

To:

Philippe Maystadt
President of the EIB

Hakan Lucius,
Head of Division, Public Information and
Relations with Civil Society
h.lucius@eib.org

European Investment Bank
98-100, boulevard Konrad
Adenauer
L-2950 Luxembourg

Copy:

Hugues Mingarelli
Deputy Director-General
DG RELEX
hugues.mingarelli@ec.europa.eu

Hilde Hardeman
Head of Unit
E1, Russia and Northern Dimension Policy
DG RELEX
Hilde.hardeman@ec.europa.eu

Giorgio Chiarion Casoni
Head of Unit
Liaison with the EIB group and IFIs, new
financial instruments
DG ECFIN
giorgio.chiarion-casoni@ec.europa.eu

Jaime Reynolds
Policy Officer
Enlargement and Neighboring Countries
DG ENVIRONMENT
jaime.reynolds@ec.europa.eu

Petteri Vuorimäki
Desk Officer: Russia
DG RELEX
petteri.vuorimaki@ec.europa.eu

OPEN LETTER

Dear President Maystadt,

Since the European Investment Bank is a potential investor in the Moscow-St.Petersburg Motorway Project, we, the undersigned organizations, appeal to the bank not to approve the project unless the route is changed to avoid the Khimki Forest near Moscow.

The Khimki Forest Park is a protected natural area with very rich wildlife including relic oak groves. It is a natural habitat for elks, boars and other animals and is part of the Protective Forest Park Belt around Moscow. It is the only wildlife area in this polluted and overpopulated region (only 5 km from the city boundary of Moscow), and has great importance for local inhabitants.

According to Russian Federal laws, Forest Parks are not to be used for anything other than recreation. However on 5th November 2009 Prime Minister Mr Vladimir Putin signed Ruling #1642-r converting 145 hectares of Khimki Forest lands from forest land into construction land, in contradiction with Russian legislation.

According to the Federal Law *On transfer of land or plots of land from one category to another*¹ such transfer is permitted only 'if there are no alternatives for possible location of these constructions'. However it is officially recognized that such alternative variants do exist². The routing of the road in the Khimki area is possible just as it is planned within Moscow itself – running parallel with the Oktiabrskaya railway, which would also be the straightest route.

By signing Ruling 1642-r, Mr Putin has ignored the views of more than 15,000 people who have signed a petition for conservation of the Khimki Forest Park. He has also ignored the position of the Moscow Duma (Moscow Assembly), his own Ministry for Natural Resources, the Department of Natural Resources of Moscow, various political parties, NGOs including Greenpeace and WWF, the Congress of Environmental Organizations of Russia, the Worldwide Russian Council, European Green Party, and French Senator and ex-Minister of Ecology Mrs. Dominique Voyeret)³.

We believe that the current variant through the Forest Park - which actually increases its length - was chosen in order to facilitate the commercial development of the Forest Park territory⁴. This view is backed by Ruling № 358/16 of Moscow region Governor Boris Gromov⁵ according to which the territories of the forest will be built on.

By signing the Ruling Mr. Putin is violating and weakening the legislation, while creating an artificial impression of legitimacy for the project. This would also create a precedent: the Central Ring Auto Road (CRAR) project to construct a new motorway around Moscow is already giving a flavour of things to come, as it would require more than 100 square kilometres of woodland to be converted into land for transport infrastructure and commercial development in the Moscow Region.

The decision-making process for the Moscow St. Petersburg motorway has been carried out in a non-transparent way and public resistance has been met with aggression. So-called "Public Hearings" on the project's Environmental Impact Assessment (EIA) were held without any mention of alternative variants, with no discussion of the environmental impact, and without any involvement of independent environmental experts. When local people found out about the plans by accident and began to protest, the authorities responded with arrests and demonstrations and tent camps have been subject to attacks. In November 2008, a local opponent of the proposed routing of the project, journalist Mikhail Beketov, was severely beaten and is permanently disabled.

¹ [#172-FZ, of 21.12.2004, article 11](#)

² [See for example official letter # 01-9/5069 of 27.05.2008 by Vice Minister of Transportation Mr. Belozerov O.V., and the Act of Preliminary Choice of the Motorway Routing confirms this \(see Ruling №367-P - <http://www.ecmo.ru/problems/road/Dokum/>\)](#)

³ http://www.ecmo.ru/problems/road/russia_za_les/

⁴ <http://www.ecmo.ru/news/n-818/>

⁵ <http://www.ecmo.ru/problems/road/Dokum/>, in Russian

The situation around the Khimki Forest Park is part of a wider trend of gradual but steady destruction of the environment protection legislation and intimidation of environmental and civil activists in Russia. The mandatory environmental assessment of projects has been cancelled and the Forest Code and Land Code have been altered so that the change of protected natural areas into construction areas is partially allowed. Citizens are denied not only the right to take part in decision-making processes, but even to access the necessary information, as the Russian government has not signed the Aarhus Convention and is instead concentrating on restricting public access to information, as exemplified by proposals on environmental information made on 18th November 2009 by Ms. Komarova, Head of the Duma's Environment Committee.

The Movement to Defend Khimki Forest has submitted a law suit to the Supreme Court of Russia and Greenpeace Russia has submitted a case to the Prosecutor's General Office requesting cancellation of the Ruling.

In view of the above we kindly ask your bank to suspend any activity linked to the Moscow - St. Petersburg motorway project until Ruling 1642-r is cancelled or suspended.

Even if the Ruling is cancelled we consider the following steps as absolutely necessary:

1. Carrying out of an independent assessment of the project's impact on the environment
2. Carrying out of an independent assessment of alternative variants for the road routing outside the Khimki Forest Park
3. Open public hearings on the project need to be carried out, incorporating the results of the independent assessment, including a comparison of all alternative routes.
4. No further steps on land transfer should be undertaken until steps 1, 2, 3 are properly carried out.

We therefore kindly ask for your assurance that your bank will not take part in financing the project unless Ruling 1642-r is cancelled.

Yours sincerely,

1. Greenpeace, Alexey Yaroshenko, Forest Program Coordinator
2. Alexey Yablokov, Professor
3. For the Civil Rights Committee, Department "Centre", Rekant A.
4. Ecological Civil Society Organizations Union, regional organization, Frolov A.
5. Nature Protection Guard of Moscow State University, Ivanov A.
6. Birds and People, non-commercial partnership for ornithology development, Gorelova Y.
7. Union for Chemical Security, president Fedorov L., Moscow
8. Institute for ecological and legal problems "Ecoyuris", president, Mishchenko V, Moscow
9. For Ecological Security public movement, Dronnik V, Arutyanyan E., Sasovo and Sasovo region, Ryazan obl.
10. All-Russian organization for Nature Protection, head, Vinogradova A., Balakovo, Saratov obl.

11. Ecological Centre "Dront", director, Kayumov A., Nizhniy Novgorod
12. North Caucasus Ecological Watch, coordinator Rudomaha A., Maikop
13. Non-commercial Organizations Alliance "Apostroph", head, Petrov A., Petropavlovsk-Kamchatskiy
14. Inter-regional Coordination Centre "Forgotten Regiment", Udaltsov S.
15. Civil Society ecological club of the Saha Republic, Altuhova Z., Yakutiya
16. Consumer Protection Society, head, Sobolev V., Yakutsk
17. Union for Birds' of Russia Defense, Varlamov A., Saratov
18. Green World, Fufaeva I., Nizhniy Novgorod
19. Baltic Pipeline System monitoring project, Sutyagin A., Saint-Petersbourg
20. Samara Socio-ecological Union, Simak S., Samara
21. Public Ecological Organization SPES, Dzerzhynsk, Nizhegorodskaya obl.
22. Samara Education Development Centre, Labadyantsev S., Samara
23. Nature Lovers Fund, Goncharova N., Tolyatti
24. NGO Kovcheg, Arestov S., Tolyatti
25. DRONT, Kayumov A., Nizhniy Novgorod
26. Zelenaya Dubna, Sumbaev A., Dubna, Moscow region
27. "For the Life" ecological movement, Dobretsova T., Kostroma
28. Green Russia fraction, Russian joint democratic party "Yabloko", Reznikova I., Kostroma
29. Association of Greens in Karelia, Rybakov D., Petrozavodsk, Karelia
30. Pomorsk centre for public policy, Fedorov S., Archangelsk
31. "For Ecologically clean Fergana", president, Domuladganov I., Uzbekistan
32. Green Russia fraction, Russian joint democratic party "Yabloko", Tsepilova O., Moscow
33. Socio-ecological Union in Tatarstan, Muchachev S., Kazan
34. Anti-nuclear society of Tatarstan, Garapov A., Kazan
35. Youth Ecological Movement, Stepanov D., Kazan
36. Public association "Golos", Belgorodskiy O., Kazan
37. Kazan Anarkhists Union, Dubkova E., Kazan
38. Krasnopresnenskiy Regional Fund for Nature Protection and People's Health, Chukova Y.
39. Ecological-educational union "Nakanune", Klado D., Moscow
40. For the Chemical Security, regional department, Desyatov V., Komsomolsk-na-Amure
41. Ecological Renaissance Fund, president Menshikov V.