

and the present one is currently challenged in court, the main concern being if the guidelines of the Court were respected.

In a study elaborated by the Bulgarian Academy of Sciences on the evaluated site, Radiana does not appear amongst the most favourite. Scientific studies claim that given the sandy and loamy ground out there and the quite high slope, a risk of landslides is present.

An analysis of [REDACTED], professor and engineer specialised in materials resistance from the University of Craiova, questions the geography of the place in relationship with building such a waste repository – an alluvian terrain, close to the Danube.

Step 2: Problem-solving Initiative

7. If you are requesting the PCM's help through a **Problem-solving Initiative**, you must have made a genuine effort to contact the EBRD or Project Sponsor (Client) regarding the issues in this complaint.

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

Yes (please go to question 8)

Please provide a record of this contact with the EBRD, as instructed at the end of this form.

b. Have you **contacted the Project Sponsor** (Client) to try to resolve the harm caused or expected to be caused by the Project?

No (please go to question 8)

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

Step 3: Additional information

Although not required, it would be helpful to the PCM if you could also include the following information:

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

Excerpts from the Environmental and Social Policy of EBRD that show a lack of the client to comply with EBRD policies:

„The client will review the measures regularly, and engage the affected communities and agencies on an ongoing basis, informing them on the status of implementation of plans and commitments, results, and discussing with them any material changes needed to the plans, in advance of changes.”

- SERAW and Bulgarian officials have not been transparent with the Romanian communities in transfrontier context (ESPOO and Aarhus Conventions).

„As part of the client's assessment of public health, safety and security risks and potential impacts from project-related activities (see paragraph 7 on page 30), the client will identify major-accident hazards, and will take all measures necessary to prevent major accidents and to limit their consequences for humans and the environment, with a view to ensuring high levels of protection to humans and the environment in a consistent and effective manner. Such measures will be identified in a major-accident prevention/emergency preparedness policy and an appropriate management system including organisational structures, responsibilities, procedures, communication, training, resources and other aspects required to implement such policy and to respond effectively to emergencies associated with project hazards. The management system will include an internal and an external emergency plan.”

Please write on a separate sheet wherever needed.

- We would like EBRD to inform us if the client has provided you with such a plan.

10. 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).

Together with other NGOs in Craiova, I have founded a civic platform anti-Kozlodui projects. Representatives of our platform have sent letters and complaints to officials in Romania and have maintained a dialogue with opponents in Bulgaria, including ██████████, Deputy Chairman of the National Movement Ecoglasnost, who is currently challenging in court the lawfulness of the Environmental Assessment of the proposed Nuclear Waste Facility in Bulgaria, case no. 1343/17 of the Supreme Administrative Court, after a similar Environmental Assessment was declared illegal by the court back in 2013. The main concern is whether the guidelines given by the Supreme Administrative Court at that time were actually respected.

11. Are you seeking a Compliance Review where the PCM would determine whether the EBRD has failed to comply with a Relevant EBRD Policy in respect of an approved Project? **Yes**

12. Are you seeking a Problem-solving Initiative which has the objective of restoring a dialogue between you and the Project Sponsor (Client) to resolve the issue(s) underlying your Complaint without attributing blame or fault? **Yes**

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

Stopping the funding of the nuclear waste repository at least until the client of your KIDSF complies with international conventions, until the population is authentically consulted or at least until the present court trial reaches an end.

Date: March 7, 2018

Supporting documents

If possible, please provide the following supporting documents by email to pcm@ebrd.com:

- Proof that the Representative has been authorised by the Complainant to file the Complaint. For example, this can be in the form of a letter signed by the Complainant giving permission to the Representative to make the Complaint on his behalf.
- A written record of your correspondence with the EBRD in regards to this problem (these may be letters, emails or other form of correspondence and communication).
- A written record of your correspondence with the Project Sponsor (Client) in regards to this problem (these may be letters, emails or other form of correspondence and communication).

Please send your Complaint by fax, post, or email to:

Project Complaint Mechanism
Attn: PCM Officer
European Bank for Reconstruction and Development
One Exchange Square
London EC2A 2JN
Fax: +44 20 7338 7633
E-mail: pcm@ebrd.com

Alternatively, a Complaint may be delivered by post or hand, at any one of the [EBRD Resident Offices](#) in the countries of operations. Please mark these "For the attention of the Project Complaint Mechanism Officer"., indicating that it is for transmission to the PCM. Complaints may be sent using the Complaint [online form](#), available at: http://www.ebrd.com/eform/pcm/complaint_form

Please write on a separate sheet wherever needed.