ADB ACCOUNTABILITY MECHANISM

Annual Report 2018

JULY 2019

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ISBN 978-92-9261-674-8 (print), 978-92-9261-675-5 (electronic)
Publication Stock No. TCS190255-2
DOI: <http://dx.doi.org/10.22617/TCS190255-2>

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On the cover: The training on grievance redress mechanisms and problem-solving tools raised the importance of collaborative and group decision making in resolving issues (photos by OSPF).

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ABBREVIATIONS

ADB	–	Asian Development Bank
AMP	–	Accountability Mechanism Policy
BCRC	–	Board Compliance Review Committee
CAO	–	Compliance Advisor Ombudsman
CGPL	–	Coastal Gujarat Power Limited
CRO	–	complaint receiving officer
CRP	–	Compliance Review Panel
CSO	–	civil society organization
CWRD	–	Central and West Asia Department
GRM	–	Grievance Redress Mechanism
IAM	–	Independent Accountability Mechanism
IAMnet	–	Independent Accountability Mechanisms Network
IFC	–	International Finance Corporation
MDF	–	Municipal Development Fund of Georgia
MOU	–	memorandum of understanding
NHA	–	National Highway Authority
OGC	–	Office of the General Counsel
OSPF	–	Office of the Special Project Facilitator
PRC	–	People's Republic of China
PSOD	–	Private Sector Operations Department
RAP	–	remedial action plan
SARD	–	South Asia Department
SASEC	–	South Asia Subregional Economic Cooperation
SPF	–	special project facilitator
SSEMP	–	site-specific environmental management plan
TA	–	technical assistance
THL	–	Tanahu Hydropower Limited

INTRODUCTION

The Asian Development Bank (ADB) Accountability Mechanism provides a forum for people adversely affected by ADB-assisted projects. It provides a venue where project-affected persons could voice out, and seek solutions to their problems, and report possible noncompliance with ADB's operational policies and procedures. It was established to make ADB's development initiatives more effective and help continually improve the quality of ADB's projects by being responsive to the concerns of project-affected people and fair to all project stakeholders. Primarily instituted to address the concerns of project-affected persons, ADB's Accountability Mechanism has two functions: problem-solving and compliance review.

This Annual Report of the Accountability Mechanism puts together the activities of the Office of the Special Project Facilitator (OSPF) and the Compliance Review Panel (CRP), including their respective offices, to implement and actively implement the objectives of ADB's Accountability Mechanism Policy.

This report has three parts. The first part highlights the activities of the OSPF as it finds solutions, in a consensual and participatory manner, to complaints that were lodged in 2018. It also lists capacity-building activities and knowledge products that relate to OSPF's implementation of its operational support and advisory services.

The second part describes the activities of the CRP and its office with regard to compliance review cases. Technical assistance-related and outreach activities of the Office of the Compliance Review Panel (OCRCP) were also described in the second part of this report.

The third part provides overall statistics on complaints that were submitted to the Accountability Mechanism in 2018, including the status and disposition of each. This last part also shows the people behind the implementation of this mechanism, notably the personnel of OSPF and OCRCP, the complaint receiving officer, the CRP, and the Board Compliance Review Committee, which supervises the work of the CRP and the implementation of the compliance review function.

2018 OFFICE OF THE SPECIAL PROJECT FACILITATOR COMPLAINTS AT A GLANCE

11
COMPLAINTS

7 INELIGIBLE
4 ELIGIBLE

184
COMPLAINANTS

ENERGY

4

TRANSPORT

4

WATER

2

AGRICULTURE

1

9

SOVEREIGN

Armenia (1)

Bangladesh (1)

Georgia (1)

Mongolia (1)

Nepal (1)

Pakistan (3)

Sri Lanka (1)

2

NONSOVEREIGN

Kazakhstan (1)

Georgia (1)

Local people affected by projects are at the heart of OSPF problem-solving, and OSPF works to gain the confidence of everyone involved. Photo taken during the meeting with complainants in October 2018 in Tanahu district, Gandaki zone, central Nepal (photo by OSPF).

PROBLEM SOLVING

PREFACE TO OFFICE OF THE SPECIAL PROJECT FACILITATOR REPORT

The Office of the Special Project Facilitator (OSPF), under the 2012 Accountability Mechanism Policy (AMP) of the Asian Development Bank (ADB), undertook several activities in 2018 to respond to complaints received from people adversely affected by ADB-financed projects. In late 2017, the OSPF experienced an increase in requests for problem-solving from project-affected people. At the same time, there was strong and growing demand from ADB operations departments, including several resident missions, for OSPF training and capacity development in problem-solving and grievance redress mechanisms (GRMs). In response, in early 2018, the OSPF adjusted its work program to meet the growing demand from the operations departments without diluting its ability to undertake the necessary steps required for effective and efficient problem-solving of eligible complaints under the AMP. To ensure that OSPF resources were directed to cases where they were most needed, staff conducted fact-finding on selected complaints.

Given the demand from the operations departments for capacity development and training, the OSPF prepared and initiated the implementation of a 2-year technical assistance (TA) project, in cooperation with the Sustainable Development and Climate Change Department. The TA project focuses on improving ADB's collective knowledge of good practice in the design and implementation of GRMs, and implementing a training and capacity development program for borrowers or clients to strengthen their ability to use GRMs effectively to resolve the complaint at the project level. A key objective is to minimize complaints from project-affected people that are elevated to resident missions, operations departments, and, finally, Accountability Mechanism offices.

In 2018, we received 11 complaints for consideration of eligibility. Three of those complaints were ineligible either because they were not triggered by ADB-financed projects or because they lacked clarity regarding the tangible effects on affected people. Four other complaints were credible but deemed ineligible because the complainants had made insufficient effort to resolve the issues by working with the operations departments concerned before reaching out to the OSPF. For complaints like these, the OSPF supports the operations departments in taking measures to resolve the issues. Four were eligible for problem-solving. These eligible complaints, together with two other complaints that carried over from 2017, are at various stages of resolution, as described in this annual report. Five ongoing complaints are expected to be closed in 2019.

Warren Evans
Special Project Facilitator

ELIGIBLE COMPLAINTS

Georgia: Adjaristsqali Hydropower Project

The special project facilitator (SPF) received a complaint from 17 residents of the Rabati district of Makhalakidzebi village, Shuakhevi municipality, Adjara, Georgia, regarding the Adjaristsqali Hydropower Project on 8 March 2018. The project involves the construction of a three-phased cascade of hydropower plants in the Adjaristsqali region of Adjara. The first phase, for which construction has generally been completed, is the 185-megawatt Shuakhevi hydropower plant. The complainants alleged that the construction of the plant was having damaging impact on the natural and social environment in Makhalakidzebi village. The same complaint was lodged with the accountability mechanism offices of the project cofinanciers—the International Finance Corporation (IFC)¹ and the European Bank for Reconstruction and Development (EBRD).²

To determine the eligibility of the complaint, the Office of the Special Project Facilitator (OSPF) reviewed relevant project-related documents, held a teleconference with the complainants, and met with the staff concerned from the Private Sector Operations Department (PSOD) to get

Project Number: 47919-014

Approval Date: 19 May 2014

Source of Funding:

- Loan 3130: \$75.00 million
Ordinary Capital Resources
- Loan 8281: \$15.00 million
Canadian Climate Fund for the Private Sector

Project Description:

The project is expected to accelerate the development of Georgia's hydropower sector by catalyzing more private sector investment and increasing cross-border energy trading in the region.

Safeguard Categories:

Environment: A
Involuntary Resettlement: A
Indigenous Peoples: C

There are 369 affected households with a total of 1,952 affected people in seven villages with a total population of 59,625. Physical displacement has not taken place in this project, so there has been no relocation of affected people and no housing structures have been affected.

Source: ADB. 2014. *Report and Recommendation to the President to the Board of Directors on the Proposed Loan and Administration of Adjaristsqali Georgia LLC Adjaristsqali Hydropower Project*. Manila. <https://www.adb.org/sites/default/files/project-document/80981/47919-014-rrp.pdf>; <https://www.adb.org/projects/45007-004/main#project-pds>

¹ IFC's Compliance Advisor Ombudsman.

² EBRD's Project Complaint Mechanism.

Part of the community of affected people in Makhalakidzebi village (photo by Adjaristsqali Georgia LLC).

their perspectives on the complaint. According to discussions with the PSOD, efforts to resolve the problem have not been successful, so the complaint was declared eligible for the problem-solving process on 12 March 2018.

A review and assessment mission was fielded in the project area from 2 to 5 April 2018. Discussions were held with the project owner and operator Adjaristsqali Georgia Limited Liability Company, the mayor of Khulo municipality (one of the project locations), and the complainants. The complainants and the company engaged in a voluntary dialogue to try to resolve the dispute. The EBRD's Project Complaint Mechanism and the IFC's Compliance Advisor Ombudsman led the facilitation, with the consent of the cofinanciers, while the OSPF provided support and took on the role of observer. The voluntary dialogue is proceeding.

Mongolia: Ulaanbaatar Urban Services and Ger Areas Development Investment Program—Tranche 1

On 28 March 2018, the OSPF received a complaint from a group of 31 project-affected people from the Selbe and Bayankhoshuu communities, supported by the Mongolia-based NGOs OT Watch,

Zurgaan Buudal, and Land Acquisition and Citizens' Rights and Interests. By the time the problem-solving process was under way, the number of complainants had increased to 110. The complainants alleged that land acquisition and property valuation under the project had caused damage and negative impact. A similar complaint was forwarded to the Project Complaint Mechanism of the European Investment Bank (EIB), a cofinancier of the project. The complaint made to ADB was declared eligible after an OSPF fact-finding mission in April 2018. Review and assessment of the complaint was conducted from 27 April to 3 May 2018 and finalized in July 2018.

A series of roundtable discussions culminated in the signing of a memorandum of understanding (MOU) on 2 July 2018. The MOU served as the guiding document for the case-by-case negotiations initiated in June 2018.³ Working closely with the complainants, the municipality of Ulaanbaatar and the ADB project team, the OSPF facilitated negotiated settlements

The complaint made to ADB was declared eligible after an OSPF fact-finding mission in April 2018.

³ Case-by-case negotiations started in June 2018 at the request of some complainants, and land values were adjusted after 2 July 2018 for those complainants who had concluded negotiations before the MOU signing.

Land and properties affected by the project (photos by OSPF).

Project Number: 45007-004**Approval Date: 17 December 2013****Closing Date: 31 December 2019****Source of Funding:**

- Grant 0380: \$3.70 million
Urban Environmental Infrastructure Fund under the Urban Financing Partnership Facility
- Loan 3098: \$27.50 million
Ordinary Capital Resources
- Loan 3099: \$22.50 million
Concessional Ordinary Capital Resources Lending/
Asian Development Fund
- \$28.38 million
European Investment Bank

Project Description:

The project supports the Ulaanbaatar City master plan in upgrading priority services and economic hubs in *ger* (vast low-density peri-urban) areas. Combining spatial and sector approaches, the project provides an integrated solution in response to the growing demand for basic urban services. It involves developing sub-centers as catalysts for growth in the *ger* (traditional tent) areas, including financing core urban infrastructure and basic services in priority road sections, investing in socioeconomic facilities needed by the communities, and improving operations management by service providers.

Safeguard Categories:

Environment: B
Involuntary Resettlement: A
Indigenous Peoples: C

There are 1,400 affected households (825 landowners), including 342 that are fully affected and 458 that are partially affected by the project. A total of 29 affected households are considered vulnerable households. The project will also affect about 12 residential structures, 32 toilets, 21 ground attachments, five *gers*, and 75 fences.

Source: ADB. 2013. *Report and Recommendation of the President to the Board of Directors for the Proposed Multitrance Financing Facility Mongolia: Ulaanbaatar Urban Services and Ger Areas Development Investment Program*. Manila. <https://www.adb.org/sites/default/files/project-document/79693/45007-003-rrp.pdf>; <https://www.adb.org/projects/47281-001/main#project-pds>

with all the complainants. Four, however, refused to sell their land because of land legacy or demands for compensation packages that far exceeded the agreed level in the MOU. The OSPF will continue to be engaged primarily in a monitoring role but will facilitate further negotiations, as needed.

A capacity-building program was also customized to equip the complainants with communication and negotiation skills before the negotiations began. Throughout the problem-solving process, balanced engagement of all stakeholders was assured through joint meetings, where issues were discussed and addressed. Apart from building parties' trust, the extensive meetings ensured that agreed actions were implemented and followed through.

In consultation with the stakeholders, an implementation and monitoring plan was prepared in September 2018 and updated on 12 November 2018 to address the few agreed actions that remained unmet. On the basis of the plan agreed on in September 2018, it was concluded that the problem-solving phase of this case had reached its final stage. The problem-solving report⁴ was finalized and published on the OSPF website.

Pakistan: National Highway Network Development in Balochistan Project

The SPF received a complaint on the National Highway Network Development in Balochistan Project in Pakistan on 6 April 2018. The complaint raised

A capacity-building program was also customized to equip the complainants with communication and negotiation skills before the negotiations began.

⁴ ADB. 2019. *Problem-Solving Report of the Special Project Facilitator Mongolia: Ulaanbaatar Urban Services and Ger Areas Development Investment Program – Tranche 1*. Manila. <https://www.adb.org/sites/default/files/page/42458/mon-45007-004-problem-solving-report-201901-en.pdf>.

concerns about land acquisition and compensation due to the project. To determine the eligibility of the complaint and understand the issues better, the OSPF reviewed relevant project-related documents, held a teleconference with the complainants, and met with the staff concerned from the Central and West Asia Department (CWRD) and the Pakistan Resident Mission.

The complaint was deemed eligible for the problem-solving process on 7 May 2018. It was found that further review and potential improvements were needed in the consultation process with affected communities on land acquisition related to the

Project Number: 47281-001

Approval Date: 27 June 2014

Closing Date: 15 January 2020

Source of Funding:

- Loan 3134: \$122.60 million
Ordinary Capital Resources
- Grant 0451: \$72.40 million
Department for International Development
of the United Kingdom

Project Description:

The project will rehabilitate 79 kilometers (km) of the existing two-lane road of Zhob–Mughal Kot (N50) and 128 km of the existing two-lane road of Qila Saifullah–Waghun Rud (N70) in Balochistan province, Pakistan.

Safeguard Categories:

Environment: B

Involuntary Resettlement: B

Indigenous Peoples: C

There are 265 affected households and a total of 2,186 affected people under the project. Of the affected households, 148 will face impact on 207 fixed structures and 18 commercial structures, and 10 will have to shift or relocate 17 temporary movable structures out of the corridor of impact. There are 32 household headed by women, and one is deemed vulnerable.

Sources: ADB. 2014. *Report and Recommendation of the President to the Board of Directors for the Proposed Loan Islamic Republic of Pakistan: National Highway Network Development in Balochistan Project*. Manila. <https://www.adb.org/sites/default/files/project-document/81384/47281-001-rrp.pdf>; <https://www.adb.org/projects/47281-001/main#project-pds>

Section of the project where road drilling is ongoing (Photo by OSPF).

property and assets of project-affected persons, and in the compensation methodology and arrangements.

The SPF conducted a review and assessment in Islamabad, from 26 to 29 June 2018. This included dialogue with key stakeholders to develop a mutually acceptable course of action to resolve the complaint. On 15 November 2018, the Balochistan High Court issued a decision requiring the payment of compensation in accordance with the Land Acquisition Act of 1894. The SPF sent a letter to the National Highway Authority (NHA) on 6 December 2018 requesting information about the NHA's expected actions in response to the court order. No reply has been received, other than indications that the NHA will contest the court decision. The OSPF continues to monitor the situation.

Georgia: Batumi Bypass Road Project

In a complaint received by the SPF on 2 October 2018, the complainants alleged loss of business and inadequate compensation for land and property acquired for the project, contending inaccuracy of appraisal. After an initial assessment and separate discussions with CWRD team and the complainants, the SPF deemed the complaint eligible on 9 October 2018.

From 16 to 17 October 2018, the OSPF conducted a review and assessment of the complaint, including dialogue with the Roads Department and the complainants in Tbilisi and Batumi, Georgia. An OSPF consultant then assessed purchases of several land plots that were comparable to the complainants' plots. The assessment showed that similar plots nearby had higher land sales in the recent times than the compensation provided for the complainants' land. However, the valuation of the complainant's land at the time of the payment of compensation needs to be reviewed further. On the basis of the field review and

consultant assessment, the SPF recommended the Roads Department to reengage with the complainant. The OSPF is working closely with CWRD to continue engaging with stakeholders and attempt to find a mutually satisfactory resolution.

Project Number: 50064-001

Approval Date: 28 March 2017

Closing Date: 30 June 2023/31 December 2023

Source of Funding:

- Loan 3520: \$114.00 million
Ordinary Capital Resources
- Loan 8328: \$114.00 million
Asian Infrastructure Investment Bank

Project Description:

The project will construct a new two-lane bypass road of 16.2 kilometers (km) skirting Batumi, and contract out routine and periodic maintenance work for about 200 km of international roads combined with connecting secondary roads, on the basis of performance-based maintenance contracts.

Safeguard Categories:

Environment: A
Involuntary Resettlement: A
Indigenous Peoples: C

There are 769 affected households and a total of 4,051 affected people under the project. Of these, 562 households with 3,024 people are deemed severely affected, 369 households with 2,023 people will require physical relocation, and 276 households are deemed vulnerable.

Source: ADB. 2013. *Report and Recommendation of the President to the Board of Directors on the Proposed Loan and Administration of Loan Georgia: Batumi Bypass Road Project*. Manila. <https://www.adb.org/sites/default/files/project-documents/50064/50064-001-rrp.pdf>; <https://www.adb.org/projects/50064-001/main#project-pds>

OTHER COMPLAINTS

Nepal: Tanahu Hydropower Project

Loans 2990 and 2991

Approval Date: 21 February 2013

Closing Date: 30 June 2021

Complaint Received: 23 August 2018

Status: Ineligible

A group of affected households belonging to the Magar indigenous peoples alleged that the project would cause direct and material harm due to inundation and that consultation and participation were inadequate, leading to unfair compensation. The OSPF and ADB's South Asia Department (SARD) conducted a joint fact-finding mission to Kathmandu and Pokhara, Nepal, from 1 to 5 October 2018 to meet with the executing agency, Tanahu Hydropower Limited (THL), as well as the complainants, and to gain a better understanding of the complaint. A course of action to be implemented by SARD, THL, and the complainants was agreed on. On 9 October 2018, the SPF deemed the complaint ineligible, as the complainants had not attempted to work with the operations department before reaching out to ADB's Accountability Mechanism. In the decision, the SPF also took note of the strong commitment to complaint resolution demonstrated by SARD and THL. The OSPF is closely monitoring the implementation of the agreed course of action.

Samoa: Promoting Economic Use of Customary Land (Phase II and III) and Samoa AgriBusiness Support Project

Project Number: 41173-012, 46512-001, and 46436-002

TA 7387 and TA 8481, Grant 0392

Approval Dates: 23 November 2009, 10 October 2013, and 17 June 2014

Closing Dates: 30 September 2013, 31 December 2017, and 31 January 2022

Complaint Received: 9 September 2014

Status: Eligible

After the consultation process, which ended in December 2017, OSPF continued to monitor the process even after the complainants withdrew from problem-solving. The OSPF released its final report^a on 31 August 2018, following the issuance of the TA completion report on 16 August.

^a ADB. 2018. *Final Report of the Special Project Facilitator: Independent State of Samoa: Promoting Economic Use of Customary Land, Phase II and III and Samoa AgriBusiness Support Project*. Manila. <https://www.adb.org/sites/default/files/page/42458/sam-spf-final-report-20180831.pdf>.

Sri Lanka: Clean Energy and Network Efficiency Improvement Project

Project Number: 43576-013Loans 2892 and 2893, Grant 0303, and TA 8167

Approval Date: 18 September 2012

Closing Date: 30 June 2019

Complaint Received: 16 August 2017

Status: Eligible

Complainants raised issues regarding the alignment of the transmission line. They said that it diverged from the approved path despite the absence of environmental and social studies to justify the change. A review and assessment in October 2017 was conducted in the field. The OSPF facilitated agreement on a course of action with all key project stakeholders. OSPF engaged a local consultant to oversee the process, monitor consultations, and ensure wide community participation among the complainants. In 2018, the OSPF fielded two missions to meet with stakeholders and discuss options, given the delay in implementing the agreed course of action due to a pending court case. The Supreme Court hearing, which was scheduled for 5 December 2018, was postponed to March 2019. No further actions are expected until the Supreme Court has ruled on the case.

Kazakhstan: Akmola Electricity Distribution Network Modernization and Expansion

Loans 7391 and 3019

Approval Date: 2 September 2013

Closing Date: Not available

Complaint Received: 15 January 2018

Status: Ineligible

The complaint alleged that the distribution company required payment for access to energy grids and that local consumers had to purchase a specific metering device and a two-phase counter. The complainants claimed that state rules prohibited such charges and requirements. The SPF declared the complaint ineligible on 9 February 2018 owing to a lack of demonstrated harm and insufficient substantiation of elements in the complaint. The SPF's involvement would not have been useful in resolving the complaint, as the crux of the issues fell within the scope of state regulations on electricity grid connection, and would have been best resolved through the local legal process.

Armenia: Sustainable Urban Development Investment Program-Tranche 1

Loan 2752

Approval Date: 9 May 2011

Closing Date: 30 June 2020

Complaint Received: 12 February 2018

Status: Ineligible

The complaint alleged that the road construction had damaging impact on the complainants' property, raised safety concerns due to the property's proximity to the new road, and stated that the property's market value had depreciated as a result. Agreement on the compensation amount, as well as on improvements in safety and pedestrian access conditions in the vicinity, has been reached, and a legal document, including other actions needed to finalize the agreement, is being prepared with the help of the Armenia Resident Mission and CWRD. The SPF, on 12 March 2018, declared this complaint ineligible.

Bangladesh: South Asia Subregional Economic Cooperation Second Bangladesh-India Electrical Grid Interconnection Project

Loans 3298 and 3299

Approval Date: 29 September 2015

Closing Date: 30 June 2019

Complaint Received: 22 February 2018

Status: Ineligible

BANGLADESH

INDIA

The complaint alleged that the construction of power transmission lines along the complainants' properties had resulted in loss of income and devaluation of assets, as well as safety concerns. Since the complaint was not addressed by SARD, on 21 March 2018, the SPF pronounced it ineligible for the problem-solving process and asked the project team to work with the complainants. After working closely with key stakeholders, SARD informed the SPF in March 2018 that a multiparty meeting among key stakeholders had led to an agreement on the compensation amounts and on the minimum clearance to be maintained on the transmission line. The agreed compensation was to be held in escrow until the court issues its ruling on a reasonable compensation to the complainants.

Pakistan: Peshawar Sustainable Bus Rapid Transit Corridor Project

Loans 6009, 3543, and 8336
 Approval Date: 30 June 2017
 Closing Date: 31 December 2021
 Complaint Received: 10 May 2018
 Status: Ineligible

The complainants alleged that business income had been lost on account of a road construction project financed by ADB. After discussions with the project team in CWRD and the Pakistan Resident Mission, the OSPF deemed the complaint ineligible on 4 June 2018, as the construction along the road was a non-ADB project activity. OSPF discussions with the complainants prompted the latter to drop their request for confidentiality so that the Pakistan Resident Mission project team could meet with them and discuss their concerns.

Pakistan: Flood Emergency Reconstruction and Resilience Project

Loan 3264 and TA 8912
 Approval Date: 30 June 2015
 Closing Date: 30 April 2019
 Complaint Received: 11 June 2018
 Status: Ineligible

The complaint alleged that substandard reconstruction work had been done on the road between Kotli City and Town Sarhota No. 2. After reviewing relevant project-related documents and discussing the complaint with CWRD and the Pakistan Resident Mission staff as well as the complainants, the OSPF confirmed the project's compliance with the approved design and therefore declared the complaint ineligible on 4 July 2018. The ADB project team did not have enough time after receiving the complaint to help the complainants address their concerns.

Sri Lanka: Greater Colombo Wastewater Management Project

Loans 2557 and 2558
 Approval Date: 28 September 2009
 Closing Date: 31 March 2019
 Complaint Received: 11 September 2018
 Status: Ineligible

Dissatisfied with the compensation obtained for his mother's hospitalization, which had allegedly been caused by the project's construction activities, the complainant resubmitted his complaint of 19 April 2017 to the OSPF on 11 September 2018 for reconsideration. In early October 2018, the OSPF received word that the Colombo Municipal Council (CMC) was not disposed to consider additional compensation. The complaint was therefore deemed ineligible on 9 October 2018. In November 2018, the SARD project team succeeded in persuading the CMC to reopen the case. Negotiations between the complainant and the project's Grievance Redress Committee were initiated in December 2018 and are ongoing.

OPERATIONAL SUPPORT AND ADVISORY SERVICES

Capacity Building on Grievance Redress Mechanisms and Problem-Solving Tools for ADB-Assisted Projects

In 2018, ADB's operations departments requested the OSPF to develop capacity to resolve project-related complaints through the grievance redress mechanism (GRM) and problem-solving. The OSPF facilitated a total of 20 workshops with over 300 participants across 100 executing and implementing agencies, including ADB resident mission staff and project consultants. The workshops focused on the critical elements of GRMs and the problem-solving tool called RESOLVE, developed by the OSPF.⁵ The capacity-building initiative was aimed at making project implementers more sensitive and skillful in handling complaints in a systematic and proactive manner. It also showed the importance of collaborative and group decision-making processes in resolving issues.

Lahore, Pakistan	14–16 January 2018
Karachi, Pakistan	18–20 January 2018
Islamabad, Pakistan	22–25 January 2018
Manila, Philippines	10–12 April 2018
Astana, Kazakhstan	30 May–1 June 2018
Bishkek, Kyrgyz Republic	3–5 June 2018
Guwahati, India	1–3 August 2018
New Delhi, India	6–8 August 2018
Yerevan, Armenia	17–19 September 2018
Jakarta, Indonesia	28–30 November 2018

⁵ The acronym stands for "Review and Expound, Solicit, Observe, anaLyze options, improVe, and Evaluate."

The training raised the importance of collaborative and group decision making in resolving issues.

KNOWLEDGE SUPPORT TECHNICAL ASSISTANCE: Capacity Building for Grievance Redress and Dispute Resolution during Project Implementation

Recognizing the importance of improving the effectiveness of project GRMs on the basis of OSPF problem-solving casework and the GRM

Project Number: 52223-001

Technical Assistance Number: 9598

Financing: US\$ 750,000.00

and problem-solving training program mentioned above, the OSPF prepared a technical assistance (TA) proposal, Capacity Building for Grievance Redress and Dispute Resolution during Project Implementation, which was approved in September 2018.

The TA project is expected to improve understanding and use of GRMs, as well as problem-solving, among executing and implementing agencies and other key stakeholders, such as CSOs. The improvements will be achieved through capacity development and training targeted at sector portfolios with high safeguards risk. This capacity-building program will be enhanced by analytical research and the establishment of a network of practitioners experienced in GRM and

The TA project will support training and capacity development with a country or sector focus, in cooperation with and based on the demand from ADB's operations departments (Photo by OSPF).

problem-solving or dispute resolution in member countries. The OSPF will collaborate closely with the Sustainable Development and Climate Change Department and the OCRP on this TA project.

KNOWLEDGE PRODUCT: Building Bridges—Lessons from Problem-Solving in Viet Nam

The case study documents important lessons in problem-solving from the Central Mekong Delta Region Connectivity Project in Viet Nam for ADB operations staff and ADB-assisted project partners, with a focus on how to devise and implement similar GRMs for future projects. The project was classified

as Category A for both involuntary resettlement and environmental safeguards. Given the project's significant impact, a complex and multifaceted project-level GRM that could effectively handle more than 950 complaints was developed. A range of innovative tools and approaches contributed to its development. This case study also documents successful experiences and good practices, and analyzes the operation of various enablers, before offering important lessons for ADB operations staff and ADB-assisted project partners in how to devise and implement similar GRMs for problem-solving in their future projects. The case study is a joint initiative of the OSPF and the Viet Nam Resident Mission, and was launched on 19 June 2018.

Construction nearing completion on the Vam Cong Bridge across the Hau River. The case study discusses the complex grievance redress mechanism process in ADB's Central Mekong Delta Region Connectivity Project in Viet Nam and tackles involuntary resettlement and environmental safeguards issues (Photo by OSPF).

INTERNAL AND OUTREACH ACTIVITIES

ADB = Asian Development Bank, BCRC = Board Compliance Review Committee, EA = executing agency, IA = implementing agency, OGC = Office of the General Counsel, SARD = South Asia Regional Department.

Source: Office of the Special Project Facilitator, ADB.

JOINT SESSIONS WITH OFFICE OF THE COMPLIANCE REVIEW PANEL

The CRP monitoring the progress of the project in Georgia (photo by OCRP).

COMPLIANCE REVIEW

PREFACE TO COMPLIANCE REVIEW PANEL– OFFICE OF THE COMPLIANCE REVIEW PANEL REPORT

During 2018, the CRP and the OCRP continued their role of ensuring that the objectives of the Accountability Mechanism Policy (AMP) are achieved. The CRP–OCRP benefited from the constant guidance of ADB’s Board Compliance Review Committee (BCRC). The BCRC, including the Office of the General Counsel (OGC), OSPF, and the Sustainable Development and Climate Change Department, provided key support and input for the reforms proposed in the current Accountability Mechanism. The OGC has issued a memorandum clarifying certain aspects of the AMP.

In 2018, three new complaints were filed for compliance review. These pertained to the Sustainable Urban Transport Investment Program–Tranche 3 (third and fourth complaints) in Georgia, and the South Asia Subregional Economic Cooperation (SASEC) Road Connectivity Investment Program–Tranche 2 in India. The CRP conducted the eligibility determination for the first two complaints and completed eligibility determination for the Nenskra Hydropower Project in Georgia. For the complaint related to the hydropower project in Georgia, the ADB Board decided not to authorize a full review since the project had not yet been approved by the Board. Instead, the operations department concerned (the Private Sector Operations Department) was requested to address the issues raised in the complaint through a management action plan, before the project’s submission to the Board for approval. The complainant for the India SASEC project, on the other hand, withdrew the complaint in view of the good-faith efforts of the government and the operations department concerned (SARD) to resolve the issue.

Besides dealing with the new complaints, the CRP conducted its annual monitoring mission for the Mundra Ultra Mega Power Project in India, the Sustainable Urban Transport Investment Program–Tranche 3 in Georgia, and the Railway Rehabilitation Project in Cambodia. The CRP also followed up on the completion of actions relating to its recommendations on the Visayas Base-Load Power Development Project in the Philippines. The CRP is also grateful to the various governments for providing full support in reviewing and monitoring of the compliance cases.

Also in 2018, the CRP–OCRP spearheaded the production of guidebooks for ADB staff and Management, nongovernment organizations (NGOs) and civil society organizations (CSOs), government, and private sector borrowers. The CRP–OCRP also produced knowledge products related to the compliance review process. Under the TA project, Strengthening Compliance Review and Accountability to Project-Affected Persons of Financial Intermediaries (TA 9466), financed by the People’s Republic of China (PRC) Poverty Reduction and Regional Cooperation Fund (PRC Fund), the OCRP conducted three workshops to promote accountability and management of environmental and social risks among financial institutions. Armed with the experience obtained in these workshops, the OCRP has been preparing a *knowledge*

note on safeguard compliance, supervision, and accountability among financial institutions, which will be finalized in 2019. The feedback from this endeavor has encouraged the OCRP to process a second TA project, again to be funded by the PRC Fund, with an accountability mechanism framework for financial intermediaries as the output. Additionally, the OCRP, with the OSPF and the OGC, has prepared the *Guidelines for the Protection of Key Stakeholders during the Accountability Mechanism Process*.

With the active involvement of the OCRP and OSPF, the CRP collaborated with the Independent Accountability Mechanism network, and undertook several outreach and internal activities to inform stakeholders about ADB's Accountability Mechanism.

The CRP also welcomed Halina Ward from the United Kingdom as part-time member, taking the place of Arntraud Hartmann from Germany, who completed her 5-year term.

All these efforts have raised awareness among the various stakeholders of ADB's active role in addressing the concerns of affected people, before these are raised to the Accountability Mechanism offices. We sincerely hope that these efforts will help improve the quality and effectiveness of ADB-assisted projects, have a positive impact on affected people, and promote transparency and engagement in the compliance review process.

As OCRP head and CRP chair, I take great pleasure in these achievements. These were all due to the collaboration between CRP members and OCRP staff; strong support and guidance from the BCRC; assistance provided by OSPF and OGC staff, notably Special Project Facilitator Warren Evans, Senior Facilitation Specialist Sushma Kotagiri, General Counsel Christopher Stephens, and Principal Counsel Irum Ahsan; and support from the staff of the operations departments, our consultants, particularly ASSIST, and all key participants in outreach programs and workshops, whose valuable input was critical to the production of the knowledge products mentioned above.

In all efforts of the CRP–OCRP, the various feedback we received from governments during our missions and on our knowledge products is much appreciated.

Dingding Tang

Chair, Compliance Review Panel
Concurrently Head, Office of the Compliance Review Panel

STATUS OF COMPLIANCE REVIEWS

In keeping with its mandate of promoting ADB's accountability through compliance reviews and monitoring the implementation of remedial actions by ADB Management, the CRP, in 2018, completed an eligibility determination, acted on three new complaints, and continued monitoring four projects that had previously undergone compliance review.

Determination of Eligibility of Complaints

Georgia: Nenskra Hydropower Project (Project No. 49224-001)

After receiving a complaint from certain residents of Nakra and Chuberi communities in the municipality of Mestia, Upper Svaneti, Georgia, in December 2017, the CRP sent an eligibility mission to Georgia in January 2018. Taking into account ADB Management's response to the complaint, information and observations gathered from the project site visit, and the results of meetings with major stakeholders, the CRP prepared and submitted its report to the ADB Board of Directors on 8 February 2018, declaring the complaint eligible.

The complaint was submitted by 10 affected persons, who sought to keep their identities confidential. It was forwarded to the CRP on 7 December 2017 by the complaint receiving officer (CRO). The complainants, who said they belonged to the Svan ethnic group in the Nakra and Chuberi villages, lodged the complaint through their representatives, David Chipashvili and Manana Kochladze from Green Alternative, a local NGO.

The CRP, after an initial assessment in accordance with paragraph 178 of the Accountability Mechanism Policy, confirmed that the complaint fell within the mandate of the compliance review function. The CRP then forwarded the complaint to Management (CWRD) on 12 December 2017. Management's response was submitted to the CRP on 12 January 2018. Part-time CRP members Arntraud Hartmann and Ajay Deshpande, with

Project Number: 49224-001

Country: Georgia

Project sponsor: Korea Water Resource Corporation (private sector)

Processing Stage: For ADB Board approval

Complaint Status: Eligibility determination completed. Complaint was determined eligible for compliance review, but the ADB Board of Directors deemed the conduct of the review inappropriate at the time.

The project will construct, operate, and maintain a conventional hydropower plant with an installed capacity of 280 megawatts at the Nenskra and Nakra valleys in northwestern Georgia. The project is aligned with the objective of the government to develop its hydropower resources and lessen the country's dependence on imported fuel during summer.

The project is being implemented by the Joint Stock Company Nenskra Hydro (JSCNH), a special-purpose vehicle incorporated in Georgia to develop and operate this hydropower plant. JSCNH is wholly owned by Korea Water Resources Corporation (K-water). The total cost of the project, amounting to \$314.00 million (proposed), will be funded by equity from K-water and the government (30%) and debt (70%). Current and expected project financiers are Korea Eximbank, the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD), the Asian Infrastructure Investment Bank (AIIB), and ADB.

The complainants raised noncompliance issues relating to indigenous peoples, involuntary resettlement, and the environment under ADB's Safeguard Policy Statement.

Source: ADB. 2019. *Georgia: Nenskra Hydropower Project, Project Data Sheet*. Manila. <https://www.adb.org/projects/49223-001/main#project-pds>

Josefina Miranda of the OCRP, visited Georgia, including the proposed dam site, from 14 to 19 January 2018 to get a better understanding of the likely negative impact of the project on the complainants. The mission also met separately with

the complainants and their representatives, with the private sector borrower, project consultants, government representatives, academics, and a resource person knowledgeable about the Svans (the indigenous group residing in the affected valleys). In its report to the Board, the CRP described its observations and the information it had gathered about the complaint relating to the application of ADB's Safeguard Policy Statement to the Svans; compensation for pasture; and environmental issues. Owing to the relative complexity of the environmental impact of the project and its stage in the ADB project cycle, the CRP report included a lengthy discussion of the consideration of project alternatives; the assessment of associated facilities; cumulative environmental impact; specific environmental and safety impact (on geology, dam safety, biodiversity, climate change, noise, vibration, pollution, and health and safety); and the environmental and social management plan.

Satisfied that the eligibility criteria for compliance review set out in the Accountability Mechanism Policy had been met, the CRP deemed the complaint eligible and recommended that a compliance review of the project be authorized by the Board. After carefully considering the eligibility determination report of the CRP and ADB Management's response, the BCRC—the Board committee to which the CRP reports—sent a memorandum to the full Board dated 23 February 2018 (report of the BCRC), urging the Board not to authorize a compliance review at that time; to approve the approach described in paragraph 3 of the BCRC report; and to approve the disclosure of the BCRC report to the public in accordance with ADB's Public Communications Policy 2011. After that, the Board decided to approve the recommendations of the BCRC. The CRP's eligibility determination report, the BCRC report, and the Board decision were all posted on the CRP website at <https://lnadbg4.adb.org/dir0035p.nsf/alldocs/JABM-ATX46V?OpenDocument>.

As of end December 2018, the project itself had not been scheduled for consideration by the ADB Board.

Georgia: Sustainable Urban Transport Investment Program—Tranche 3 (Loan No. 3063) (Complaint 3)

A request for a compliance review of this project was forwarded to the CRP by 30 residents of Building 28a, Rustavi Highway, Tbilisi, Georgia, on 21 June 2018. This was the third request for a compliance review for the same section of the project. The complaint was found to be within the mandate of the CRP and the issues raised in this third complaint were similar to those raised in the first and second complaints. The issue of lack of noise and vibration assessment for the complainants' building, was raised in the third complaint.

Since the completion of the compliance review of the project and the approval by the Board of the remedial action plan (RAP) for the project in June 2017, ADB Management has been collaborating actively with the project executing and implementing agency, the Municipal Development Fund of Georgia (MDF),

Loan Number: 3063

Country: Georgia

Borrower: Government of Georgia

Approval Date: 25 November 2013

Closing Date: 31 December 2018

Complaint Status: Complaint was eligible but did not warrant a compliance review as area where the complaint originated was already covered in the ADB Management's remedial action plan.

The project was part of the overall investment program of the Government of Georgia, valued at \$1.1 billion, to be implemented in 2010–2020. Partial funding for this program was through an ADB loan using a multitranche financing facility (MFF) with a maximum financing amount of \$300 million. The complaint pertained to Subproject 1: Tbilisi–Rustavi Urban Road Link (Section 2), one of the two components of Tranche 3 of the MFF.

Source: ADB. 2019. *Georgia: Sustainable Urban Transport Investment Program—Tranche 3, Project Data Sheet*. Manila. <https://www.adb.org/projects/42414-043/main#project-pds>

in carrying out additional studies on noise, vibration, and river ecology. Additional consultations and surveys targeted at vulnerable affected persons have also been conducted in preparation for the formulation of the remedial action plan–final solution (RAP–FS). ADB Management was required to submit the RAP–FS to the CRP and the BCRC once the borrower had selected the mitigation measures for noise and vibration impact.

Based on a review of ADB Management’s response to this third complaint, the CRP concluded that the complainants had been included in the consultations, and that additional noise and vibration studies that generally addressed the residential buildings in the Ponichala area and mitigation measures for such adverse noise and vibration related impacts were broadly included in the RAP–FS.

Following careful deliberation, discussion of observations and facts gathered during a project site visit in July 2018, and meetings with ADB staff, the complainants, and relevant government representatives in Georgia, the CRP deemed the complaint eligible in light of new evidence presented by the complainants. However, the new evidence was not weighty enough to warrant a compliance review, as the project area where the complaint originated was already covered in the RAP, including the RAP–FS. The BCRC was provided with the CRP’s eligibility report on this complaint on 17 August 2018, before its issuance as a Board information paper on 21 August 2018.

Georgia: Sustainable Urban Transport Investment Program–Tranche 3 (Loan No. 3063) (Complaint 4)

On 11 October 2018, a fourth request for a compliance review was received by the CRP for the above project from 18 complainants, residents of Marneuli Street, Rustavi Highway, Tbilisi, Georgia. The CRP’s initial assessment indicated that the complaint fell within the mandate of the compliance review function. The OCRP informed ADB Management of the new complaint and requested a response to be submitted to the CRP by 19 November 2018.

Loan Number: 3063

Country: Georgia

Borrower: Government of Georgia

Approval Date: 25 November 2013

Closing Date: 31 December 2018

Complaint Status: The complaint was ineligible, as good-faith efforts to resolve it were ongoing between ADB Management and the complainants.

(See also project details on page 24.)

After thorough review, the CRP concluded that good-faith efforts to resolve the issues were being made by ADB Management and the complainants, and therefore the case was ineligible for compliance review. The CRP made this statement in its eligibility report to the Board of 13 December 2018 and informed the complainants that concerns not addressed by CWRD could be the subject of a new complaint filed with the CRO together with new supporting evidence, if needed. The CRP’s eligibility report also suggested that ADB Management submit quarterly updates to the CRP until the issues raised by the complainants are resolved. The CRP requested a copy of the report from CWRD upon resolution of the issues.

India: South Asia Subregional Economic Cooperation Road Connectivity Investment Program–Tranche 2 (Project No. 47341-003)

On 22 October 2018, the CRP received a request for a compliance review of the project from two residents of a certain village in Manipur, India. The complainants raised concerns about the nonpayment of compensation following a survey of the entire length of the road project. The CRP initially assessed the complaint and declared it within the mandate of the compliance review function. A memo from the CRP on 30 October 2018 requested ADB

Project Number: 47341

Country: India

Borrower: Government of India

Approval Date: 13 August 2018

Closing Date: 30 June 2022

Complaint Status: Complaint processing was terminated by the complainants' withdrawal of their complaint.

The complaint pertained to the proposed tranche of the project that would cover Tengenoupal district, where the complainants live. Tranche 2 will finance the upgrading of a part of Asian Highway (AH)-1 connecting to Myanmar from Manipur state, and the construction of an international bridge between India and Nepal.

The complaint concerned nonpayment of compensation for property that would be acquired by the project from the complainants.

Source: ADB. 2019. *India: South Asia Subregional Economic Cooperation Road Connectivity Investment Program—Tranche 2, Project Data Sheet*. Manila. <https://www.adb.org/projects/47341-003/main#project-pds>

Management (SARD) to respond to the complaint by 29 November 2018.

On 16 November 2018, the CRO forwarded to the OCRP an e-mail message from one of the complainants notifying the CRO of the complainants' wish to withdraw the complaint. In accordance with the Accountability Mechanism Policy, the CRP therefore communicated with the complainants to confirm their intent to withdraw the complaint, and then informed the complainants, ADB Management, and the borrower that the CRP was terminating further processing of the complaint. But while complaint processing by the CRP ceased, the CRP encouraged SARD to continue working with the complainants and other people who might be affected by the project to resolve issues and avoid the subsequent escalation of complaints to the CRP. The complainants were also informed that if some of their concerns regarding the project remained unaddressed by SARD, they could submit a new complaint to the CRO, if needed. SARD

was requested to give the CRP quarterly updates on developments regarding the complaint before submitting its completion report on its good-faith efforts with the complainants.

Monitoring of Implementation of Board Decisions

Georgia: Sustainable Urban Transport Investment Program—Tranche 3 (Loan No. 3063)

Following the compliance review of the project from June to November 2016, the issuance of the CRP final report on the compliance review in February 2017, and the submission of ADB Management's Remedial Action Plan (RAP), which was approved by the Board in June 2017, the CRP monitored the implementation of the RAP, including the preparation of the RAP final solution (RAP-FS) and other activities preceding the implementation of the RAP and the RAP-FS. The Board-approved RAP, including the RAP-FS, is the basis for the monitoring of this project by the CRP.

At the BCRC meeting on 6 March 2018, the final RAP (final solution) proposed by Management was discussed. This plan was revised on the basis of comments from the BCRC and the CRP, and posted on the CRP website on 3 May 2018. The RAP and

Loan Number: 3063

Country: Georgia

Borrower: Government of Georgia

Approval Date: 25 November 2013

Closing Date: 31 December 2018

Complaint Status: Implementation of remedial actions is ongoing.

Source: ADB. 2018. *Georgia: Sustainable Urban Transport Investment Program—Tranche 3, Remedial Action Plan Final Solution*. Manila. [https://lnadbg4.adb.org/dir0035p.nsf/attachments/GEO-SUTIP3-RAP-Final%20Solutions%20\(Post%20CRP%20and%20BCRC%20Review\)_3May2018.pdf/\\$FILE/GEO-SUTIP3-RAP-Final%20Solutions%20\(Post%20CRP%20and%20BCRC%20Review\)_3May2018.pdf](https://lnadbg4.adb.org/dir0035p.nsf/attachments/GEO-SUTIP3-RAP-Final%20Solutions%20(Post%20CRP%20and%20BCRC%20Review)_3May2018.pdf/$FILE/GEO-SUTIP3-RAP-Final%20Solutions%20(Post%20CRP%20and%20BCRC%20Review)_3May2018.pdf)

the RAP-FS cover the entire project and address the issues raised under the first three complaints regarding this project.

The CRP is mandated to report yearly to the Board on progress in implementing remedial action plans proposed by ADB Management after findings of noncompliance in a compliance review. Accordingly, the CRP reviewed the reports submitted by CWRD project team, sent a monitoring mission to Georgia from 8 to 11 July 2018, and prepared and submitted its report to the Board, through the BCRC, on 4 September 2018.

Specifically, the CRP reviewed relevant project documents, including additional studies and back-to-office reports; met with government representatives of Georgia, particularly the executing agency (the Municipal Development Fund of Georgia, or MDF) and its project consultants and contractors; and met with the complainants, as well as the ADB project team.

During its project site visit, the CRP noted that construction of Section 2 was ongoing, except for the Ponichala area, where the first three complaints originated. CWRD informed the CRP—and the MDF confirmed—that construction of the Ponichala section of the road would start only after the actions defined in the RAP, including the RAP-FS, had been completed. Contractors would, however, be given access to the area so they could mark and prepare it for the construction (including the implementation of mitigation measures) once the site-specific environmental management plan (SSEMP) had been reviewed by CRP and approved by ADB Management.

In its monitoring report, the CRP made suggestions for consideration by ADB Management during the implementation of the rest of the actions in the RAP, including the RAP-FS, pertaining to the impact of noise and vibration on vulnerable groups and on river ecology, and the conduct of targeted consultations at the community level. Overall, the CRP deemed ADB Management to be in partial compliance with the actions in the RAP, except for the sixth action

item concerning the environmental categorization of the project. CWRD and the CRP-OCRP have been in contact for the review of documents, particularly those on the SSEMP and on other matters relating to the implementation of the remedial actions.

After the CRP had issued its first annual monitoring report on the implementation of the RAP including the RAP-FS for this project, the CRP received two e-mail messages from one of the complainants. The first reached the OCRP on 12 October 2018 and included

The CRP monitoring the progress of the project in Georgia (photo by OCRP).

two short video clips of meetings with MDF personnel; the second was received on 14 November 2018. Both e-mail messages—about respecting the citizen’s right to life and property—made a strong appeal on the subject to authorities. To provide feedback to ADB Management and recognize the efforts of affected persons during monitoring, the OCRP forwarded both messages to CWRD for appropriate action.

India: Mundra Ultra Mega Power Project (Loan 2419)

Noting slow progress in the implementation of remedial actions from the quarterly reports sent to it by the PSOD, the CRP prepared to conduct its monitoring mission in May 2018. However, Coastal Gujarat Power Limited (CGPL) requested the CRP to postpone its visit until July, citing changes in top management. The CRP’s third annual monitoring visit to the CGPL power plant at Mundra, Gujarat, India, took place on 4–5 July 2018. Since completion of the second annual monitoring report in the previous monitoring period, the CRP noted that very limited progress had been made in the implementation of the RAP. There was limited progress in the implementation of RAP agreed actions (such as the absence of the medium-term development program of the Livelihood Improvement Plan and the interruption of services to the Tragadi *bander*). The CRP attributed this limited progress to changes in the senior management team at CGPL over the past 12 months. The new senior officials had been in place for only a few weeks before the arrival of the CRP’s third annual monitoring mission. The CRP noted that ADB staff had been active and engaged in providing support in the implementation and monitoring of the Livelihood Improvement Plan for the affected *pagadiyas* (foot fishers) and in monitoring the need for CGPL services to households residing during the fishing season in Tragadi *bander* who are affected by the longer access road. Monitoring by ADB staff of other RAP measures, such as additional thermal and ecological monitoring along the Tragadi *bander* and Modhva shorelines and on follow-up measures of the air quality study were less pronounced.

Loan Number: 2419

Country: India

Borrower: Coastal Gujarat Power Limited (CGPL)
(Private sector)

Approval Date: 17 April 2008

Closing Date: Loan fully paid on 28 September 2018

Complaint Status: Monitoring of remedial actions (year 3)

Management’s Action Plan:

These actions are geared toward achieving compliance with ADB’s operational policies and procedures, mainly those related to the environment and involuntary resettlement. The plan provides for studies and preparatory actions to address the CRP’s findings of noncompliance relating to disclosure of information and consultation; thermal discharge from the plant’s outflow channel and impact on the livelihood of fisherfolk; sludge; access restrictions; and ambient air quality.

Source: ADB. 2015. India: Mundra Ultra Mega Power Project, Proposed Remedial Action Plan. Manila. [https://lnadbg4.adb.org/dir0035p.nsf/attachments/R44-15%20\(as%20posted%203%20July%202015\).pdf/\\$FILE/R44-15%20\(as%20posted%203%20July%202015\).pdf](https://lnadbg4.adb.org/dir0035p.nsf/attachments/R44-15%20(as%20posted%203%20July%202015).pdf/$FILE/R44-15%20(as%20posted%203%20July%202015).pdf)

After submitting its draft report to the BCRC on 21 August 2018 for review and consultation, the CRP sent its third annual monitoring report to the Board and posted it on the CRP website on 4 September 2018. The CRP’s report noted that overall, there has been limited progress in the implementation of the remedial actions on the project in the period since the CRP’s second monitoring mission; and that only one of the five actions had been closed, with three remaining partially compliant and one under temporary noncompliance. The CRP therefore suggested that it would benefit the project if ADB Management were to continue submitting its quarterly updates so the CRP could also update the BCRC periodically.

In the 13th quarterly progress report on the implementation of remedial actions covering the period from 25 June to 24 September 2018, which

The CRP in its last monitoring mission to India for the Mundra Ultra Mega Power Project (photo by OCRP).

was received by the CRP on 6 November 2018, the PSOD stated that CGPL had prepaid the project loan in full on 28 September 2018. Notably, CGPL had engaged SWADEEP, a local NGO, to consult with *pagadiyas* about feasible livelihood options, as the establishment of a shrimp farm, envisioned in the livelihood development plan, had long been delayed. As a result of follow-up by PSOD, CGPL made significant efforts to restore the community services (e.g., supply of potable water, periodic health camps) that it had provided to the transient fisherfolk in Tragadi *bander* before August 2017. In September 2018, CGPL also engaged SWADEEP as a partner in the implementation of interventions in education, microfinance, and maintenance of access roads and roads within Tragadi *bander*, under CGPL's corporate social responsibility program. CGPL also organized consultations with Tragadi *panchayat* (village) and Tragadi *bander* residents, and agreed to restore the water supply to Tragadi *bander* after those consultations. With these efforts from CGPL, the CRP

hopes that progress on the remedial actions can be completed as soon as possible.

Cambodia: Greater Mekong Subregion: Rehabilitation of the Railway in Cambodia Project—Loan 2288 and Loan 2602/Grant 0187 (Supplementary)

On 18 October 2018, the CRP received the 13th progress report of ADB Management (Southeast Asia Department [SERD]) on the implementation of Board-approved CRP recommendations on the project. SERD had submitted no other progress report since December 2017. To assess the progress of the implementation of the Board-approved recommendations, the CRP met with the ADB staff concerned at the ADB headquarters on 19 October 2018. On 22 October, the CRP also met in Phnom Penh with staff of the ADB Cambodia Resident Mission, as well as with staff of CUFA (formerly, Credit Union Foundation Australia, a not-for-profit development

organization) and an ADB international consultant engaged under TA 8810: Strengthening Resettlement and Income Restoration Implementation.⁶

As in previous CRP monitoring cycles, Eang Vuthy, executive director of the Phnom Penh-based Equitable Cambodia, who had represented the complainants earlier, was invited to present the complainants' views on the progress of the implementation of Board-approved recommendations after the issuance of the CRP's third annual monitoring report in December 2017. However, the CRP was told that Mr. Vuthy could not do so as Equitable Cambodia had not been following the case for a year. The CRP, in its latest visit to Cambodia for this project, was unable to listen to the views of the government, the complainants, and other affected persons, or to visit the resettlement sites for some reasons.

The CRP formed its views about the status of implementation of the Board-approved recommendations after a review of relevant project documents and meetings with the ADB staff concerned and project consultants under the TA. As the project loan had closed on 1 November 2015, actions to address the CRP's recommendations had been taken under TA 8810, implemented by SERD's Transport and Communications Division. The TA closed on 31 October 2018. The CRP intended to submit to the BCRC its report to the Board by February 2019.

Philippines: Visayas Base-Load Power Development Project (Loan 2612)

Since 2013, the CRP had submitted annual monitoring reports to the Board on the progress of implementation of Management's actions to address Board-approved recommendations for this project. Following the 5-year maximum monitoring period prescribed in the Accountability Mechanism Policy of 2003, the CRP submitted its fifth and final monitoring report to the Board on 13 November 2017.

Loan Number: 2288 and 2602 and Grant 0187 (Supplementary)

Country: Cambodia

Borrower: Government of Cambodia

Approval Date: 10 January 2007 (for Loan 2288); 15 December 2009 (for Loan 2602)

Closing Date: Both loans and the grant are already closed (Loans 2288 and 2602 on 01 November 2016; Grant 0187: 20 April 2016)

Complaint Status: Monitoring of remedial actions (year 4) following Accountability Mechanism Policy of 2003

Board-Approved CRP Recommendations:

- Establish a compensation deficit payment scheme.
- Improve facilities at the resettlement sites.
- Institute improvements in the functioning of the grievance redress mechanism, to be reflected in a time-bound and verifiable action plan.
- Develop an appropriate program to build capacity for resettlement in the IRC, to be reflected in a time-bound and verifiable action plan.
- Establish a debt workout scheme to help highly indebted families repay their accumulated debts through a dedicated credit line and a debt workout facility.
- Implement the expanded income restoration program in a sustained and sustainable manner.

In the report, the CRP flagged the remaining activities relating to Recommendations 1 and 4, which are addressed under TA 8338 (Air Quality Management for the Visayas Base-Load Power Development Project). These refer to air quality monitoring and validation of the air dispersion modeling study, which will feed into the selection of an airshed management scenario to ensure acceptable ambient air quality in the project area. As suggested by the CRP in its report, PSOD will continue to submit quarterly progress reports to the CRP to allow the CRP to

⁶ This TA project aims to enhance the capacity of the government to effectively implement resettlement activities in transport projects in Cambodia. Its projected outcome is the enhancement of the institutional and staff capacity of the Inter-Ministerial Resettlement Committee to improve the functioning of the grievance redress mechanism, and to implement resettlement programs and the expanded income restoration program in a sustained and sustainable manner. Details of this TA project are at <https://www.adb.org/projects/37269-054/main#project-pds>.

Loan Number: 2612

Country: Philippines

Borrower: KEPCO SPC Power Corporation (KSPC)
(Private sector)

Approval Date: 11 December 2009

Closing Date: Loan fully paid

Complaint Status: Monitoring of remedial actions (year 6)

Remaining Recommendations to Be Monitored:

- Undertake a comprehensive air dispersion modeling study that includes the key pollution sources in the project area of influence, and validate the predictions with actual air emissions and ambient air quality monitoring data. Develop an action plan based on recommendations from the modeling study and emphasize the potential for continuous monitoring and recording of air emissions and ambient air quality.
- Implement a community outreach program focused on preventing negative health impact from air, water, and noise pollution and potentially negative impact from exposure to unprotected coal ash deposits.

monitor the progress of the remaining activities until Recommendations 1 and 4 are fully complied with. The CRP monitoring will be based on quarterly progress reports from PSOD and staff interviews.

As the loan has been fully paid, the only ongoing activities are those relating to TA 8338, which is implemented by PSOD in collaboration with the Regional Office 7 of the Department of Environment and Natural Resources–Environmental Management Bureau (DENR–EMB) in Cebu.

On the basis of PSOD's 22nd to 24th quarterly progress reports, the continuous air quality monitoring (CAAM) equipment installed at the Naga City Hall compound and inside the track-and-field oval of the Naga City Sports Complex were repaired and were made operational in May 2018. Since then, data on air quality have been continually collected and transferred to the database of the Regional Office 7 of DENR–EMB. AECOM, the consulting firm responsible

for the meteorological and air quality modeling study, needed at least 6 months of continuous ambient air quality data and a few more months to process the results to complete the study. Data collection was expected to be completed by the end of 2018.

According to the CRP, ADB Management will be in a position to submit an air quality management plan that addresses the negative health impact of air pollution (as required to comply with the pending Board-approved recommendations and complete the remedial actions) only if good-quality data are available from the two CAAM stations for 6 successive months. Barring glitches in data gathering, the CRP expects to receive the PSOD's draft report on air quality modeling by the first quarter of 2019.

OCRP Awareness Raising and Information Dissemination

Internal

From time to time, the OCRP has been requested to hold briefings or information sessions at the ADB headquarters for internal staff as well as visiting clients. On 20 August 2018, the OCRP was requested by the Office of Cofinancing Operations to present the Accountability Mechanism to staff during an information session. The OCRP head also presented the compliance review function of ADB's Accountability Mechanism to visiting officials of China Development Bank.

External (Outreach in Mongolia, Nepal, Bangladesh, Timor-Leste, Cambodia, and United States)

6 April	Ulaanbaatar, Mongolia
13–15 August	Kathmandu, Nepal
2 August	During the Capacity Building Program organized by ADB's Procurement, Portfolio, and Financial Management Department in Dhaka, Bangladesh
17 September	Dili, Timor-Leste
23 September	Phnom Penh, Cambodia
16 November	Johns Hopkins University, United States

Briefing on the Accountability Mechanism in Kathmandu, Nepal (photo by CRP).

ADB Cambodia Resident Mission staff discussing with the CRP during a briefing on the Accountability Mechanism and the presentation of the guidebooks on compliance review in Phnom Penh (photo by CRP).

Technical Assistance and Development of Knowledge Products

TA 9289: Strengthening Awareness for Effective Outreach for Ensuring Compliance with ADB's Policies and Procedures for ADB-Assisted Projects

This small-scale TA project supports awareness building and effective outreach to all stakeholders (project-affected people, NGOs and civil society representatives, government agencies, and ADB staff) by developing easy-to-understand, audience-specific information materials about the compliance review function of ADB's Accountability Mechanism. Part of the information campaign was the conduct of five workshops, the last of which was held on 6–7 February 2018 at the Thailand Resident Mission in Bangkok. NGO participants and ADB resident mission staff commented on the draft guidebook for affected people, NGOs, and CSOs. Separate guidebooks were being developed for ADB staff and Management, government, and the private sector. Considering the importance of the guidebooks, even the BCRC and the OGC provided comments. A brochure on the compliance review function of ADB's Accountability Mechanism was also an output of the TA project. To maximize TA resources and the input from the NGO consultant developing the guidebooks, the TA output has been expanded to include a sourcebook on compliance review, with case studies and examples; a 3-minute introductory video on the Accountability Mechanism; training materials on compliance review processes; and a longer version of the brochure. The guidebook for ADB Management and staff has

been published online and in print. The short video was first shown during a session by the two offices of the Accountability Mechanism in the ADB Annual Meeting in 2018. This video and the training module that was developed under the TA project were used in the OCRP's outreach in at least four developing member countries in 2018. Other versions of the guidebook were being reviewed by ADB's Department of Communications before their publication, and the sourcebook was being drafted after the outline was reviewed by the OCRP. The rest of the guidebooks and the sourcebook are targeted for completion in early 2019.

TA 9466: Strengthening Compliance Review and Accountability to Project-Affected Persons of Financial Intermediaries

This TA project, which was funded by the PRC Fund, involved gathering together a significant number of financial intermediaries, government regulatory agencies, Independent Accountability Mechanisms of international financial institutions, NGOs, and CSOs to discuss and focus on how financial intermediaries could establish an effective safeguard compliance and accountability mechanism in projects implemented by those financial intermediaries.

Three regional workshops were organized under the TA project: in Beijing, PRC (on 12 June 2018); in Xiamen, PRC (on 14 and 15 June 2018); and in New Delhi, India (on 31 October and 1 November 2018). The workshops were attended by about 250 staff from various financial intermediaries and

Participants at the Beijing workshop (photo by OCRP).

banks from 23 ADB developing member countries and several private banks, NGOs, and CSOs from the region and host countries. The TA successfully mobilized representatives from Independent Accountability Mechanisms of various international organizations, NGOs, and CSOs to serve as resource persons or facilitators. Among the organizations represented were the World Bank Group (including the IFC's Compliance Advisor Ombudsman), the European Investment Bank, the Asian Infrastructure Investment Bank, the New Development Bank, the Japan International Cooperation Agency, the Bank Information Center, the Accountability Counsel, the United Nations Development Programme, the United Nations Environment Programme, WWF, the Green Climate Fund, and Friends of the Earth. The workshops were also attended by ADB staff, provided expert

input to the plenary and breakout group discussions. To mobilize large numbers of resource persons and participants, the OCRP team, along with a national consultant, was supported by operations departments and their contacts.

The workshops promoted awareness of good practices in accountability and in environmental and social risk management among financial institutions, and articulated issues that would guide the establishment of a complaint mechanism for increased accountability and compliance review in the projects or activities of financial institutions.

A compilation of good practices in safeguard compliance and accountability to project-affected persons by financial intermediaries was prepared

Panel discussion during the workshop in Xiamen (photo by OCRP).

on the basis of research from various sources. It embodied good international practices on environmental and social safeguard compliance, and benefited from the discussions and presentations during the workshops. This knowledge product will be published online in early 2019.

Feedback from the workshops and the interest these workshops generated among the participants prompted the OCRP to start preparing another TA project, intended for funding also by the PRC Fund. This proposed TA project will focus on the development of an accountability mechanism framework that financial intermediaries can adopt and adapt to their institutional needs or that can be applied to ADB-financed projects covered by a financial intermediation loan.

Independent Accountability Mechanisms Network Activities

Besides attending, together with the OSPF, the 15th Annual Meeting of the Independent Accountability Mechanisms Network (IAMnet) from 12 to 15 November 2018 at the World Bank in Washington, DC, the CRP chair and the OCRP advisor also participated in the activities of various Independent Accountability Mechanism (IAM) working groups, and contributed to and commented on IAM papers prepared by other working groups.

Eighteen organizations are part of IAMnet, which meets every year to discuss and exchange ideas on accountability mechanisms, their functions, and best practices. ADB's OCRP maintains the IAMnet website

Participants articulating their views during the workshop on Enhanced Understanding of the Environment and Social Compliance and Accountability to Project-Affected Persons by Financial Intermediaries in New Delhi, India on 31 October and 1 November 2018 (photo by OCRP).

Participants at the 15th Annual Meeting of the Independent Accountability Mechanisms Network, Washington, DC, 13–14 November 2018 (photo by the IAMnet Meeting Secretariat).

(<http://independentaccountabilitymechanism.net>) and participates in several working groups established on various topics, to streamline activities and come up with best practices.

The working groups deal with the following matters:

- Good practices,
- Role of stakeholders in the compliance review process,
- Efforts to address reprisals,
- Outreach,
- IAM collaboration on cofinanced projects,

- IAMs and commercial institutions,
- Evolution of the IAMnet, and
- Dispute resolution initiative.

The CRP and the OCRP agreed to work in each of these groups to provide ADB's input. The working groups and the participating CRP/OCRP members are as follows: good practices, with Arntraud Hartmann, and now Halina Ward; IAMs and commercial institutions, with Ajay Deshpande; IAM collaboration on cofinanced projects, with Dingding Tang; evolution of the IAMnet, with Munawar Alam; and outreach, with Munawar Alam.

Eighteen organizations are part of IAMnet, which meets every year to discuss and exchange ideas on accountability mechanisms, their functions, and best practices.

COMPLAINT RECEIVING OFFICER

STATISTICS OF ADMISSIBLE COMPLAINTS UNDER THE ACCOUNTABILITY MECHANISM RECEIVED IN 2018

In 2018, the CRO received 39 admissible complaints under the Accountability Mechanism. Of these 39 complaints, 11 were forwarded to the SPF for problem-solving efforts at the complainants' request, and 3 complaints were forwarded to the CRP for compliance review (Figure 1). Six complaints in 2018 were deemed eligible for various reasons (Figure 2).

The year saw an increase of 30% in the number of total admissible complaints over the 2017 total (from 30 to 39) (Figure 1), and a 200% increase in the number of eligible complaints (from 2 to 6) (Figure 2).

- Eleven complaints about the following projects (listed here with the project number and the date of receipt of complaint) were forwarded to the SPF:
 - **Kazakhstan: Akmola Electricity Distribution Network Modernization and Expansion Project**
Project No. 46933-014
Date of receipt: 15 Jan
 - **Armenia: Sustainable Urban Development Investment Program–Tranche 1**
Project No. 42417-023
Date of receipt: 12 Feb
 - **Bangladesh: SASEC Second Bangladesh–India Electrical Grid Interconnection**
Project No. 44192-016
Date of receipt: 22 Feb
 - **Georgia: Adjaristsqali Hydropower Project**
Project No. 47919-014
Date of receipt: 8 Mar
 - **Mongolia: Ulaanbaatar Urban Services and Ger Areas Development Investment Program–Tranche 1**
Project No. 45007-004
Date of receipt: 28 Mar
 - **Pakistan: National Highway Network Development in Balochistan Project**
Project No. 47281-001
Date of receipt: 6 Apr
 - **Pakistan: Peshawar Sustainable Bus Rapid Transit Corridor Project**
Project No. 48289-002
Date of receipt: 10 May
 - **Pakistan: Flood Emergency Reconstruction and Resilience Project**
Project No. 49038-001
Date of receipt: 11 Jun
 - **Nepal: Tanahu Hydropower Project**
Project No. 43281-013
Date of receipt: 23 Aug
 - **Sri Lanka: Greater Colombo Wastewater Management Project**
Project No. 36173-013
Date of receipt: 11 Sep
 - **Georgia: Batumi Bypass Road Project**
Project No. 50064-001
Date of receipt: 2 Oct

Figure 1: Accountability Mechanism-Related Complaints Received by the Complaint Receiving Officer and Forwarded to the Special Project Facilitator or Compliance Review Panel, 2012–2018

AM = Accountability Mechanism, AMP = Accountability Mechanism Policy, CRO = complaint receiving officer, CRP = Compliance Review Panel, SPF = special project facilitator.

Source: Complaint receiving officer.

Figure 2: Eligibility of Special Project Facilitator and Compliance Review Panel Complaints, by Year, 2012–2018

CRP = Compliance Review Panel, SPF = special project facilitator.

Source: Complaint receiving officer.

- Three complaints about the following projects (listed here with the project number and the date of receipt of complaint) were forwarded to the CRP:
 - **Georgia: Sustainable Urban Transport Investment Program–Tranche 3**
Project No. 42414-043
Date of receipt: 21 Jun and 11 Oct
 - **India: South Asia Subregional Economic Cooperation Road Connectivity Investment Program–Tranche 2**
Project No. 47341-003
Date of receipt: 22 Oct

Besides the 11 complaints forwarded to the SPF and the 3 complaints forwarded to the CRP, 25 complaints are pending with the CRO, awaiting compliance with minimum requirements under the AMP 2012 (Figures 3 and 4). The 39 complaints exclude the 56 complaints received by the CRO that are not related to the Accountability Mechanism (they pertain to procurement, recruitment, and integrity violations, and non-ADB- assisted projects) (Figure 5: AM-Related Complaints Received, as of 31 December 2018). Procurement-related complaints, recruitment matters, and complaints alleging integrity violations in ADB-assisted projects have been forwarded by the CRO to the relevant ADB department or office.

Figure 3: Sectors Represented by Accountability Mechanism-Related Complaints Received by the Complaint Receiving Officer and Forwarded to the Special Project Facilitator and the Compliance Review Panel, 2018

AM = Accountability Mechanism, CRO = complaint receiving officer, CRP = Compliance Review Panel, SPF = special project facilitator.

Of the 39 AM-related complaints received by the CRO in 2018, 11 were forwarded to the SPF, and 3 to the CRP.

Source: Complaint receiving officer.

Figure 4: Location of Accountability Mechanism-Related Complaints Received by the Complaint Receiving Officer and Forwarded to the Special Project Facilitator and the Compliance Review Panel, 2018

AM = Accountability Mechanism, CRO = complaint receiving officer, CRP = Compliance Review Panel, SPF = special project facilitator.

Of the 39 AM-related complaints received by the CRO in 2018, 11 were forwarded to the SPF, and 3 to the CRP.

Source: Complaint receiving officer.

Figure 5: Accountability Mechanism-Related Complaints Received, as of 31 December 2018

Number	Date Received	Country	Project Name	Type of Complainant	Issues	Status
1	5 January	Kazakhstan	Akmola Electricity Distribution Network Modernization and Expansion Project https://www.adb.org/projects/46933-014/main	Individuals represented by an NGO	Implementation (State regulations on electricity)	Ineligible SPF finding on 9 February: Issues fall within scope of state regulations.
2	8 January	Armenia	Sustainable Urban Development Investment Program - Tranche 1 https://www.adb.org/projects/42417-023/main	Individuals	Compensation / Land Valuation	Ineligible SPF finding on 12 March: Ongoing negotiations with OD
3	31 January	Afghanistan	North-South Power Transmission Enhancement Project (formerly Power Distribution Project) https://www.adb.org/projects/46392-001/main	Individuals and NGO	Environment	Incomplete, Pending under CRO process
4	7 February (1st of 4 complaints under same project)	Pakistan	Peshawar Sustainable Bus Rapid Transit Corridor Project 48289-002 https://www.adb.org/projects/48289-002/main	Individuals	Environment	Incomplete, Pending under CRO process
5	9 March (2nd of 4 complaints under same project)	Pakistan	Peshawar Sustainable Bus Rapid Transit Corridor Project 48289-002 https://www.adb.org/projects/48289-002/main	Individuals	Compensation	Ineligible SPF finding on 4 June: Harm not caused by ADB-assisted project; Lack of prior good-faith efforts with OD
6	19 March (3rd of 4 complaints under same project)	Pakistan	Peshawar Sustainable Bus Rapid Transit Corridor Project 48289-002 https://www.adb.org/projects/48289-002/main	Individuals	Implementation (No temporary roads, street lights, sign boards)	Incomplete, Pending under CRO process
7	14 February	Bangladesh	SASEC Second Bangladesh-India Electrical Grid Interconnection Project 44192-016 https://www.adb.org/projects/44192-016/main	Individuals	Compensation	Ineligible SPF finding on 21 March: Being resolved at OD level

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Number	Date Received	Country	Project Name	Type of Complainant	Issues	Status
8	15 February	Georgia	Adjaristsqali Hydropower Project 47919-014 https://www.adb.org/projects/47919-014/main#project-overview	Individuals	Environment	Eligible SPF finding on 12 March
9	16 February (1st of 2 complaints under same project)	India	Uttarakhand Urban Sector Development Investment Program – Project 1 https://www.adb.org/projects/38272-023/main#project-overview India: Uttarakhand Urban Sector Development Investment Program – Tranche 2 https://www.adb.org/projects/38272-033/main#project-overview	Individuals	Implementation (Water Leakage in residence)	Incomplete, Pending under CRO process
10	24 February (1st of 4 complaints under same project)	Sri Lanka	Integrated Road Investment Program https://www.adb.org/projects/47273-002/main	Individuals	Environment	Incomplete, Pending under CRO process
11	2 March	Pakistan	National Highway Network Development in Balochistan Project https://www.adb.org/projects/47281-001/main	Individuals	Compensation	Eligible SPF finding on 7 May
12	9 March	Nepal	Kathmandu Valley Water Supply Improvement Project https://www.adb.org/projects/34304-043/main#project-overview	Individuals	Environment	Incomplete, Pending under CRO process
13	21 March	Mongolia	Ulaanbaatar Urban Services and Ger Areas Development Investment Program – Tranche 1 https://www.adb.org/projects/45007-004/main	NGO	Compensation	Eligible SPF finding on 12 April
14	5 April	India	Jammu and Kashmir Urban Sector Development Investment Program – Tranche 2 https://www.adb.org/projects/41116-033/main	Individuals	Environment	Incomplete, Pending under CRO process
15	16 April	Sri Lanka	Greater Colombo Water and Wastewater Management Improvement Investment Program (Tranche 3) https://www.adb.org/projects/45148-008/main	Individuals	Environment	Incomplete, Pending under CRO process

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Number	Date Received	Country	Project Name	Type of Complainant	Issues	Status
16	30 April	Pakistan	OD still verifying if complaint involves an ADB-assisted project	Individuals	Implementation (Project not yet completed)	Incomplete, Pending under CRO process
17	5 May	Pakistan	Pakistan: Jamshoro Power Generation Project https://www.adb.org/projects/47094-001/main	Individuals	Compensation	Incomplete, Pending under CRO process
18	11 May	Afghanistan	Power Sector Master Plan https://www.adb.org/projects/43497-012/main	Representative	Others: Location of power lines; Social conflict	Incomplete, Pending under CRO process
19	21 May 1st of 3 complaints under same project)	Georgia	Sustainable Urban Transport Investment Program - Tranche 3 https://www.adb.org/projects/42414-043/main	Individuals	Compensation; Others: Safety	Eligible CRP Finding on 23 August: Eligible but does not warrant a separate compliance review
20	2 June	Pakistan	Flood Emergency Reconstruction and Resilience Project https://www.adb.org/projects/49038-001/main	Individuals	Others: Sub-standard road project	Ineligible SPF finding on 4 July: Lack of prior good-faith efforts with OD
21	11 July (2nd of 4 complaints under same project)	Sri Lanka	Integrated Road Investment Program https://www.adb.org/projects/47273-002/main	Individuals	Environment and Implementation (Flooding and drainage issues)	Incomplete, Pending under CRO process and being resolved at OD level
22	16 July	Sri Lanka	Mahaweli Water Security Investment Program - Tranche 1 https://www.adb.org/projects/47381-002/main	Individuals	Compensation	Incomplete, Pending under CRO process
23	17 July (2nd of 2 complaints under same project)	India	Uttarakhand Urban Sector Development Investment Program - Project 1 https://www.adb.org/projects/38272-023/main	Individuals	Environment and Implementation (Blockage septic tanks)	Incomplete, Pending under CRO process
24	17 July	Nepal	Tanahu Hydropower Project https://www.adb.org/projects/43281-013/main	Representative	Loss of property and livelihood	Ineligible SPF finding on 9 October: OD and OSPF mission have reached agreement with complainant and EA on the resolution of issues.

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Number	Date Received	Country	Project Name	Type of Complainant	Issues	Status
25	25 July	Georgia	Batumi Bypass Road Project https://www.adb.org/projects/50064-001/main	Individual	Resettlement / Valuation of property	Eligible SPF finding on 9 October
26	19 August	Sri Lanka	Clean Energy and Network Efficiency Improvement Project https://www.adb.org/projects/43576-013/main	Individual	Compensation	Incomplete, Pending under CRO process
27	21 August 2nd of 3 complaints under same project)	Georgia	Sustainable Urban Transport Investment Program - Tranche 3 https://www.adb.org/projects/42414-043/main	Individuals	Compensation	Ineligible CRP finding on 13 December: Complainants and ADB management are still in the process of resolving issues raised in the complaint.
28	25 August 3rd of 3 complaints under same project)	Georgia	Sustainable Urban Transport Investment Program - Tranche 3 https://www.adb.org/projects/42414-043/main	Individual	Compensation	Incomplete, Pending under CRO process
29	5 September	Sri Lanka	Greater Colombo Wastewater Management Project https://www.adb.org/projects/36173-013/main	Individual	Compensation	Ineligible SPF finding on 9 October: Complainant has received compensation and EA is no longer willing to give additional compensation.
30	19 September	India	South Asia Subregional Economic Cooperation Road Connectivity Investment Program-Tranche 2 https://www.adb.org/projects/47341-003/main	Individual	Compensation	Complaint withdrawn Forwarded to CRP on 22 October. Complainant withdrew complaint on 24 November. CRP terminated further processing of the complaint on 27 November.

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Number	Date Received	Country	Project Name	Type of Complainant	Issues	Status
31	26 September (1st of 2 complaints under same project)	Sri Lanka	Second Integrated Road Investment Program https://www.adb.org/projects/50301-001/main	Representative	Loss of property and livelihood; Access to property	Incomplete, Pending under CRO process
32	28 September (3rd of 4 complaints under same project)	Sri Lanka	Integrated Road Investment Program https://www.adb.org/projects/47273-002/main	Representative	Loss of property and livelihood; Access to property; Safety	Incomplete, Pending under CRO process
33	2 October (4th of 4 complaints under same project)	Sri Lanka	Integrated Road Investment Program https://www.adb.org/projects/47273-002/main	Individual	Access to property; Safety	Incomplete, Pending under CRO process
34	10 October	India	Mumbai Metro Rail Systems Project https://www.adb.org/projects/49469-007/main	Representative	Environment and Implementation (Traffic congestion)	Incomplete, Pending under CRO process
35	16 October	Nepal	Regional Urban Development Project https://www.adb.org/projects/47252-002/main	Individual	Compensation	Incomplete, Pending under CRO process
36	18 October	Pakistan	Sindh Cities Improvement Investment Program - Tranche 2 https://www.adb.org/projects/37220-033/main	Individual	Environment, Safety, Land acquisition	Incomplete, Pending under CRO process
37	29 October (2nd of 2 complaints under same project)	Sri Lanka	Second Integrated Road Investment Program https://www.adb.org/projects/50301-001/main	Individual	Compensation	Incomplete, Pending under CRO process
38	10 December	Sri Lanka	Northern Province Sustainable Fisheries Development Project (PDA) https://www.adb.org/projects/49325-003/main	Representative	Reconsideration for ADB to pursue and expedite the project	Incomplete, Pending under CRO process
39	17 December (4th of 4 complaints under same project)	Pakistan	Peshawar Sustainable Bus Rapid Transit Corridor Project https://www.adb.org/projects/48289-002/main	Representative	Design revision of ADB project without affected people's consent	Incomplete, Pending under CRO process

Legend: ■ Blue – Forwarded to SPF; ■ Green – Forwarded to CRP

ADB = Asian Development Bank, CRO = complaint receiving officer, EA = executing agency, NGO = nongovernment organization, OD = operations department, PDA = project design advance, SASEC = South Asia Subregional Economic Cooperation, SPF = special project facilitator.

Note: Excludes complaints related to procurement and anticorruption and integrity, as well as those not involving ADB-assisted projects.

Source: Complaint receiving officer.

BOARD COMPLIANCE REVIEW COMMITTEE

Philip Rose
Chair
(Since 1 July 2018)

Helmut Fischer
Chair
(1 January 2017 to 30 June 2018)

PRESENT MEMBERS

Tony McDonald
(Since 1 July 2018)

Jason Chung
(Since 1 August 2018)*

Paul Dominguez
(Since 1 July 2017)

Mahbub Ahmed
(1 July 2017 to December 2018)

Ram Saran Pudasaini
(Since 19 July 2018)

PAST MEMBERS

Joar Strand
Member
(1 July 2017 to 31 August 2018)

Bobur Khodjaev
(25 September 2017
to 30 June 2018)

* As required for a quorum or any other purpose, the respective constituency alternate director will sit as an interim member until the director assumes office.

COMPLIANCE REVIEW PANEL MEMBERS

Dingding Tang
Chair

Ajay Achyutrao Deshpande
Member
(Since 11 April 2017)

Arntraud Hartmann
Member
(12 August 2013 to 11 August 2018)

Halina Ward
Member
(Since 3 September 2018)

OFFICE OF THE COMPLIANCE REVIEW PANEL

Dingding Tang
Head

Munawar Alam
Advisor

Josefina Miranda
Senior Compliance Review
Officer

Julie Anne Mapilisan-Villanueva
Associate Compliance Review
Coordinator

ADB ACCOUNTABILITY MECHANISM TEAM

Front row (left to right): Lea Robidillo, OSPF senior consultation officer; Olive Llanillo, complaint receiving officer; Sushma Kotagiri, OSPF senior facilitation specialist; Jane David, senior public management officer; Jojo Miranda, OCRP senior compliance review officer; Julie Mapilisan-Villanueva, OCRP associate compliance review coordinator.

Back row (left to right): Willie Agliam, OSPF associate facilitation coordinator; Munawar Alam, OCRP advisor; Warren Evans, special project facilitator; Dingding Tang, Chair, CRP and concurrently head, OCRP.

ADB Accountability Mechanism Annual Report 2018

This annual report presents initiatives and activities that the Office of the Special Project Facilitator and the Office of the Compliance Review Panel of the Asian Development Bank (ADB) have undertaken as of 2018. All these efforts have been geared toward implementing and achieving the objectives of the Accountability Mechanism Policy. ADB's Accountability Mechanism provides a forum where people adversely affected by ADB-assisted projects can voice and seek solutions to their problems and report alleged noncompliance with ADB's operational policies and procedures. It was established to make ADB's development initiatives and projects more effective by being responsive and fair in addressing the concerns of project-affected people and stakeholders.

About the Asian Development Bank

ADB is committed to achieving a prosperous, inclusive, resilient, and sustainable Asia and the Pacific, while sustaining its efforts to eradicate extreme poverty. Established in 1966, it is owned by 68 members—49 from the region. Its main instruments for helping its developing member countries are policy dialogue, loans, equity investments, guarantees, grants, and technical assistance.