EBRD Independent Project Accountability Mechanism Complaint Template

This template has been created by Accountability Counsel to make it easier for communities or individuals harmed by a European Bank for Reconstruction and Development (EBRD) project to file a complaint with its Independent Project Accountability Mechanism (IPAM). Accountability Counsel is not affiliated with IPAM. This template does not constitute legal advice, and may require modification to meet the specific needs of your community. If you need help, please reach out to an advisor or organization you trust, or to Accountability Counsel at [accountabilitycounsel.org/advice](http://accountabilitycounsel.org/advice).

[date]

Independent Project Accountability Mechanism,

European Bank for Reconstruction and Development

Five Bank Street, London, E14 4BG, UK

Email: ipam@ebrd.com

## **Complaint Against European Bank for Reconstruction and Development Project**

We write to you to submit a formal complaint against a European Bank for Reconstruction and Development (EBRD) project that is causing or threatening environmental and social harm to communities or other impacted groups.

### **The Complainants & the Impacted Group/Communities**

We are: *[check the box that applies]*

* Members of a group/community who are, or who might be, harmed by an EBRD project
* Advisors and/or representatives of an impacted group/community. We have included evidence of our authority to file this complaint on behalf of the impacted group/community at the end of this complaint *[Complete Annex 1 & Section 2 below]*
* Other organization(s) concerned about an EBRD project.

**List of complainant(s):** *(only one is required, although a complaint may be considered more compelling if it comes from a group of affected people. If there are more complainants, add additional rows or annex your own list. There is an opportunity to request confidentiality later in this document)*

| **Name** | **Email** | **Phone** | **Address** |
| --- | --- | --- | --- |
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|  |  |  |  |

**Why we are filing this complaint:**

| *Explain here, in summary, why you are filing this complaint (more details can be provided in the sections that follow):* |
| --- |

**Who is represented by this complaint:**

| *[Optional] If this complaint is being filed on behalf of a broader community, village, or other group of impacted people, please provide information about this broader group. Where are they located? How do they identify themselves (i.e. as Indigenous, tribe name, Afro-descendent, caste, fisherfolk, rural, urban, youth, etc.)? Include any other information that seems relevant for you. If possible, please identify or estimate the number of people that are represented by/included within this complaint.* |
| --- |

**If the complaint is being filed by a civil society organization that is not directly or personally affected, and that does not have a formal representation relationship with a directly and personally affected community or group, please provide additional information:**

| *Please explain:** *Efforts you have made to engage with the project-affected people on the issues of concern, and any feedback they have provided;*
* *Why those project-affected people are not able to submit the complaint themselves.*
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| --- |

### **Advisors & Representatives**

We are filing this complaint with support from advisors and/or representatives, such as a non-governmental organization, community group, or another person who is not themselves directly impacted by the EBRD project: (select one)

* Yes, we are filing this complaint with support from advisors and/or representatives
* No, we do not have advisors and/or representatives

If yes, please: (i) provide the information below, and (ii) complete Annex 1 to confirm that you have authorized your representative to engage with the EBRD AM.

List of advisors/representatives:

| **Name** | **Email** | **Phone** | **Country of Residence** |
| --- | --- | --- | --- |
|  |  |  |  |
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| *[Optional] If you wish, please share more information about any advisors/representatives or other organizations involved in preparing this complaint, including their connection (if any) to a group or community impacted by the EBRD project:* |
| --- |

### **The Project**

The EBRD project that we are concerned about is:

| *Describe the EBRD project, location, and why you believe EBRD is involved. If unsure, say so and describe why you suspect EBRD involvement. You can also mention if the EBRD project is linked to other projects in the area that are causing harm, whether or not those other projects are financed by the EBRD.**You can find information about projects on the EBRD’s website (*[*https://www.ebrd.com/home/what-we-do/projects.html*](https://www.ebrd.com/home/what-we-do/projects.html)*), or through the DeBIT tool (*[*https://debit.datascience.uchicago.edu/database*](https://debit.datascience.uchicago.edu/database)*) or the Early Warning System (*[*https://ews.rightsindevelopment.org/*](https://ews.rightsindevelopment.org/)*) (databases you can search). You can also submit an Access to Information request for information about the project at* [*https://www.ebrd.com/home/forms/information-request.html*](https://www.ebrd.com/home/forms/information-request.html)*.*  |
| --- |

### **The Harm**

We are concerned that the EBRDproject has caused or will cause substantial environmental and social harm to the impacted group/community/communities. We are specifically worried about: *[check any/all that apply]*

* A lack of meaningful and inclusive consultation
* People being forced to leave their homes, shelter, or land (including problems with compensation)
* People losing their jobs or their livelihoods (economic displacement)
* Pollution (air, soil, or water)
* Reduced access to, or availability of, water
* Harm to forests, plants, or animals
* Climate change impacts
* Other harm to the environment
* Impacts on peoples’ health and safety, or movement
* Reduced access to education
* Harm to Indigenous peoples
* Damage to cultural heritage
* Labor violations, including problematic workplace conditions, workplace injuries or deaths, exploitative or unsafe child labor, or forced labor
* Private property damage
* Public property damage
* Violence against the community (actual or feared), by security forces or others acting in the interests of the project
* Retaliation for raising concerns about this project (actual or feared)
* Gender-based or sexual violence, exclusion, or discrimination

*Note: The boxes below provide an opportunity to provide additional details about any of the harm identified above. This is also a good opportunity to identify any relevant documents that support your concerns, or to incorporate direct testimony (retelling of events witnessed) from impacted community members, workers, or other witnesses.*

| ***If relevant:*** *please add more details of any failure to meaningfully consult communities on the project here, including any failure to disclose project information in a format or language that is accessible to communities:* |
| --- |

| ***If relevant:*** *please add more details of any loss of shelter, homes, or land, compensation concerns, or other impacts on livelihoods* ***and how the project caused this****:*  |
| --- |

| ***If relevant:*** *please add more details of any environmental concerns here (such as air, soil, or water pollution, harm to forests, plants, or animals, climate change impacts, or other harm to the natural environment)* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any impacts on community health and safety, access to education or healthcare, or movement of people* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any private or public property damage* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any impacts on Indigenous peoples or cultural heritage* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any impacts on specific impacts on women, girls, and sexual and gender minorities* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any impacts on specific impacts on project workers:* |
| --- |

| ***If relevant:*** *please add more details of any violence, intimidation, or retaliation towards impacted groups/communities* ***and how the project caused this****:* |
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| *Please add anything else you’d like IPAM to know about the harm that impacted groups/communities are experiencing and/or fear and how the project caused this:* |
| --- |

**Prioritization of issues *[optional]***

Of the impacts/types of harm we have described above, the following are our **highest priorities** for resolution: *[we recommend that you list up to three, but you can add more if they are highly important to you and the communities or groups you represent]*

| 1.
2.
 |
| --- |

### **The EBRD’s Contribution to the Harm**

We believe that the EBRD has contributed to this harm by not following its environmental and social safeguards. The following is a non-exclusive list of our concerns about the project.

| *Explain, as best you can, what you think went wrong with this project. What did the EBRD do wrong, or fail to do?* |
| --- |

***[The rest of section 5 is optional. You may delete it and continue with section 6. Or, if you need help using it, reach out to an advisor or organization you trust, or to Accountability Counsel at*** [***accountabilitycounsel.org/advice***](http://accountabilitycounsel.org/advice)***]***

Although it is not required by the EBRD’s Project Accountability Policy, below we have identified some of the ways in which the EBRD has violated its environmental and social safeguards. During the transition period between safeguard policies, we have included references to both the Environmental and Social Policy 2024 (ESP 2024) and the Environmental and Social Policy 2019 (ESP 2019), as well as their respective Environmental and Society Requirements 2024 (ESR) and Performance Requirements 2019 (PR), knowing that IPAM will identify and confirm the applicable standards.[[1]](#footnote-0) *[check all that apply]*

**Due diligence**

* The project should never have been approved because it involves activities that the EBRD has said it wouldn’t fund (EBRD Environmental and Social Exclusion List 2024 and 2019), because it is inconsistent with EBRD’s commitments to tackle climate change and promote sustainability, and/or because it was unclear, at the time of project approval, that the project could comply with EBRD’s policies (ESP 2024 paras. 1.2 and 2.2; ESP 2019, paras. 1.2 and 2.1)
* The project’s environmental and social assessments were incorrect or incomplete (ESR/PR 1)
* The project does not comply with national, European, and/or international law (ESP 2024, paras. 2.3-2.5; ESP 2019, paras. 2.2-2.4)

**Consultation & information disclosure**

* Project information was not disclosed in timely way, and in a manner (format, language, location) that is culturally appropriate, understandable, and readily accessible to impacted group/community/communities (ESP 2024, para 2.8; ESP 2019, para 2.9; ESR/PR 10)
* Impacted groups/communities were not inclusively and meaningfully consulted before or during the project (ESR/PR 1 and 10, and others as relevant)
* The EBRD unjustifiably refused to disclose information to me/us

**Labor**

* The project fails to respect and protect workers’ rights and otherwise provide safe, fair, healthy, and non-discriminatory work conditions (ESP 2024, para 2.10; ESR/PR 2 and 4)
* The project (and/or its supply chain) is employing exploitative or unsafe child labor (EBRD Environmental and Social Exclusion List 2024; ESR/PR 2)
* The project (and/or its supply chain) is employing forced labor (EBRD Environmental and Social Exclusion List 2024; ESR/PR 2)

**Environment**

* The project is causing environmental pollution and waste (ESR/PR 1, 3, and 6)
* The project unsustainably consumes energy, water, as well as other resources (such as soil, forests, pasture, and fisheries) (ESR/PR 1, 3, and 6)
* The project is contributing, and/or increasing our vulnerability, to climate change (ESP 2024, para 2.9; ESP 2019, para 2.7; ESR/PR 1, 3, and 6)
* The project fails to safeguard natural habitats, ecosystems, and biodiversity (ESP 2024, para 2.11-2.12; ESP 2019, para 2.8; ESR/PR 1, 3, and 6)
* The project fails to manage risks of, and/or increases vulnerability to, natural hazards or disasters (ESR/PR 1 and 4)

**Displacement**

* Displacement has not been avoided or minimized, and is being carried out in a way that it is unfair, unsafe, and reducing community members’ standard of living (EBRD Environmental and Social Exclusion List 2024 and 2019; ESR/PR 1 and 5, and 7 if relevant)

**Community health & safety & other social impacts**

* The project is causing social impacts (including impacts on peoples’ movement, health, safety, and access to healthcare and education) (ESR/PR 1, 4, and 5)
* The project is causing damage to private or public property (ESR/PR 1, 4, and 5)
* The project fails to protect and respect cultural heritage (ESR/PR 1, 7, and 8)

**Impacts on Indigenous Peoples, women, & other vulnerable or marginalized groups**

* The project is violating the specific rights and interests of Indigenous Peoples (ESR/PR 1, 7, and 8), including the right of Indigenous Peoples to give or withhold Free, Prior, and Informed Consent (ESR/PR 7 and 8)
* The project is causing gender-related risks and impacts, and reinforcing or exacerbating existing gender inequalities (ESP 2024, para 2.6; ESP 2019, para 2.5; ESR/PR 1, 4, and 5 if relevant)
* The project is contributing to the exclusion of, discrimination against, or disproportionate impacts on vulnerable groups (ESP 2024, para 2.7; ESP 2019, para 2.6; ESR/PR 1, 4, and 5 and 7 if relevant).

**Violence & retaliation**

* The project failed to protect workers and/or communities from violence, retaliation, intimidation and/or coercion perpetrated by security forces or other entities or individuals acting in the interests of the project (ESR/PR 1 and 4)

**Benefit-sharing**

* The project failed to provide opportunities for the impacted community to equitably share in the benefits of the project (ESP 2024, para 7.16; ESP 2019, para 4.8; ESR/PR 1, 5, and 6, 7, and 8 if relevant)

**Supervision & monitoring**

* The project does not have a functioning, safe, accessible, and effective project-level grievance mechanism and/or grievances raised are not responded to or managed appropriately (ESR/PR 5 and 10, and 2 and 7 if relevant)
* The EBRD failed to properly monitor the project and supervise its client, including by responding appropriately to any issues or concerns that are raised about the environmental and social impacts of the project, and remedying any harm caused (ESP 2024, para 7.23; ESP 2019, para. 4.18; ESR/PR 1 and 10, and others as relevant).

### **Previous Attempts to Resolve These Concerns**

We understand that the Project Accountability Policy requires complainants to first engage with EBRD Management and/or its client, unless it would be futile or harmful to do so. In our case: *[check the box that applies]*

* We have previously contacted the EBRD and/or its client and they did not respond.
* We have previously contacted the EBRD and/or its client and we are dissatisfied with their response.
* We have not reached out to the EBRD and/or its client because we fear retaliation/being harmed or threatened.
* We have not reached out to the EBRD and/or its client because it would be futile (explained below).

*Note: if you need help to identify email addresses for EBRD staff, please see here:* [*https://www.ebrd.com/home/contacts/ebrd-contacts-list.html*](https://www.ebrd.com/home/contacts/ebrd-contacts-list.html)*. At a minimum, we recommend emailing your concerns to:*

* *Environmental & Sustainability Department* *environmentandsocial@ebrd.com*
* *Civil Society team* *CSO@ebrd.com**.*

**Evidence of prior efforts:**

| *If you have previously contacted the EBRD and/or its client, please describe who you contacted, when, and the response. You can attach copies of that communication to the complaint, if you wish. Note that even a single email or phone call is relevant, even if they did not respond.* |
| --- |

| ***Optional -*** *If you have previously contacted the government or other authorities about the project**(rather than the EBRD), please add details here. Who did you contact, when, and how did they respond? Note that even a single email or phone call is relevant, even if they did not respond.* |
| --- |

**Barriers to communication:**

| *If you have not contacted the EBRD and/or its client, please explain why. Include any information about fears of retaliation or safety risks, any barriers to communicating with the EBRD (such as distance from their offices, lack of access to phones or the internet, or language barriers), any urgency around the complaint filing, and/or any bad experiences engaging with project stakeholders in the past.* |
| --- |

**Previous complaints about the same project (if known):**

| *If you are aware of a previous complaint to IPAM, or other authorities or tribunals, about the same project, please explain why this further complaint process is needed:* |
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### **Security Concerns & Confidentiality**

We: *[check the box that applies]*

* **REQUIRE** that our identities or other details contained in the complaint are kept confidential during this process. If you check this box, IPAM will not share your identity (or any other details that you identify as confidential) with anyone else outside IPAM (such as with bank management, the government, or the project company), unless you want them to.
* **DO NOT REQUIRE** that our identities or other details contained in the complaint are kept confidential during this process.

| *If you require confidentiality, please explain what information should be kept confidential:* |
| --- |

| *Please share any security concerns or fears of retaliation that you want to share with IPAM:* |
| --- |

### **What We Want to Achieve**

We are bringing this complaint because we want: *[check all that apply]*

* Disclosure of project information
* Meaningful and inclusive consultation
* A Free, Prior, and Informed Consent process for Indigenous communities
* Independent studies to confirm the harm (or not)
* Investigation into whether the bank’s policies were met (or not)
* Changes to the project to avoid future harm
* Pausing or stopping the project
* Fair, safe, and dignified resettlement
* Fair compensation for land, assets, or resources lost
* Support to improve livelihoods
* Other forms of social support (such as support for health, education, infrastructure, sanitation, safety, etc)
* Remedying environmental harm (such as addressing water or soil pollution)
* Better monitoring of project impacts
* Establishment of, or improvements to, a project-level grievance mechanism
* Changes to employment conditions
* Compensation for workplace injuries
* An opportunity to equitably share in the benefits of this project (such as access to water, power, or revenue from the project)
* Measures to restore or protect cultural heritage
* Recognition of our individual or community rights (such as recognition of our land rights)
* An apology
* Changes to bank practices to avoid similar harm in the future
* Other: explain

*Note: this is a tentative list intended to provide you with an indication of our goals. It may change as the complaint process progresses, if our circumstances change, or if we obtain additional information or advice. We understand that outcomes differ case-to-case and depend on a range of factors.*

### **Temporary Project Suspension**

We understand that IPAM has the power to make an interim recommendation that remedial actions, including a suspension of the project, take place while the IPAM process is underway if serious, irreparable harm would result from the project’s continued implementation. We understand that this recommendation is discretionary, and the final decision will be made by the Board.

We: *[optional]*

* Request that IPAM considers making an interim recommendation for remedial actions, including to temporarily suspend the project, under paragraph 3.1(j) of the Project Accountability Policy.
* Do not have an opinion, or do not request such a recommendation at this time.

| *If you are requesting interim remedial actions, including temporary project suspension, please explain what “serious, irreparable harm” will occur if the project continues during the IPAM process:* |
| --- |

### **Complaint Pathway**

We are: *[check all that apply]*

* Interested in a mediation or dispute resolution process facilitated by IPAM, that brings the community, the company or government implementing the project, and/or the bank together in a facilitated discussion, to find solutions that everyone can agree on (known as problem solving)
* Interested in an investigation into whether the EBRD has complied with its environmental and social rules (known as compliance review)
* Interested in both problem solving and compliance review
* Unsure what is the best complaint pathway for us and would like further advice before deciding.

| *Please share any other information you wish to share about your preferences for how this complaint is handled, including any urgency.* |
| --- |

We look forward to your prompt registration of this complaint, and to receiving more information about the eligibility process.

Sincerely

| *Insert names and signatures of the complainants:* |
| --- |

**Annex 1: Representation Authority**

*Only fill out if you are filing or supporting this complaint as representatives of an impacted group/community/communities, rather than as directly impacted people.*

We are directly impacted by [insert name of the project causing harm].

We hereby authorize [names of representatives] to act as our advisors and/or representatives in this complaint to IPAM about that project. We grant permission to IPAM to communicate with us through our advisers/representatives.

This representation agreement shall continue until the complaint to IPAM has been resolved, or at any time that either party terminates the representation in writing.

**Signed by the directly impacted group/community/communities:**

| Name:Date:  |
| --- |
| Name:Date:  |

**Additional names can be added below, if desired:**

1. The list describes “the project’s” failures in accordance with the logic that observed non-compliance at the project level is indicative of EBRD breaches of its due diligence and supervision obligations under its Environmental and Social Policy 2019 and 2024, and their respective Requirements. It also refers to the EBRD’s overarching commitment that projects will be designed to meet the ESRs from the outset and, if they fail to do so, to achieve compliance in a timely way (ESP 2024, para 6.4; ESP 2019, para 3.3; ESR/PR 1), to monitor and evaluate projects for as long as the bank has a financial interest in the project, and to exercise contractual rights and/or remedies to ensure compliance (ESP 2024, para 7.23; ESP 2019, para 4.18). [↑](#footnote-ref-0)