

From: **Information deleted upon complainant's request**
To: "amcro" <amcro@adb.org>,
Date: 27/10/2016 11:43 AM
Subject: Guangxi Fangchenggang ADB project about the existence of complaints

Guangxi Fangchenggang ADB all projects from 2011 started to now, due to land acquisition and demolition of a problem is not solved, during the application period to ADB has been postponed several times, but the extension after the government and the owners did not take improper units to accelerate the progress of the project measures, but the duration is delayed, land acquisition problems has not yet, the government and the owners at the end of 2016 there are plans to apply for an extension, but the project needs to be extended long, and so on will become unfinished project, please ADB mechanism can give attention, according to the current construction of the main body

Asian Development Bank (ADB) Accountability Mechanism Complaint Form

The ADB Accountability Mechanism aims to provide an independent and effective forum for people adversely affected by ADB-assisted projects to voice their concerns and seek solutions to their problems, and to request compliance review of alleged noncompliance by ADB with its operational policies and procedures that may have caused, or is likely to cause, them direct and material harm.

The Accountability Mechanism is a “**LAST RESORT**” Mechanism and covers only ADB-assisted projects. As such, project-affected people are encouraged to first address the issue with available grievance mechanisms at the project level. Project-affected people are required to make good faith efforts to address the issue with the relevant ADB operations department.

A. Complainants’ Choice and Contact Information

1. Complainants’ Choice

a. Please forward complaint to: *(Please choose only one and DO NOT leave this BLANK)*

- Special Project Facilitator** *(Assists people who are directly and materially harmed by specific problems caused, or is likely to be caused, by ADB-assisted projects through informal, flexible, and consensus-based methods with the consent and participation of all parties concerned)*
- Compliance Review Panel** *(Investigates alleged noncompliance by ADB with its operational policies and procedures in any ADB-assisted project in the course of the formulation, processing, or implementation of the project that directly, materially, and adversely affects, or is likely to affect, local people)*

b. Do you want your identities to be kept confidential?

Yes

No

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2. Information on the Complainants *(The identities of complainants will be kept confidential unless the complainants agree to disclose their identities, but anonymous complaints will not be accepted.)*

Name and designation (Mr., Ms., Mrs.)	Signature	Position/Organization (If any)	Mailing Address	Telephone numbers (land-line/mobile)	E-mail addresses
1)	Information deleted upon the request of the complainant				
2)					

3. Information on Authorized Representative (If any). *(The identities of representatives who are not at the same time complainants will be disclosed to ensure transparency.)*

None

Name of Authorized Representative, designation, mailing address, telephone numbers, and E-mail addresses.

(Please ask the representative to sign on top of his/her name.)

None

Please attach evidence of authority to represent the complainants, which will include the full name and signature of the complainants, and their mailing address, telephone numbers, and E-mail address, as applicable.

None

B. Project Information

Project name	Guangxi Southwestern Cities Development Project, Fangchenggang ADB project
Project location	Fangchenggang, Guangxi
Brief description of the project	Fangchenggang ADB Project includes seven projects and total investment is ¥470 million Yuan. To date, ¥219.27 million of the total investment has been completed. It was mostly utilized to develop urban infrastructure such as municipal roads, seawalls and street lights.

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C. The Complaint

1. What direct and material harm has the ADB-assisted project caused to, or will likely cause to, the complainants?

1. The contractor had to bear huge financial loss due to the delay of the construction of the project.
2. Land acquisition and demolition were not completed by the project owner before it started, which caused dramatic increase amount of work toward the end of the project and an increase in cost of the investment.
3. There are so many hidden dangers among the project quality. The project owner is merely focused on investing rather than paying serious attention to the project's quality and progress.
4. Pollution is very severe around construction site, where construction waste is piled up. Smelly water is discharged to the sea.
5. There is no defined disposal soil field and borrow soil field established by the project owner so that the situation of randomly digging and dumping is very serious.
6. The engineers are irresponsible and lack of rigorous work ethic. Additionally they don't have any engineering qualifications and proper certificates to conduct the practice.
7. Government and the investor are irresponsible, and they are neglecting the project, causing serious imbalance between the progress/quality and investment of the project.

2. Have the complainants made prior good faith efforts to solve the problem(s) and issue(s) with the ADB operations department concerned?

Yes If YES, please provide the following: when, how, by whom, and with whom the good faith efforts were made.

Please describe any response the complainants may have received from or any actions taken by ADB

1. I request ADB exert pressure on the project owner to complete the project and finish quality control process as soon as possible. Or, if necessary, ADB should close down this project.
2. I request ADB provide compensation for the delay of the project caused by non-contractor, and cover extra expenses and loss because of the extension of the project.
3. I ask ADB to pay close attention to the issues related to the project's quality and progress. I suggest ADB set up quality responsibility policy, quality control system (such as random inspection, unannounced visit) as well as tip-off reward system.
4. I request ADB investigate issues of project owner's neglect of work and releasing instructions without compliance which causes increase in the cost of the project.
5. I request ADB provide supervision and guidelines for environmental protection.
6. I request ADB assess qualification of the project owner's employees.
7. The project owner appointed by government is irresponsible and lacking work ethic. It has caused a serious imbalance between the progress/quality and investment of the project. I suggest the person in charge for the project owner be replaced.

No

3. Have the complainants contacted the Office of the Special Project Facilitator or the Compliance Review Panel about their concerns?

Yes, Office of the Special Project Facilitator

Yes, Compliance Review Panel

No

If YES, please provide information on when the contact was made, how, by whom and with whom.

Please describe any response the complainants may have received or actions taken by the Office of the Special Project Facilitator or the Compliance Review Panel.

I ask ADB to pay close attention to Fangchenggang project. If the project keeps delaying, it might become a incomplete project. All seven ADB projects are delayed due to neglect by the project owner appointed by government. Land acquisition and demolition are still not solved so that it caused huge economic loss. I ask ADB to provide supervision to the project, or close it down if necessary.

4. Please include any other information that you consider relevant.

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D. Optional Information *(The following information is not mandatory, but would be helpful in processing your complaint.)*

1. Have the complainants sent their complaint to the grievance redress mechanism of the project concerned?

Yes If YES, please provide the following: when, how, and with whom the contact was made.

No

Please describe any response the complainants may have received or any actions taken.

no

No If NO, why not?

2. What is the desired outcome or remedy that complainants believe ADB should provide through the ADB's Accountability Mechanism?

1. I request ADB exert pressure on the project owner to complete the project and finish quality control process as soon as possible. Or, if necessary, ADB should close down this project.
2. I request ADB provide compensation for the delay of the project caused by non-contractor, and cover extra expenses and loss because of the extension of the project.
3. I ask ADB to pay close attention to the issues related to the project's quality and progress. I suggest ADB set up quality responsibility policy, quality control system (such as random inspection, unannounced visit) as well as tip-off reward system.
4. I request ADB investigate issues of project owner's neglect of work and releasing instructions without compliance which causes increase in the cost of the project.
5. I request ADB provide supervision and guidelines for environmental protection.
6. I request ADB assess qualification of the project owner's employees.
7. The project owner appointed by government is irresponsible and lacking work ethic. It has caused a serious imbalance between the progress/quality and investment of the project. I suggest the person in charge for the project owner be replaced.

3. Why do complainants believe that the alleged direct and material harm is the result of ADB's failure to follow its operational policies and procedures? *(This applies if the complainants choose the compliance review function.)*

None

4. Please describe the operational policies and procedures that have not been complied with by ADB in the course of formulating, processing, or implementing the ADB-assisted project. *(This applies if the complainants choose the compliance review function.)*

None

5. Do the complainants have any other relevant matters or facts (with supporting documents) that the complainants would like to share with the Accountability Mechanism?

None

Name of the person who completed this form: **Information deleted upon the request of the complainant**

Signature: **Information deleted upon the request of the complainant**

Date: **Nov 15, 2016**

Please send the complaint to:

Complaint Receiving Officer (CRO)

Accountability Mechanism

ADB Headquarters

6 ADB Avenue

Mandaluyong City 1550

Philippines

Telephone number: +63-2-6324444 local 70309

Fax: +63-2-6362086
E-mail: amcro@adb.org

Complaints may be submitted by mail, facsimile, E-mail, or hand delivery to any resident mission of ADB or to the CRO at ADB headquarters.