

Retaliation Against Civil Society and Project Stakeholders

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EBRD Civil Society Engagement Unit fosters and promotes institutional dialogue with civil society. Civil Society Organisations (CSOs) and project-impacted stakeholders must be able to provide feedback, voice opposition, and raise concerns with the EBRD and with EBRD clients to ensure that negative impacts of EBRD-financed projects are avoided, minimised or mitigated appropriately. The EBRD values the input and views of all stakeholders and requires its clients to meaningfully engage with their respective stakeholders.

The EBRD does not tolerate actions by EBRD clients or other project counterparties that amount to retaliation – including threats, intimidation, harassment, or violence – against those who voice their opinion regarding the activities of the EBRD or its clients. The EBRD takes all credible allegations of reprisals seriously.

The impairing or harming (or threatening to impair or harm) any party, or the property of any party, directly or indirectly, with the intent to improperly influence the actions of that party in connection with a Bank project, constitutes a Coercive Practice under the Bank's Enforcement Policy and Procedures (EPPs) (<http://www.ebrd.com/news/publications/policies/enforcement-policy-and-procedures.html>). A Bank counterparty that is suspected to have engaged in a Coercive Practice is subject to Enforcement Proceedings under the EPPs.

When concerns are raised with the EBRD that do not constitute a Coercive Practice under the EPPs, EBRD works with clients and other relevant parties to try to address them. In such instances, we raise the issue directly with the client or relevant party and make EBRD's position against reprisals clear, and take follow-up action as and where appropriate. Where requested, the identities of individuals, and information shared with EBRD by all the involved parties, will be safeguarded and remain confidential at the parties' request, and for as long as they choose.

The EBRD has developed internal guidelines on the handling of allegations of retaliation for criticism and complaints related to EBRD projects. The EBRD will raise awareness among its staff to ensure their implementation. The key principle behind these Guidelines is that every individual or group has the right to voice criticism or file complaints related to EBRD projects without threats to their safety or a fear of retribution. The Bank expects its counterparties not to prevent or harm stakeholders who may (or have) criticise(d) an EBRD project or file(d) a complaint.

EBRD also works with its clients to build and maintain a constructive dialogue with locally affected communities, CSOs and other stakeholders and ensure the respect of human rights in the context of its projects. The EBRD's Environmental and Social Performance Requirements focus on risk identification, and the avoidance and mitigation of project-related impacts as they relate to individuals and communities. Performance Requirement 10 requires EBRD clients to undertake meaningful stakeholder engagement and ensure disclosure of project information. Clients are required to put in place project-level grievance mechanisms for local communities that are readily accessible and implemented *without* risk of reprisals for those who raise issues or concerns.

The Project Complaint Mechanism (PCM), EBRD's independent accountability mechanism, provides a formal grievance channel through which CSOs and communities affected by EBRD investments can raise their project-related concerns. The PCM will proactively assess, discuss and address risks of threats and reprisal throughout its involvement in any request.