

Mr. Jumber Zakroshvili,
Residing at [REDACTED] Vale, Akhaltsikhe Region, Georgia
Mr. Anzor Zakroshvili

May 30, 2011

We hereby greet you and tell you about our problems with BTC Company.

We inform you that we own a piece of land of 0.10 hectare in Georgia, Akhaltsikhe Region, village of Vale, on the territory called "Potskhovi", located in the corridor of BTC pipeline.

The above-mentioned piece of land was given to us by BTC Group with the right to use it according to their own responsibility. We have been using this land until the fall of 2009.

In fall of 2009, on the mentioned territory, an access road was constructed by "Arali" LLC, contracted by BTC. Static materials were removed from the bank of river, brought to the access way of the territory and smoothed around.

There is a road from the river to the above-mentioned territory, which runs parallel to our piece of land for 30 meters.

Instead of using that road, "Arali" Company's heavy machinery and other vehicles moved across cultivated land in our and our neighbors' property. That resulted in creating trenches 40-50 cm deep on the whole territory of our land. (As Director of Company "Arali" indicated in his letter, they worked in rain – that fact demonstrates that qualifications of the Company were not serious. Please see Annex 1).

In spring of 2010, when lands are being actively being prepared for agricultural use, we were unable to cultivate our land because soil had to be brought to fill up the trenches. Filling up those trenches required serious expenses; besides, we have a contract with BTC, according to which we were prohibited from using heavy machinery on the land and carrying out works deeper than 30 cm.

We met BTC Group representative [REDACTED] (also present was [REDACTED] resident of Vale) in the field and shared our problems.

[The BTC Group representative] [REDACTED] explained to us that we had to address "Arali" leaders, because they carried out the activities that caused the damage.

In a few days we had a phone conversation with "Arali" Director [REDACTED], but he cynically replied that we should not have disturbed him because of a couple of bags of corn. (In his understanding, we would harvest only a couple of bags of corn on our 0.10 hectare land!!! And, why exactly corn, we don't understand.)

We were confused, as both of the above-mentioned companies refused to solve our problem. (We were unable to cultivate the land and harvest any product.)

In fall of 2010, on advice of several compassionate individuals, we wrote a letter to BTC Group leadership and the “Arali” Director.

We still have not received any reply from the “Arali” Director.

In their response letter (please see Annex), BTC repeated that they were not responsible (for damages) because the work was done by “Arali”.

In the next letter, we reminded the BTC Group land issues manager, [REDACTED] that while carrying out the project, BTC assumed liability for the actions of a contracted construction company (please see “Action Plan for Re-population”, pages 6-26, 6-27, published in December 2002 by BTC Group).

In his response letter, [the BTC Group land issues manager] [REDACTED] promised that he would get in touch with “Arali” Company and resolve our problem.

We waited for any action on their part, but in vain.

That was why we addressed [the BTC Group land issues manager] [REDACTED] again to resolve our problem in a timely manner, so we would not miss the 2011 agricultural season.

In May 2011, we received a response letter, in which BTC again refused to solve our issue and placed all liability on “Arali”. They attached the letter from the “Arali” Director to BTC Group to their letter.

That letter from “Arali” Company represented a clear picture of cynicism, a complete lack of consciousness, and ignorance.

With your permission, we would like to comment on several points discussed in the letter.

- a) The Director of “Arali” stated that they worked in rainy conditions and could not use the road. – Believe us, there was no difference between using the road and our land; on the contrary, our land was cultivated and it was much more difficult to use it as a road for heavy machinery. Also, the very fact that “Arali” worked in the conditions of heavy rain indicated their lack of expertise, and we were surprised why BTC Group had contacted a company which did not have any name and/or qualifications?
- b) The Director of “Arali” stated that they notified other landowners that they would restore their lands; instead, the landowners requested diesel fuel. He also stated that we did not contact him. – If he notified other landowners, why didn't he notify us? We talked to the owners of the above-mentioned lands [REDACTED] and they wrote a letter in response of the letter in question (please see Annex 2); after reading it, you will see that Director of “Arali” is lying.

- c) The Director of “Arali” stated that we procrastinated the process of restoration of our land on purpose. – We notified BTC representative [REDACTED] as soon as we discovered the damage [REDACTED] and then we had a telephone conversation with “Arali” Director [REDACTED] (which, if possible, could be proved by getting the record of that phone call from communications archives). We also begged [the Chairman of the Land Issues Group] [REDACTED] to resolve the problem in timely manner, because we would suffer damages through 2011 agricultural season. However, no one listened to our concerns, and today our land is in the same condition as it was when “Arali” finished its work.
- d) The Director of “Arali” further stated that they met me, Jumber Zakroshvili, and asked me to show them my damaged land. – Excuse me, but I can’t understand why would anybody need to be shown the damaged land when they damaged it themselves – which he admitted?

P.S.: We are also interested, why were limitations on land usage imposed on us, if they would breach existing safety standards at their will. (We mean the prohibition against cultivate the land deeper that 30 cm, and using heavy machinery on BTC pipeline territory!) Considering everything mentioned above, we are asking you to help us to restore fairness, specifically:

1. We request from BTC Group to fill up the trenches on our land, bring in fertile soil and even it out so that we are able to use our land at least for 2012 agricultural season.
2. We request from BTC Group that our material damage be compensated – the damage that was caused by inability to cultivate our land during 2010 and 2011 agricultural seasons.

Respectfully yours,

Jumber Zakroshvili [Signed]
Anzor Zakroshvili [Signed]

Annexes and pictures are attached to this letter.