



Independent  
Project  
Accountability  
Mechanism

# **MAP Monitoring Report III**

**Monitoring Period: August 2021 – January 2022**

**Nenskra Hydro Power Project**  
**EBRD Project Number 46778**  
**Case 2018/08**


**May 2022**

**Note:** This case was received under the Project Complaint Mechanism (PCM) - the former accountability mechanism of the EBRD - in accordance with the [2014 PCM Rules of Procedure](#) and the Monitoring stage was initially conducted under PCM Rules and Procedures.

Effective 1 July 2020, the Project Complaint Mechanism was replaced with the [Independent Project Accountability Mechanism](#) (IPAM), brought into effect through the [2019 Project Accountability Policy](#). Under the Policy's provisions for case transition, monitoring of the Nenskra Hydro Power Project Management Action Plan from the date above is undertaken in alignment with the requirements of the [2019 Project Accountability Policy](#) and in accordance with the adopted [MAP Monitoring Plan](#).

IPAM is the Independent accountability mechanism of the EBRD. It reviews environmental, social, and Project disclosure-related concerns raised by Project-affected people and civil society organisations. IPAM can address concerns through two avenues: i) Problem-solving, which supports dialogue between Complainants and Clients to resolve environmental, social and public disclosure concerns without attributing blame or fault; or ii) Compliance Reviews, which determine whether the EBRD has complied with its Environmental and Social Policy and Access to Information Policy in relation to the Project.

For more information about IPAM, please contact us at [ipam@ebrd.com](mailto:ipam@ebrd.com) or visit the [IPAM webpage](#).

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*Unless otherwise indicated capitalised terms used in this report are those as set forth in the 2019 Project Accountability Policy.*

## List of Abbreviations

Abbreviation	Long Form
EBRD	European Bank for Reconstruction and Development
ESIA	Environmental and social impact assessment
ESAP	Environmental and social action plan
ESD	EBRD Environmental and social department
ESP	EBRD Environmental and Social Policy
IPAM	Independent Project Accountability Mechanism
IP	Indigenous Peoples
Lenders / Sponsors	Means the financiers of the Project, which include the European Bank for Reconstruction and Development (EBRD), European Investment Bank (EIB), the Asian Development Bank (ADB), the Asian Infrastructure Investment Bank (AIIB), the Korean Development Bank (KDB) and the Korea Trade Insurance Corporation (K-SURE)
MAP	Management Action Plan
MDB	Multilateral development bank
OGC	Office of the General Counsel
PAP or Policy	IPAM Project Accountability Policy
PCM	Project Complaint Mechanism
Project	Nenskra Hydro Power Project (46778) in Georgia

## Executive Summary

On 31 May 2018, the Project Complaint Mechanism (PCM) received a Complaint from community members of Chuberi, Georgia, co-submitted with CEE Bankwatch Network and Green Alternative (the Complainants), related to the [Nenskra HPP \(46778\)](#) in Georgia.

The PCM Expert responsible for the Compliance Review identified non-compliance across five (5) of the 2014 Environmental and Social Policy Performance Requirements, and provided eleven (11) Project-level and systemic recommendations to address said non-compliance.

In accordance with the 2014 PCM Rules of Procedure, EBRD Management prepared a Management Action Plan (MAP) to respond to the Expert's findings and recommendations. Management sought Audit Committee endorsement of the draft MAP on 16 July 2020. Audit Committee members requested some minor modifications, after which the Board under the non-objection procedure approved a final version in August 2020 that includes eleven (11) actions to be implemented.

The Compliance Review Report and the approved MAP were disclosed on the [IPAM case registry](#) on 11 August 2020 thus initiating the MAP monitoring stage. During that period, IPAM produced a [MAP Monitoring Plan](#) disclosed in November 2020 on the [IPAM case registry](#), to guide the monitoring process in order for IPAM to deem the actions completed. In April 2021, IPAM issued its [first monitoring report](#) closing actions 1.i), 3.i), 4.i) and ii), Action 8.i), and Action 10.i) while keeping action 5.i) (desk study) open for the second monitoring period. In November 2021, IPAM issued the [second monitoring report](#) closing actions 5 (Phase 1) and 9 (partially), while keeping actions 2, 3.ii), and 4.iii) open for the third monitoring period.

This report covers the third monitoring period, which goes from August 2021 to January 2022. For this period, the MAP established deliverables in relation to Management Actions 1, 6, 7, 8 (Phase 2), 9, 10 and 11 and the IPAM Monitoring Plan detailed the activities to be undertaken by IPAM to determine them as completed according to the criteria set in the Project Accountability Policy<sup>1</sup>.

In addition to this, actions pending from two previous monitoring periods are also considered in this report.

Based on IPAM's monitoring of actions and requirements for completion of each of the actions as outlined in the MAP implementation monitoring plan, IPAM has determined that Action 3 ii), Action 1 and Action 11 are complete. Although the other action items committed by the management for the third monitoring period have progressed, there are remaining requirements under each of the action that are pending for Management to implement and thus for IPAM to consider it completed. The actions that will continue to remain open for the next monitoring period are:

- **Management Action 2** - the PR7 guidance note has been finalized and reviewed by the Board but is pending disclosure. The committed timeframe has not been met but a revised timeframe has been provided - **Q1 2023. Action not completed - Monitoring to continue.**
- **Management Action 4.iii** – the guidance note is in drafting process and training is pending. The committed timeframe has not been met but a revised timeframe has been provided – **Q3 2022. Action not completed - Monitoring to continue.**
- **Management Action 6** – The CIA has been updated and reviewed by IPAM but disclosure is pending due to Project delays. The committed timeframe has not been met but a revised

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<sup>1</sup> As per the PAP, IPAM will deem an action to be completed when the implementation plans and commitments are effectively carried out; and the timetable is met.

timeframe has been provided – **Q1 2023. Action not completed - Monitoring to continue.**

- **Management Action 7** – The Action is pending due to Project delays. The committed timeframe has not been met but a revised timeframe has been provided – **Q1 2023. Action not completed - Monitoring to continue.**
- **Management Action 8** - GIA was provided to the Management for review. IPAM will await to receive the final GIA to review it. The second phase of the Project, the technical Cooperation has been pending due to Project delays. The committed timeframe has not been met but a revised timeframe has been provided – **Q3 2022 for GIA and unknown for TC. Action not completed - Monitoring to continue.**
- **Management Action 9** - LALRP update report is under preparation. IPAM will await to receive the final LALRP to review it. The committed timeframe has not been met but a revised timeframe has been provided – **Q3 2022. Action not completed - Monitoring to continue.**
- **Management Action 10** – CHIA preparation is ongoing. IPAM was provided with interim documents and reviewed them. Consultations took place in November 2021 and February 2022. Due to the lack of timely information, IPAM was not able to participate in consultations as an observer but requested relevant evidence from the Client. The committed timeframe has not been met but a revised timeframe has been provided – **Q3 2022. Action not completed - Monitoring to continue.**

#### COMPLIANCE PROCESS OUTPUTS AND TIMELINE

S.No.	ACTIVITY	TIMELINE
1.	Compliance Review completion	July 2020
2.	Management Action Plan approval	August 2020
3.	MAP Monitoring Plan	November 2020
4.	<a href="#">1<sup>st</sup> monitoring report</a> covering period September 2020 – January 2021	April 2021
5.	<a href="#">2<sup>nd</sup> monitoring report</a> covering period February 2021- July 2021	November 2021
6.	3 <sup>rd</sup> monitoring report covering August 2021- January 2022	May 2022

For the fourth monitoring period, in addition to those actions due in the fourth period, IPAM will monitor Management Actions 2, 4.iii, 6, 7, 8, 9, and 10.

The next monitoring report is scheduled for disclosure at the end of August of 2022.

## 1. Introduction

This is the third Monitoring Report on implementation of the Management Action Plan related to [case 2018/03](#) Nenskra HPP (46778). The Project Complaint Mechanism (PCM) registered the case in 2018 and Ms. Andrea Saldarriaga, PCM Expert, undertook the Compliance Review of the Case as per the 2014 PCM Rules of Procedure. In line with the latter, the Compliance Review Report and the Management Action Plan (MAP) to address the findings and recommendations of the report were submitted to the EBRD Board of Directors in July 2020, and the MAP ultimately approved on 5 August 2020.

On 1 July 2020, the 2019 Project Accountability Policy (PAP) became effective thus superseding the 2014 Rules of Procedure. Consequently, per the transitional provisions established in section V of the PAP, monitoring of the Nenskra MAP implementation fell under the responsibility of IPAM as per the PAP provisions for monitoring (paragraph 2.8 of the PAP).

In the second half of 2020, IPAM produced and disclosed a [monitoring plan](#) for this case followed by the [first monitoring report](#) in April 2021 and the [second monitoring report](#) in November 2021.

This document is the third monitoring report, covering IPAM monitoring activities in relation to relevant Management actions for the period August 2021 to January 2022.

## 2. Background

On 31 May 2018, the Project Complaint Mechanism (PCM) received a Complaint from community members of Chuberi, Georgia, co-submitted with CEE Bankwatch Network and Green Alternative (the Complainants), related to the [Nenskra HPP \(46778\)](#) in Georgia.

The PCM Expert responsible for the Compliance Review identified non-compliance across five (5) of the 2014 Environmental and Social Policy Performance Requirements, and provided eleven (11) Project-level and systemic recommendations to address said non-compliance.

In accordance with the 2014 PCM Rules of Procedure, EBRD Management prepared a MAP to respond to the Expert's findings and recommendations. Management sought Audit Committee endorsement of the draft MAP on 16 July 2020. Audit Committee members requested some minor modifications, after which the Board under the non-objection procedure approved a final version in August 2020.

The Compliance Review Report and the approved Management Action Plan (MAP) were disclosed on the [IPAM case registry](#) on 11 August 2020 thus initiating the MAP monitoring stage.

### 2.1 Compliance Review Findings

In July 2020, the Expert found the Bank to be non-compliant with Performance Requirement 7, 1, 5, 8 and 10 of the 2014 ESP, which have been outlined in the [Compliance Review Report](#).

### 2.2. Compliance Review Recommendations

In response to the findings of non-compliance, the Expert made eleven recommendations to the Bank, as outlined in the [Compliance Review Report](#): four that were systemic / procedural in nature, and seven others, specific to the Project, which have been detailed in its [First Monitoring Report](#).

### 2.3. EBRD Management Action Plan

In response to the Expert's findings and recommendation, the Bank prepared a Management Action Plan ([MAP](#)), approved by the Board and disclosed on 5 August 2020. The MAP details 11 actions to be implemented and the timeframe for their expected implementation.



### 3. Monitoring Report

This report covers the third monitoring period, which goes from August 2021 to January 2022. For this period, the MAP established deliverables in relation to Management Actions 1, 6, 7, 8 (Phase 2), 9, 10, and 11. and the IPAM Monitoring Plan detailed the activities to be undertaken by IPAM to determine them as completed according to the criteria set in the Project Accountability Policy<sup>2</sup>. (See table 1 for actions due this monitoring period)

In addition to this, Actions 2, 3 ii) and 4 iii) were still pending at the end of the first monitoring period, so it is also considered within this report.

**Table 1. Actions scheduled to be implemented in the period August 2021 – January 2022 as per the MAP - with original timeline**

Action No.	EBRD Management Action Plan Commitment and Proposed Deadline for Completion	IPAM Proposed Monitoring Activity	IPAM monitoring activity due date	IPAM Requirement for determining completion
1.	Develop and implement a systemic tracking system for EBRD requests to clients, allowing the Bank to ensure that Project-specific requests regarding ESP adherence be implemented in a timely manner. This system will be included within ESD's Assurance Framework and will be used for all Category A projects to allow recording, tracking and closure of review Comments provided to clients.  <b>Management deadline: with immediate effect</b>	Verification on usage of sample case	January 2022	Proof of use of tool by Management
6.	Management will continue to engage with the project sponsors and their advisors to ensure that the Cumulative Impact Assessment (CIA) be updated, and disclosed, to incorporate the recommendations of the PCM Compliance Report.  <b>Management Deadline: 12 months from the loan signing</b>	Review updated CIA and evidence of disclosure	January 2022	- Updated CIA reviewed by IPAM - Updated CIA disclosed by the Management
7.	Management will continue to engage with the project sponsors and their advisors to address the alternatives assessment in parallel with MAP Item #3.  <b>Management Deadline: August 2021</b>	Review reported actions	September 2021	Management reports considered by IPAM
8.	Implementation of the proposed Technical Cooperation Project is anticipated to address the findings as they pertain to gender and inclusion. The Terms of Reference for the TC project will be shared with the PCM office and will include a two-stage approach, the first being the additional layer of gender impact assessment and the second, the originally envisaged technical cooperation programme to go beyond compliance with the EBRD's ESP.  <b>Management Deadline: Phase I (Gender impact assessment) – August 2021</b>  <b>Phase II– TC project -24 months after loan signing</b>	- Review the gender impact assessment report to assess gender impacts in relation to influx of migrant workers, potential introduction of trafficking and forced prostitution in accordance with GIP	End 2021  October 2021	- Gender impact assessment report and action plan considered by IPAM  - TC program TOR received by IPAM

<sup>2</sup> As per the PAP, IPAM will deem an action to be completed when the implementation plans and commitments are effectively carried out; and the timetable is met.

Action No.	EBRD Management Action Plan Commitment and Proposed Deadline for Completion	IPAM Proposed Monitoring Activity	IPAM monitoring activity due date	IPAM Requirement for determining completion
9.	Management will continue to engage with the borrower and their advisors to ensure that the LALRP is updated to incorporate the recommendations of the PCM Compliance Review including deletion of the references made to specific thresholds in the entitlement matrix.  <b>Management Deadline: By end of first monitoring period</b>	Review of updated LALRP that will be prepared based on the design changes to address all potentially affected land owners/users.	End 2021	LALRP reviewed and confirmed that it incorporates CR recommendations
10.	Management will continue to engage with the Client and their advisors to ensure that the cultural heritage impact assessment is updated to incorporate the recommendations of the PCM Compliance Review. The updated assessment will form the basis of the EPC management plans, which will be further revised during the early project implementation period.  <b>Management Deadline: 12 months from MAP approval. (if travel restrictions are lifted)</b>	<ul style="list-style-type: none"> <li>- Review the updated cultural heritage impact assessment and Cultural Heritage Management Plan.</li> <li>- IPAM will also consider attending planned consultation meetings with project-affected people to observe their feedback.</li> <li>- Review progress update report on implementation of the Cultural Heritage Management Plan. IPAM to organise a meeting with Management if required.</li> <li>- Review of monitoring reports on Community Investment Projects designed to support Cultural Heritage beyond impact management</li> </ul>	End 2021  August 2021  January 2022	<ul style="list-style-type: none"> <li>- Cultural heritage impact assessment report and Cultural Heritage Management Plan received</li> <li>- Monitoring report received confirming the implementation of the Cultural Heritage Management Plan requirements by the project team.</li> <li>- Community Investment Programme monitoring reports received confirming additional projects to support cultural heritage.</li> <li>- Stakeholder engagement records received.</li> </ul>
11.	Management has engaged with the Client to undertake an environmental and social governance review and assess the project capacity requirements against the various project commitments to ensure full uptake and implementation of the environmental and social requirements. The results of this will assessment will be shared with the PCM office as it progresses.  <b>Management Deadline: August 2021 and periodically until project closure</b>	Request a periodic update on outcomes and measures established.	From August 2021 and until last Monitoring Report	Update received
<b>Pending Actions from other monitoring periods</b>				
2	Undertake a gap analysis of the revised PR7 in the 2019 ESP and the new PR7 Guidance Note, currently under preparation, in light of this recommendation to ensure all elements are included. Finalise and publish the PR7 Guidance Note.	Review gap analysis and verification of Board review and disclosure process	July 2021	<ul style="list-style-type: none"> <li>- Gap analysis completed by the Management</li> <li>- PR7 Guidance note reviewed by the Board</li> </ul>

Action No.	EBRD Management Action Plan Commitment and Proposed Deadline for Completion	IPAM Proposed Monitoring Activity	IPAM monitoring activity due date	IPAM Requirement for determining completion
	Management Deadline: By end of first monitoring period			- PR7 Guidance note disclosed by Management
3.	(ii) Prepare internal guidance for disclosing when the analysis of alternatives has already been undertaken prior to the Bank's involvement in the project and the outcomes of the Bank's review of such an analysis against GIP. <b>Management Deadline: By end of first monitoring period</b>	Review the internal guidance note.	July 2021	Guidance note considered by IPAM
4.	(iii) Internal guidance on wider gender considerations based on 2019 ESP and associated Performance Requirements will be developed and ESD will be trained to assist in addressing gender issues/risks in projects. <b>Management Deadline: By end of first monitoring period</b>	- Review internal guidance note on inclusion of wider gender considerations - Request training records - One IPAM team member to participate in a training session	July 2021	- Guidance note considered by IPAM - Receipt of training documents by IPAM - One IPAM team member participated in a training session

### 3.1 Monitoring Activities undertaken during the period

During the period, and based on the actions to be monitored, IPAM held meetings with Management, the Requesters, the Client and reviewed the relevant documents submitted to consideration, and sought written clarifications on those items, where insufficient information was provided.

#### Meetings with Management

During the meetings, IPAM voiced its concerns with the Management regarding the delays in implementation of actions vis-à-vis the Management Action Plan and the need for transparency. To look into this issue, IPAM held a separate meeting with the Project team to understand the reasons for the delays and determine whether the current timeline remained realistic. Management reported to IPAM the following:

*“EBRD remains fully committed to the successful completion of the Nenskra HPP Management Action Plan and the implementation of the Nenskra HPP project. EBRD Management takes this opportunity to provide an update on a number of factors, outside the control of EBRD, that have implications for timing of the completion of the MAP.*

*Since 2020, the Covid-19 pandemic has impacted the ability of the project Sponsors to start a number of studies required under the Compliance Review and resulting MAP. This delayed mobilisation of specialist consultants to undertake additional surveys and fieldworks, which resulted in a delay to the start of some studies. However, Management can confirm that all project related recommendations are in progress and draft deliverables have been provided to IPAM for review during the current monitoring period.*

*Another important update to provide is that the project Sponsors are in the process of replacing the EPC contractor, an essential party in the execution of the project. The appointment of the EPC contractor is a complex process and has resulted in a review of all elements of the project by the*

*project Sponsors and the relevant authorities in Georgia. The appointment of the EPC is currently in progress and is a priority in the implementation of the project. When these discussions are concluded all remaining elements of the MAP will be completed.*

*Management can confirm that all MAP action items are in progress and will be duly completed in line with the project implementation cycle and, importantly, to fully adopt the recommendations provided in the Compliance Review to further assess and mitigate project related risks and impacts. Although timing has been impacted EBRD continues to work towards achieving the outcome of the recommendations prior to any such impacts occurring. EBRD remains available to provide further updates as required”.*

As a follow-up to IPAM’s conversations with the Project team, they revised the timelines for Actions **2, 6, 7, and 8 (TC project component)**. Given that they depend on the progress of the Project, they mentioned that further revisions of the timeline may be required.

IPAM learnt during monitoring, that the consultations on Action 10 for the preparation of the Cultural Heritage Impact Assessment were to take place in February 2022. By the time IPAM learnt of this it was too late to participate as an observer as had been envisioned in the Monitoring Plan. IPAM finds it regrettable and urges the Management to proactively keep it informed when important milestones relevant for monitoring actions took place. Due to the lack of participation, IPAM requested further information on consultations.

### **Meetings with Requesters**

As a part of the monitoring, IPAM also met virtually with the Requesters, and discussed progress on the Cultural Heritage Impact Assessment study, the delays of the Project and implementation of MAP, as well as progress on Action 5, regarding the applicability of PR7 in Svaneti. Their perspective is presented in section 3.2.

### **Meeting with the Client**

Finally, IPAM met virtually with the Client to get a better understanding of the status of the Project and the progress in implementation of some of the actions under their responsibility. The Client presented how the Project was advancing in relation to the MAP, as well as an update on the Project itself. IPAM specifically requested additional information on Action 10 and the consultations related to the Cultural Heritage Impact Assessment (CHIA). The Client provided IPAM with requested information including the methodology, list of interviewees and photographic evidence, noting that the results were being analysed by the third party consultant responsible for the preparation of the CHIA. IPAM has been informed that this information will feed into the CHIA, which will be disclosed.

### **Summary of MAP Progress by Action**

**Management Action 1.** IPAM was provided access to the *EBRD Requests to Clients* tracking system for the Nenskra HHP Project and was able to confirm that it was being actively used in Category A projects as per the recommendation made in the Compliance Review Report. In a separate meeting with the Client, IPAM also verified the use of the tool by the Client. **IPAM considers the action complete.**

**Management Action 2.** No progress reported. **Action pending.** Management has reviewed the timeline for this action as it is subject to Project progress - **New deadline submitted by Management - First Quarter of 2023.**

**Management Action 3 ii.** IPAM reviewed the updated **Guidance Note on Assessment of Alternatives** which now includes language clarifying the obligation to disclose to the Board of Directors and the

Public when the analysis of alternatives has already been undertaken prior to the Bank's involvement in the project and the outcomes of the Bank's review of such an analysis against GIP. This action was originally due in the first monitoring period and Management presented an initial version, but IPAM requested the stated language clarifications to be included in the final version. **IPAM considers the action now complete.**

**Management Action 4 iii.** No progress reported. **Action pending** is the revised version of the **Guidance Note on Gender Due Diligence** and for IPAM to participate in one of the related training. Management has reviewed the timeline for this action as it is subject to Project progress - **New deadline submitted by Management - Third Quarter of 2022.**

**Management Action No. 6.** IPAM reviewed updated CIA and noted that the PCM expert recommendation "to confirm whether there are any planned or reasonably foreseeable mining or forestry activities overlapping the Project area" had been addressed. However, **the action is only partially completed, as there is a requirement for disclosure. Action pending: disclosure of CIA. New deadline submitted by Management – First Quarter of 2023**

**Management Action No. 7.** No progress reported. **Action pending. New deadline submitted by Management – First Quarter of 2023.**

**Management Action No. 8.** IPAM was informed that a draft GIA was provided to EBRD for review in January 2022. **Action Pending. New deadline submitted by Management – Third Quarter of 2022.**

A second related action, the TC program is not due in this monitoring plan with a timeframe of 24 months from loan signing.

**Management Action No. 9.** IPAM reviewed interim reports as follows: Socio-economic survey results, vulnerability assessment, and a report on supplementary consultation. The updated LARLP is still pending. **Action pending. New deadline submitted by Management – Third Quarter of 2022.**

**Management Action No. 10.** Management reported that the CHIA is in progress, with consultations taking place in February 2022. As IPAM was not informed in time of the activity, it could not travel to the site. To address this, IPAM requested the Client to provide evidentiary materials, which it has received and include the methodological note, interviewee's list, photographic evidence. Furthermore, IPAM reviewed the 2020 CIP Implementation Progress Report noting the progress on CIP Initiatives to Support Intangible Cultural Heritage. **Action pending.** IPAM is still to receive the final CHIA and the Cultural Heritage Management Plan for review. **New deadline submitted by Management – Third Quarter of 2022**

**Management Action No. 11.** Management reported on the periodic engagement held with the Client and the all-party calls informing that the Client is progressing as expected. **Action is completed for the current period. This is a recurrent action until Project closure.**

### 3.2 Requesters' Perspective

IPAM engaged with the Requesters in virtual session. During the meeting, they expressed concerns about the lack of information about the purpose and details of the expert survey conducted in Chuberi in February 2022. They pointed out that they learnt about the study from some of the experts in cultural heritage who had been contacted to participate in the consultations. They mentioned that the contacted experts had expressed frustration for the lack of access to the Terms of Reference of the exercise and information in general.

In this matter, the Requesters expressed that this persistent situation of insufficient disclosure of information and limited consultations was exactly one of the main findings of the Compliance Review and should not be taking place.

Finally, they repeated the need for information on the implementation Action 5 regarding the PR7 applicability study, as the last time they received an update was in July 2021. They requested further information from Management at the time but did not receive any.

IPAM committed to inform Management of the Requesters' concerns and report on outcomes in the next monitoring period.

### **3.3 Monitoring Conclusions and Next Steps**

This report covers the third monitoring period, August 2021 to January 2022 and reflects the status of MAP implementation. Any actions implemented from February 2022 will be recorded in the next monitoring report.

For this third monitoring period, a number of MAP deliverables were due, specifically items related to Management Actions, 1, 6, 7, 8 (Phase 2), 9, 10, and 11. In addition to these action items, Actions 2, 3 ii) and 4 iii) were listed as not completed from past monitoring periods. For detailed information, go to Table 2 in the annex that reflects the monitoring activities scheduled to take place, outcomes, and determinations by action.

At the end of this third period, IPAM reviewed documentation provided by Management, engaged with Bank staff to get a better understanding of how specific recommendations are being met through the MAP. Also IPAM met virtually with the Requesters to listen to their views and concerns, and with the Client to receive a direct update on the progress of actions.

As a summary of progress, IPAM reported on the completion of some actions, but there remain a number of them that were not completed within the established timeframe and remain pending. Given that the criteria established in the Project Accountability Policy for determining a Management Action Plan completed is for the action to be implemented within the established schedule of the MAP, IPAM engaged with Management to discuss how best to address the delays in implementation.

In this case, a number of delays at Project-level have affected the timely implementation of the MAP, particularly for those actions that are dependent on the execution of the project. In order to address this issue, IPAM requested Management to review the MAP and identify those actions where they are certain that the original timeframe will not be met. After which, propose a new timeline for completion. Following this review, Management has provided a revision on some of the timelines and IPAM will be adjusting its monitoring schedule accordingly.

Regarding the concerns raised by the Requesters, IPAM underscores the importance of ensuring that the consultation processes are transparent and relevant information is provided to stakeholders in a timely and robust fashion.

#### **Next Steps**

For the fourth monitoring period, in addition to those actions due in the fourth period, IPAM will monitor Management Actions 2, 4.iii, 6, 7, 8, 9, and 10 and any other pending actions.

The next monitoring report is scheduled for disclosure at the end of August of 2022.



### 3.4 Table 2: MAP Implementation Progress - Actions due in the Third Monitoring Period, Actions remaining from previous monitoring periods and their current status

Table 2 shows those actions that were due during the current monitoring period and actions remaining from previous monitoring periods, the monitoring activities that IPAM would perform and the determination of completion, as per the criteria set in the PAP.

Action No.	EBRD Management Action Plan Commitment and Proposed Deadline for Completion	IPAM Proposed Monitoring Activity	IPAM monitoring activity due date	IPAM Requirement for determining completion	Status of Management Action Plan Commitment	IPAM Comments
1.	Develop and implement a systemic tracking system for EBRD requests to clients, allowing the Bank to ensure that Project-specific requests regarding ESP adherence be implemented in a timely manner. This system will be included within ESD's Assurance Framework and will be used for all Category A projects to allow recording, tracking and closure of review Comments provided to clients.  <b>Management deadline: with immediate effect</b>	Verification on usage of sample case	January 2022	Proof of use of tool by Management	<b>Completed</b>	IPAM was provided with the tool currently used on the Nenskra HPP Project and reviewed it.  Management informed IPAM that similar tools based on the template developed to address Action 1 are utilised for every Category A project.  IPAM also observed the tool in use by the Client.  Action completed.
2.	Undertake a gap analysis of the revised PR7 in the 2019 ESP and the new PR7 Guidance Note, currently under preparation, in light of this recommendation to ensure all elements are included. Finalise and publish the PR7 Guidance Note.  <b>Management Deadline: By end of first monitoring period (January 2021)</b>	Review gap analysis and verification of Board review and disclosure process	July 2021	- Gap analysis completed by the Management - PR7 Guidance note reviewed by the Board - PR7 Guidance note disclosed by Management	<b>Not completed</b>  <b>Disclosure pending</b>  <b>Revised timeframe provided: Q1 2023</b>	IPAM reviewed the PR7 guidance note including the review provided by the Board.  IPAM will close the item when the management discloses it.
3.	(ii) Prepare internal guidance for disclosing when the analysis of alternatives has already been undertaken prior to the Bank's involvement in the project and the outcomes of the Bank's review of such an analysis against GIP.  <b>Management Deadline: By end of first monitoring period</b>	Review the internal guidance note.	July 2021	Guidance note considered by IPAM	<b>Completed</b>	IPAM reviewed the Document  Language in relation to disclosure provided as Requested by IPAM.

Action No.	EBRD Management Action Plan Commitment and Proposed Deadline for Completion	IPAM Proposed Monitoring Activity	IPAM monitoring activity due date	IPAM Requirement for determining completion	Status of Management Action Plan Commitment	IPAM Comments
						Action completed.
4.	<p>(iii) Internal guidance on wider gender considerations based on 2019 ESP and associated Performance Requirements will be developed and ESD will be trained to assist in addressing gender issues/risks in projects.</p> <p><b>Management Deadline: By end of first monitoring period</b></p>	<ul style="list-style-type: none"> <li>- Review internal guidance note on inclusion of wider gender considerations</li> <li>- Request training records</li> <li>- One IPAM team member to participate in a training session</li> </ul>	July 2021	<ul style="list-style-type: none"> <li>- Guidance note considered by IPAM</li> <li>- Receipt of training documents by IPAM</li> <li>- One IPAM team member participated in a training session</li> </ul>	<p><b>Not completed</b></p> <p><b>Revised timeframe provided: Q3 2022</b></p>	<p>IPAM reviewed the preliminary internal Guidance note on Gender Due Diligence across EBRD's investment operations, participated in the workshop and provided feedback to be included into the final Guidance note.</p> <p>Once IPAM receives the finalised note and training for the staff will be completed (when IPAM will participate), IPAM will consider the action complete.</p>
6.	<p>Management will continue to engage with the project sponsors and their advisors to ensure that the Cumulative Impact Assessment (CIA) be updated, and disclosed, to incorporate the recommendations of the PCM Compliance Report.</p> <p><b>Management Deadline: 12 months from the loan signing</b></p>	Review updated CIA and evidence of disclosure	January 2022	<ul style="list-style-type: none"> <li>- Updated CIA reviewed by IPAM</li> <li>- Updated CIA disclosed by the Management</li> </ul>	<p><b>Not completed</b></p> <p><b>Disclosure pending</b></p> <p><b>Revised timeframe provided: Q1 2023</b></p>	<p>IPAM reviewed the updated CIA additional materials and noted that the PCM expert recommendation to "to confirm whether there are any planned or reasonably foreseeable mining or forestry activities overlapping the Project area" has been addressed.</p> <p>The action will remain open until disclosure, which is pending due to the project cycle.</p>



Action No.	EBRD Management Action Plan Commitment and Proposed Deadline for Completion	IPAM Proposed Monitoring Activity	IPAM monitoring activity due date	IPAM Requirement for determining completion	Status of Management Action Plan Commitment	IPAM Comments
7.	Management will continue to engage with the project sponsors and their advisors to address the alternatives assessment in parallel with MAP Item #3.  <b>Management Deadline: August 2021</b>	Review reported actions	September 2021	Management reports considered by IPAM	<b>Not completed</b>  <b>Revised timeframe provided: Q1 2023</b>	IPAM was informed that no progress has been noted on the Action, which is dependent on the Project cycle.
8.	Implementation of the proposed Technical Cooperation Project is anticipated to address the findings as they pertain to gender and inclusion. The Terms of Reference for the TC project will be shared with the PCM office and will include a two-stage approach, the first being the additional layer of gender impact assessment and the second, the originally envisaged technical cooperation programme to go beyond compliance with the EBRD's ESP.  <b>Management Deadline: Phase I (Gender impact assessment) – August 2021</b>  <b>Phase II– TC project -24 months after loan signing</b>	- Review the gender impact assessment report to assess gender impacts in relation to influx of migrant workers, potential introduction of trafficking and forced prostitution in accordance with GIP	End 2021  October 2021	- Gender impact assessment report and action plan considered by IPAM  - TC program TOR received by IPAM	<b>Not completed</b>  <b>Revised timeframe provided: Q3 2022 for GIA and no timeframe provided for TC project</b>	IPAM was informed that the GIA was provided to EBRD for review in January 2022.  IPAM will await for the final version of the GIA. The action remains open. The timeline has been revised to Q3 2022.  The second element of Action 8, Technical Cooperation project has been pending due to its dependence on Project cycle.
9.	Management will continue to engage with the borrower and their advisors to ensure that the LALRP is updated to incorporate the recommendations of the PCM Compliance Review including deletion of the references made to specific thresholds in the entitlement matrix.  <b>Management Deadline: By end of first monitoring period</b>	Review of updated LALRP that will be prepared based on the design changes to address all potentially affected land owners/users.	End 2021	LALRP reviewed and confirmed that it incorporates CR recommendations	<b>Not completed</b>  <b>Revised timeframe provided: Q3 2022</b>	Management provided IPAM with interim reports: Socio-economic survey results and vulnerability assessment and Additional consultation report, which were reviewed by IPAM.  IPAM will wait for the LALRP report's update to review it before it can close the action.
10.	Management will continue to engage with the Client and their advisors to ensure that the cultural heritage impact assessment is updated to incorporate the recommendations of the PCM Compliance Review. The updated assessment will form the basis of the EPC management plans, which will be further revised during the early project implementation period.	- Review the updated cultural heritage impact assessment and Cultural Heritage Management Plan. - IPAM will also consider attending planned consultation meetings with	End 2021	- Cultural heritage impact assessment report and Cultural Heritage Management Plan received Monitoring report received confirming the implementation of the Cultural Heritage	<b>Not completed</b>  <b>Revised timeframe provided: Q3 2022</b>	Management informed IPAM that the preparation of the CHIA is in progress, with consultations taking place in February 2022.  IPAM could not participate in consultations but requested

Action No.	EBRD Management Action Plan Commitment and Proposed Deadline for Completion	IPAM Proposed Monitoring Activity	IPAM monitoring activity due date	IPAM Requirement for determining completion	Status of Management Action Plan Commitment	IPAM Comments
	<b>Management Deadline: 12 months from MAP approval. (if travel restrictions are lifted)</b>	project-affected people to observe their feedback. - Review progress update report on implementation of the Cultural Heritage Management Plan. IPAM to organise a meeting with Management if required. - Review of monitoring reports on Community Investment Projects designed to support Cultural Heritage beyond impact management	August 2021  January 2022	Management Plan requirements by the project team. - Community Investment Programme monitoring reports received confirming additional projects to support cultural heritage. - Stakeholder engagement records received.		materials for review and received them from the Client  IPAM reviewed 2020 CIP Implementation Progress Report noting the progress on CIP Initiatives to Support Intangible Cultural Heritage.
11.	Management has engaged with the Client to undertake an environmental and social governance review and assess the project capacity requirements against the various project commitments to ensure full uptake and implementation of the environmental and social requirements. The results of this will assessment will be shared with the PCM office as it progresses.  <b>Management Deadline: August 2021 and periodically until project closure</b>	Request a periodic update on outcomes and measures established.	From August 2021 and until last Monitoring Report	Update received	<b>Completed for this monitoring period</b>	Update received