

Astana,  
South Kazakhstan oblast,



## Complaint

In 2010, in accordance with the Law of the Republic of Kazakhstan from July 10, 2009 № 172-IV «On the Ratification of the Loan Agreement (South-West Roads Project: International Transit Corridor" Western Europe – Western China "(CAREC 1b and 6b)) between the Republic of Kazakhstan and the International Bank for Reconstruction and Development», the Ministry of Transport and Communications of the RK launched the implementation of a government program to build an international transport corridor “Western Europe – Western China”, which passes through the territory of South Kazakhstan region. The implementation of this government program on the ground was carried out by regional (oblast) departments of the Roads Committee of the MT&C of the RK.

To this end, they implemented the procedure of expropriation of land for public needs, in accordance with international laws. This included notification of land owners (land users), assessment of the land by an appraisal company licensed for conducting appraisals, and conclusion of agreements on expropriation of land for public use, with compensation to the owners.

The Department completed all the relevant work in autumn 2010, and in December of the same year construction companies began road-building work on the expropriated land, in accordance with the project objectives. Thus, in December 2010 the owners (land users) and the Department almost completely fulfilled their obligations under the contracts – i.e. one party gave their land, and the Department paid for it and took delivery of the land transferring it into state ownership under an acceptance certificate. The appraisal was carried out by appraisal companies hired by the Department, i.e. I had nothing to do with it – I did not hire the appraisal company, I was not familiar with it (the appraisal company), and did not pay for the assessment.

However, in spring 2011, endless checks by law enforcement and tax and other government bodies began. That included endless litigation, institution of criminal proceedings, with the public interest being represented by the prosecutor of the Sairam district of SKR. His claims submitted to court repeatedly were left without consideration, and later re-submitted. The Sairam district court of SKR, based on his statements, /unclear/ made the determination, on the basis of which I was dispossessed of my property, i.e. I cannot work normally even on the land remaining in my property after the expropriation of land took effect, as well as on my other lands

and facilities, because the law enforcement officials sealed them and conducted a property inventory. In the end, pursuant to court order, the provisions of the Agreements concluded by me and the Department concerning compensatory payments to me were declared null and void. As a result, I am returning the compensation amounts to the state, while completely losing my property that was transferred into the possession of the government, because my claim for the return of my land was not satisfied by the court on the basis that an international highway (Western Europe – Western China) built on my land is in current use, and the return of my land is impossible.

Meanwhile, at the moment, 50% of my pension is being withheld based on the court's decision requiring me to repay the amount I received as compensation for the expropriation of my land.

Based on the above, I am asking for your assistance in reversing these illegal actions by the prosecutor's office of the Sairam district, SKR, because I am left with neither money, nor land.

June 23, 2014

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