate impoverishment risks to the poor and vulnerable as a result of these demolitions. The Bank position on involuntary resettlement is that affected people, regardless of their legal rights to reside or conduct economic activities in the project area, (accounted for in a census on or prior to the cut-off date), are eligible for resettlement assistance. If the Policy on Involuntary Resettlement were indeed to be triggered for the SCDP component, exceptions to those deemed eligible for resettlement assistance will be made on the basis of an assessment of their socio-economic profile. This profile will be ascertained during a comprehensive socio-economic survey of people living in and dependent on the affected structures for their livelihoods.”**

A large part of the village of Jali was fully destroyed as a result of failure and/or oversights of the World Bank project managers and government implementing agencies to take into consideration legal rights as well as the well being of our community. The Bank's policy to oversee the project and ensure that the government was committed to allowing adequate provisions to mitigate impoverishment risks to the poor was clearly violated.

The project implementation resulted in non-compliance not only with World Bank operational policies as stated above, but also with the existing Albanian laws. According to the 1998 Urban Planning Law, article 77: "For buildings without permits built from landowners on their property, provided that urban conditions are satisfied, The Council of Territorial Adjustment (KRRT) ought to decide on legalizing the structure; in the process, the owner is obliged to pay in fine 10% of the value of the structure or 4% of the value for residential housing". The article implies that an urban plan is required in order to proceed with the decision on whether to legalize or demolish a certain structure. This violation was brought to our attention from Mr. Spiro Peci, former Minister of Justice and current Member of the Parliament.

We were also notified from the Mayor of Himara, Mr. Vasil Bollano, that the demolition project was entirely illegal and also violated the law 9482 "On legalization, urbanization and integration of buildings without permits" article 2/3 which states: "Regarding construction without permits, built within zones identified as priority areas for the development of tourism, determined as such by law no. 7665, dated 21.1.1993: "For the development of tourism-priority zones", the Council of Ministers ought to classify encompassing areas as either formal residential areas or informal territories within 3 months of the law's passing." At the time when the village of Jali was demolished, no decision had been made on classifying formal residential areas in Coastal Albania.

The Integrated Safeguard Datasheet for the ICZMCP further states:

**“The project will also include institutional strengthening and capacity building of all relevant government institutions, including the Construction Police, and the judiciary to develop criteria and procedures for the classification of illegal buildings and ensure transparency during demolition activities.”**

A detailed description above of the sequence of events indicated that no such provisions took place in the implementation of the project in Jali as envisioned by the initial appraisal of the project managers. The demolition activities were surrounded with repeated lies from government officials both on the site of the demolition activities and at the government level. In a highly obscure process, government representatives would indicate that demolitions were based on the law and were part of a bigger plan drafted by the World Bank for the Coastal Region of Albania. To date, we have received no sound explanation on why our remote village was targeted by this project. The injustice has not gone unnoticed locally. Members of the Parliament, the Mayor of the Municipality of Himara and several political parties heavily criticized these actions and accused the government for having special private interests in the area.

It is our understanding that World Bank projects ought to be monitored and not allow violations of this magnitude from corrupt government officials. We expect the World Bank to take responsibility and recognize that recommendations for the demolition of our village were inconsiderate, extreme, and inhumane. We also feel it is imperative that the World Bank investigate this initiative and the misuse of World Bank and other donor funds (which are being used for the exact opposite of their initial intention) in order to remedy these injustices and stop any future rights violations.

Components of the ICZMCP aim at “increasing access to basic services associated with improvement of the quality of life and attractiveness of the coastal areas; Phase 1 will

contribute in improving environmental conditions, enhancing the quality of life, preserving and improving the cultural and architectural heritage of targeted southern coastal communities”

Attached to this letter you will find a set of pictures from the site of demolition. The Construction Police demolished far more than our houses. It destroyed trees, some of them centuries old. The weight of the bulldozer destroyed one existing swage structure, the already fragile roads and other construction.

Due to year round warm climate and other environmental conditions, Jali is populated by a large number of insects, spiders, scorpions and snakes. The most dangerous of all, scorpions and snakes, reside in cool areas such as beneath rocks and heavy structures. Following the demolition of houses, waste covered for weeks the entire valley of Jali, which became a dangerous ground for young children.

Part of the ICZMCP is to enhance community driven tourism development in Coastal Albania. It aims at “implementing sub-projects aiming at promoting sustainable tourism sector development; and scaling-up community-driven tourism development”.

Jali would have been an ideal community to implement this initiative because the entire village is divided in small parcels of land which have been returned to their rightful owners. However, by overnight destroying all of the community assets, the project provides no insights on how it intends to support community-driven tourism activities, or which channels would the community follow to support itself during the project implementation phase.

The Project Information Document indicates that: “The program will consider preparing a SEA for the Southern Coastal Area both as a planning tool at local level and as a vehicle for community involvement in decision-making process. The discussions of the special



master plans, which will be based on the 1995 CZM Plan, will be used for promoting local awareness in environment, tourism and sustainable development objectives”.

The Integrated Safeguard Datasheet states that one of the key indicators for achievement of project objectives in Phase 1 is that: “Local and stakeholder participation is incorporated into coastal zone management decisions.”

We would like to stress out that our community had no information about works of the specific project. We were never consulted, asked or informed about any of the components of the project. Objections of our local government are another indicator of our broader community fully disagreeing with actions forced upon us from implementing agencies of the Integrated Coastal Zone Management and Clean-Up Project and in particular its sub-project, the Southern Coastal Development Plan.

Finally, one young family<sup>v</sup> of our community has already left to Greece since their house was fully destroyed. Poor economic conditions might also trigger many of us to immigrate again in the near future.

We believe that the following World Bank operational policies have been violated:

OP 1.00 Poverty Reduction: Implementation of the specific component of the Southern Coastal Development Plan in the village of Jali resulted in loss of all our livestock.

OP 13.05 Project Supervision

The Integrated Safeguard Datasheet for the ICZMCP dated on 04/13/2005 also indicates that: “Subprojects that trigger the Bank's safeguard will be cleared by the Bank prior to implementation” and “The implementation unit (PCU, including the Coastal Village Conservation and Development Implementation Team) will monitor project execution of

subprojects to ensure that all requirements and specifications are met and environmental considerations are incorporated according to the EMP”.

As this letter indicated, the project in Jali was not supervised and included actions that the World Bank would be appalled to know of.

OP 13.60 Monitoring and Evaluation. The Bank also failed to monitor and assess the impact of its operational activities.

5. Ms. Katerina Koka, a member of our community, contacted the World Bank country office (via email) in Albania to inquire if they were aware of the mass destructions and the violations of human rights that were taking place in the village of Jali as well as the allegations that these events were associated with one of their projects. At the time, we were unaware that this project was designed by the World Bank. Ms. Koka sent the inquiry several times to Mrs. Ana Gjokutaj (April 23, 2007 and April 24, 2007), the Communication Officer at the office in Tirana. She had indicated in the letter that the same request was faxed to the Department of Institutional Integrity. Mrs. Ana Gjokutaj has never acknowledged or responded to the request. Following this lack of response, Ms. Koka sent the request to several other institutions. The Legal Help Desk and the Department of Institutional Integrity of the World Bank redirected the request to the Inspection Panel. The Feedback Office of the World Bank forwarded the letter to Mrs. Elira Sakiqi (IFC) on April 24, 2007. However the local office regrettably never responded<sup>vi</sup>.

6. We request the Inspection Panel recommend to the World Bank's Executive Directors that an investigation of these matters be carried out.

Should you have any further questions or require any additional documents and information on our part please feel free to contact us anytime.

We greatly appreciate your help and thank you in advance for your time and consideration.

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<sup>i</sup> Status of Land Reform and Real Property Markets in Albania, June 2006.

<sup>ii</sup> With the exception of A.Bala and B.Andony who owned a restaurant and a hotel, respectively.

<sup>iii</sup> The jurisdiction of the Construction Police has been recently transferred to local municipalities. There was a six month transition period that was given to this executive organ to transfer responsibilities to local authorities. The month of April 2007 was part of this transition period, a fact that raised a lot of rage in the local municipality, since there was no reason to act against local residents during the transition period.

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<sup>iv</sup> **The Integrated Coastal Zone Management and Clean-Up Project. Project ID: P086807**

<http://web.worldbank.org/external/projects/main?pagePK=64312881&piPK=64302848&theSitePK=40941&Projectid=P086807>

**Project Information Document (PID), Concept Stage, Report nr. AB698**

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DEX/Project0Inform1ment010Concept0Stage.txt\]\(http://wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2004/04/13/000104615\_20040414093146/Rendered/INDEX/Project0Inform1ment010Concept0Stage.txt\)](http://www-</a></p></div><div data-bbox=)

**Integrated Safeguards Datasheet Appraisal Stage, Report nr. AC1439**

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DEX/Integrated0Saf1et010Appraisal0Stage.txt\]\(http://wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2005/04/13/000104615\_20050413123557/Rendered/INDEX/Integrated0Saf1et010Appraisal0Stage.txt\)](http://www-</a></p></div><div data-bbox=)

<sup>v</sup> Stefan Koka and Maria Neranxi had lived in Jali for 6 years, ever since they got married and returned home from immigration to Greece. Shortly after they had a son. They supported themselves with agriculture business (mainly olives and olive oil production in the winter and grapes/raki production in the summer). Having no house to stay, they were forced to immigrate again to the neighboring country of Greece. Nearly all families (except the Koka family) own animals (sheep, goats). In the summer, a few families have opened small restaurants to be able to accommodate visitors. While this is ONLY a request for the investigation of the demolition of our residential houses, we would like to point out that small businesses of this type in Jali were also destroyed.

<sup>vi</sup> Mrs. Barbara Murek wrote on April 30, 2007: "Thank you for submitting feedback, which has now been copied to the World Bank's contact for Europe and Central Asia. I do regret you have not received a reply for the World Bank's country office in Albania. May I suggest that you may wish to consult the World Bank web site on reporting of corruption and fraud, which may be done by telephone or filling in an on-line form. Kind regards, Barbara Murek