

From: PCM - Project Complaint Mechanism
Sent: 12 June 2017 11:39
To: PCM - Project Complaint Mechanism
Subject: New Project Complaint

Project Complaint to PCM

Date/Time

12/06/2017 10:38

Name/Organisation

Centre for ecology and sustainable development CEKOR

Address

[REDACTED]

Country

SERBIA

Phone number

[REDACTED]

Email

[REDACTED]

Is there a representative making this Complaint on behalf of the Complainant?

Yes

If yes, please provide the Name and Contact information of the Representative

CEKOR is representing the following Complainants:

[REDACTED]

Are you requesting that this Complaint be kept confidential?

No

If yes, please explain why you are requesting confidentiality

n/a

Please provide the name or a description of the EBRD Project at issue.

47318 EPS Restructuring, 41923 EPS Kolubara Environmental Improvement, 27005 EPS Power II, 17829 EPS: EMERGENCY POWER SECTOR RECONSTRUCTION LOAN

Please describe the harm that has been caused or might be caused by the Project.

Complainants [REDACTED] have a problem with expropriation with Public enterprise Electric Power Industry of Serbia, financed by EBRD for many years.

Most urgent in this moment is that [REDACTED] are asked to leave their homes in order coal mine could progress, while they were not given temporary shelter, not funds to purchase new homes. In next days they could end up on street if nobody helps.

The four of them are asked to sign a document tomorrow (June 13th) and leave their homes so EPS coal pit could progress their coal pit. In spite of months of communication with EBRD CSO and EPS they still didn't get a temporary shelter, nor a document proving plans to give them some temporary solution, and they did not receive money for their homes, so they are not in position to buy new homes.

Those people could be put on street in short notice if no one takes this case seriously.

Potential down-payment is also possible, once when authorities decide to finally pay for the houses of five.

Have you contacted the EBRD to try to resolve the harm caused or expected to be caused by the Project?

Yes

If yes, please list when the contact was made, how and with whom

We had a constant communication with [REDACTED] and country director [REDACTED] [REDACTED] were also copied). CEKOR was represented by [REDACTED]

Please also describe any response you may have received

We have received a letter from [REDACTED] on May 22 stating: "EPS have offered apartments to both households in the city of Lazarevac, which will be paid for by EPS until the court processes have been completed and compensation paid. " However, this did not happen, this promise was not fulfilled, EBRD and EPS failed to show document they ever offered apartments, in spite of specifically asking this [REDACTED] May 25th and Jun 1st.

Have you contacted the Project Sponsor to try to resolve the harm caused or expected to be caused by the Project?

Yes

If yes, please list when the contact was made, how and with whom

Project sponsor representative [REDACTED] was copied to the communication with EBRD. Afterwards, letters were exchanged with EPS complaint mechanism, with dozen of senior EPS decision-makers copied.

Please also describe any response you may have received.

Answer from EPS was anonymous (without name) letter from EPS complaint mechanism which failed to address the hearth of the problem.

If you have not contacted the EBRD and/or Project Sponsor to try to resolve the harm or expected harm, please explain why.

n/a

If you believe the EBRD may have failed to comply with its own policies, please describe which EBRD policies.

I believe EBRD Performance Requirement 5 on Land Acquisition, Involuntary Resettlement and Economic Displacement in point 30. states: "New resettlement sites built for displaced persons will offer, at a minimum, pre-displacement living conditions and where achievable, sustainable and cost-effective opportunities to improve the standard of living." We feel this policy is in jeopardy.

Please describe any other complaints you may have made to try to address the issue(s) at question (for example, court cases or complaints to other bodies).

Some of those people are at court in order to prove the value of their possessions, and [REDACTED] launched a case for discrimination.

Are you seeking a Compliance Review where the PCM would determine whether the EBRD has failed to comply with its Relevant Policies?

No

Are you seeking a Problem-solving Initiative where the PCM would help you to resolve a dispute or problem with the Project?

Yes

What results do you hope to achieve by submitting this Complaint to the PCM?

We want those families to resettle as soon as possible from 50 meters from open pit to secure location, to have provided quality temporary shelter and to receive fair price for they homes, so they could find a place for their permanent relocation.