

# Sample Complaint Form



**European Bank**  
for Reconstruction and Development

*In order for the PCM to address your complaint, you must provide the following information:*

<p>1. Name of the Person(s) or Organisation(s) filing the Complaint ("the Complainant").</p> <p>NGO Cekor.....</p> <p>.....</p> <p>.....</p>
<p>2. Contact information of the Complainant (please include email address and phone number if possible).</p> <p>CEKOR, Korzo.15/13, 24.000.Subotica, SERBIA,.....</p> <p>Fax:381 24 523 191.....</p> <p>www.cekor.org.....</p> <p>.....</p>
<p>3. Is there a representative making this Complaint on behalf of the Complainant?</p> <p>Yes <input checked="" type="checkbox"/> (if yes, please provide the Name and Contact information of the Representative):</p> <p>Milan Simić, Radljevo, Serbia, mobile.381.62.876.8855.....</p> <p>Dragan Simić, Radljevo, Serbia.....</p> <p>.....</p> <p><i>Please attach 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.</i></p> <p>No <input type="checkbox"/></p>
<p>Is proof of authorisation included with the Complaint?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>4. Are you requesting that this Complaint be kept confidential?</p> <p>Yes <input type="checkbox"/> (if yes, please explain why you are requesting confidentiality)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>No <input checked="" type="checkbox"/></p>
<p>5. Please provide the name or a description of the EBRD Project at issue.</p> <p>27005 "EPS Power II", dated 15 July 2003.....</p> <p>.....</p> <p>.....</p>
<p>6. Please describe the harm that has been caused or might be caused by the Project (please continue on a separate sheet if needed):</p> <p><small>Please note the case of Milan and Dragan Simić, son and the father, from Radljevo. This is a case of forced expropriation. Parcels in their belongings 292, 293 and 295 were expropriated during Tamnava West project, which was partially-financed by EBRD. The Simićs were not-paid for their plants, so they went to court. The court refused their right to be paid stating they knew their land will be expropriated, in spite of the fact that it was proven they received a notification only 2 years after planting. The problem is they missed a chance to appeal this court decision because of illness and because that is expensive, unreachable solution. That family still lives and suffer due to the proximity to the mine, because their house lies only 200-300 meters to the edge of the pit. We seek justice for those two people who, thanks to the non-transparent forced expropriation model and the lack of proper grievance mechanism, suffered 10.000 euros damages. We are sending you the partially translated court conclusion in the attachment. We are looking for a way to settle this damage done to those people. They request is 10.000 euros plus interests from 2007. Both of them have authorised us to do so.</small></p> <p>.....</p>

*Please write on a separate sheet wherever needed.*

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 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  (if yes, please list when the contact was made, how and with whom):

Letter to Mrs Bergman, 13.06.2013.....  
.....  
.....

Please also describe any response you may have received.

reply from Luisa Balbi 09.07.2013 stating: EBRD is not in a position to comment on the legal judgement issued by a Court.....  
.....

No  (please go to question 8)

Is the written record of this contact with the EBRD attached to your complaint?

Yes  (please list)

.....  
.....  
.....

No  (if not, please arrange for all relevant documents to be delivered to the PCM Officer as soon as possible).

b. 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)

This issue was genuinely presented on the local court, because project sponsor (or EBRD client) did not establish effective grievance mechanism, it was invisible in the area, the sponsor failed to inform local inhabitants.....  
.....

Please also describe any response you may have received.

The court established facts and brought an unlogic decision. Afterward, it was too expensive to complain, and also it was not possible due to illness.....  
.....

No  (please go to question 8)

Is the written record of this contact with the Project Sponsor attached to your complaint?

Yes  (please list)

Extraction from the court decision.....  
.....  
.....

No  (if not, please arrange for all relevant documents to be delivered to the PCM Officer as soon as possible).

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

.....  
.....  
.....  
.....

Please write on a separate sheet wherever needed.

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.

This is violation of PR.5: Land Acquisition, Involuntary Resettlement and Economic Displacement from the Environmental and Social Policy in the following points:

Point 7. Loss of access to natural resources irrespective

Point 12. The client did not consult with affected persons and communities, neither facilitated their early and informed participation in decision-making processes related to resettlement, in accordance with PR 40

Point 13. The grievance mechanism was totally invisible

Point 30. The client did not offer displaced persons full replacement cost, neither did offer land-based compensation

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).

11. Are you seeking a Compliance Review where the PCM would determine whether the EBRD has failed to comply with its Relevant Policies? Yes  No

12. Are you seeking a Problem-solving Initiative where the PCM would help you to resolve a dispute or problem with the Project? Yes  No

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

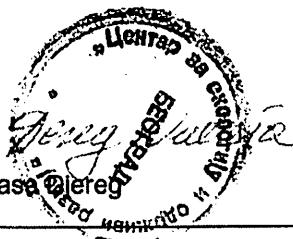
Payment of the damage done by lack of control during utilisation of forced expropriation, and because the Bank failed its Environmental and Social Policy

Required:

Signature of Complainant \*:

Or

Signature of Authorised Representative \*: Natasa Ojereg



Date: 17.07.2013.

Sign of copy received on 16/08/2013

Please send your Complaint 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](mailto:pcm@ebrd.com)

Alternatively, a Complaint may be delivered by post or hand, at any one of the EBRD's Resident Offices, indicating that it is for transmission to the PCM.

- \* Note: If you submit your complaint through email, you must submit:
  - an electronic scan of your signature; or alternatively,
  - If emailed without a scan, you may send the PCM a signed version of the complaint through post, fax, or hand delivery at the same time as sending your email.

Please write on a separate sheet wherever needed.