This 2022 annual report highlights how the accountability mechanism offices’ efficient complaints handling and effective capacity-building and awareness-raising programs have supported comprehensive and learning. It outlines how learning-based recommendations were shared with the Asian Development Bank (ADB) and its partners to improve future project design and implementation and strengthen the accountability of ADB’s operations. This report identifies common issues requiring attention: comprehensive baseline data, customized responses to vulnerable groups' needs, strong engagement with stakeholders, enhanced understanding of ADB policies, and timely and comprehensive remedial action plans.

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.
SEARCHING FOR SOLUTIONS, FINDING THE LESSONS
ACCOUNTABILITY MECHANISM
ANNUAL REPORT 2022
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The Accountability Mechanism Team

Appendix: Summary of Accountability Mechanism-Related Complaints Processed by the Complaint Receiving Officer in 2022
Accountability mechanisms provide a means for people to complain about development projects that allegedly adversely affect them, and to seek a solution or remedy. What exactly do we do? We listen, learn, process, and respond. In this four-part journey, we try to work out the best possible solutions for the communities that complain. However, what we find most interesting is discovering, along the way, game-changing lessons, collected from our failures and successes. We strive to draw out cohesive lessons, and recommendations for general application in future development projects. These learning and recommendations are intended to provide opportunities to improve project design and implementation and strengthen the accountability of ADB operations. The spirit of our work is fact-finding and not fault-finding.

ADB works hard to utilize project grievance redress mechanisms to find solutions when project scoping, design, or implementation adversely affects people and/or the environment. But not all grievance redress mechanisms work as effectively as hoped. On these occasions, ADB needs a mechanism of last resort for empowering project-affected people to make sure the institution complies with its own policies and procedures and to seek solutions for those our projects have unintentionally harmed. The Accountability Mechanism (AM) helps ADB learn from the people and places affected by its work so it can strive to do better.

The two offices that comprise the AM—the Office of the Compliance Review Panel and the Office of the Special Project Facilitator—fervently believe in the importance of taking the time to listen to those people whom ADB-financed projects allegedly negatively affect. Unless we stand in the shoes of people impacted by development projects, we risk alienating and polarizing vulnerable communities. It also risks leaving them behind, something we cannot do while staying true to the Sustainable Development Goals.

While searching for solutions, we gather common threads forming trends in noncompliance with environmental and social safeguards. Knowledge of these trends—and corresponding behavioral and operational improvements—can improve project design and reduce grievances, thereby strengthening development effectiveness. This year, the most common threads included the need for comprehensive baseline data, more attention to vulnerable groups, engaging differently with stakeholders, internalizing ADB policies, understanding the mandate of the Accountability Mechanism Policy, conducting prompt and regular assessments of project implementation, and crafting timely and comprehensive corrective and/or remedial action plans. Problem-solving cases also highlighted that issues get escalated to the AM due to lack of trust and communication among different stakeholders.

The aspirations and ideas of the AM for contributing to stronger and more transparent accountability are rooted in the premise that every day is a fresh beginning. Each day offers lessons—we all know that. The challenge is creating sustainable pathways for learning that fosters institutional wisdom. Once harnessed, lessons on accountability lead to experience and better ways of doing the ADB core business of poverty alleviation by leaving no one behind.

This year, we want to leave food for thought by asking a critical question: “Are mistakes always a bad thing?” Mistakes often allow one to examine what worked or what has not, even more so than successes. We learn more from our mistakes than from our successes. It can nurture critical and analytical thinking, and strategic planning skills, allowing one to regroup and plan better for next time. Accountability respects our mistakes and does not reject them so we can learn and do better. Regardless of how we grow, a few qualities will continue to guide us—openness, ethics, and natural justice.

As the great philosopher Jalāl al-Dīn Rūmī said, “If you are irritated by every rub, how will you become polished?”

Imrana Jalal  
Special Project Facilitator

Elisea Gozun  
Chair, Compliance Review Panel
Abbreviations

ADB  - Asian Development Bank
AM  - Accountability Mechanism
AMP  - Accountability Mechanism Policy
BCRC  - Board Compliance Review Committee
CRO  - Complaint Receiving Officer
CRP  - Compliance Review Panel
CSO  - civil society organization
EIB  - European Investment Bank
GRM  - grievance redress mechanism
IAM  - Independent Accountability Mechanism
IAMnet  - Independent Accountability Mechanisms Network
IFI  - international financial institution
IPAM  - Independent Project Accountability Mechanism
KM  - knowledge management
km  - kilometer
NGO  - nongovernment organization
OCP  - Office of the Compliance Review Panel
OSP  - Office of the Special Project Facilitator
PCR  - physical cultural resources
SPF  - Special Project Facilitator
SPS  - Safeguard Policy Statement
Introduction

This report provides a concise overview of the activities and initiatives carried out in 2022 by the Office of the Compliance Review Panel (OCRP) and the Office of the Special Project Facilitator (OSPF) of the ADB Accountability Mechanism. This report briefly highlights the activities because details of each complaint and knowledge work are contained in several reports that are linked to this report for easy reference.

The first section of the report outlines the complaints received during the year 2022. In this period, the Complaint Receiving Officer (CRO) processed and forwarded a total of 38 complaints related to the Accountability Mechanism. Consistent with previous years, a larger proportion of these complaints were forwarded to the OSPF compared to the OCRP. Notably, the transport sector accounted for more than half of these complaints at 55%, with the majority originating from the South Asia Region at 63%. It is important to highlight that nearly all the Accountability Mechanism-related complaints were associated with sovereign projects. The next pages include charts that provide a snapshot view of the statistics mentioned earlier.

The subsequent section highlights complaints pertaining to problem-solving and compliance reviews that were addressed by the respective offices together with their current status. Finally, the report also showcases the knowledge, learning, and advisory work undertaken by the OCRP and OSPF throughout the year.
2022 By the Numbers

Breakdown of Accountability Mechanism-Related Complaints

70 Complaints

38 Complaints
Accountability Mechanism-related

32 Complaints
Others (Forwarded to Anticorruption and Integrity, Procurement, and Central and West Asia Department and South Asia Department)

Eligible 3
Ineligible 16

Problem-Solving

Eligible 0
Ineligible 3

Compliance Review

Withdrawn 2

Closed 12
Pending with Complaint Receiving Officer 2

19 Complaints

5 Complaints
Note: Complaints may have more than one issue involved.
GMS Nam Theun 2 Hydroelectric Project. Students attend school in a resettlement village near the Nanai Reservoir. After consultations with the affected people, clean water supply, electricity, toilets, schools, roads, and health services were provided together with household plots and agricultural lands (Photo by ADB).
In 2022, the Complaint Receiving Officer (CRO) received 36 Accountability Mechanism (AM)-related complaints. Upon request of the complainants, 19 complaints were forwarded to the Special Project Facilitator (SPF) for problem-solving efforts, including 2 complaints that were received in 2021 but forwarded in 2022, and 5 complaints were forwarded to the Compliance Review Panel (CRP) for compliance review (Figure 1).

A total of 17 complaints on the following projects have been forwarded to the Office of the Special Project Facilitator (OSPF):

<table>
<thead>
<tr>
<th>Date</th>
<th>Project Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 February</td>
<td><strong>Sri Lanka</strong>: Second Integrated Road Investment Program, Project No. 50301-001</td>
</tr>
<tr>
<td>12 May</td>
<td><strong>Pakistan</strong>: Khyber Pakhtunkhwa Provincial Roads Improvement Project, Project No. 47360-003</td>
</tr>
<tr>
<td>19 May</td>
<td><strong>Sri Lanka</strong>: Mahaweli Water Security Investment Program, Project No. 47381-001</td>
</tr>
<tr>
<td>27 May</td>
<td><strong>Mongolia</strong>: Regional Road Development and Maintenance Project, Project No. 48186-005</td>
</tr>
<tr>
<td>21 June</td>
<td><strong>Pakistan</strong>: Balakot Hydropower Development Project, Project No. 49055-007</td>
</tr>
<tr>
<td>27 June</td>
<td><strong>India</strong>: Maharashtra State Road Improvement Project, Project No. 52298-001</td>
</tr>
<tr>
<td>28 June</td>
<td><strong>Pakistan</strong>: Balakot Hydropower Development Project, Project No. 49055-007</td>
</tr>
<tr>
<td>4 July</td>
<td><strong>India</strong>: Delhi-Meerut Regional Rapid Transit System Investment Project, Project No. 51073-002</td>
</tr>
<tr>
<td>12 July</td>
<td><strong>Indonesia</strong>: Tangguh Liquefied Natural Gas Expansion Project, Project No. 49222-001</td>
</tr>
<tr>
<td>27 July</td>
<td><strong>India</strong>: Tamil Nadu Industrial Connectivity Project, Project No. 51337-001</td>
</tr>
<tr>
<td>25 August</td>
<td><strong>Georgia</strong>: Batumi Bypass Road Project, Project No. 50064-001</td>
</tr>
<tr>
<td>11 October</td>
<td><strong>India</strong>: Delhi-Meerut Regional Rapid Transit System Investment Project, Project No. 51073-002</td>
</tr>
<tr>
<td>12 October</td>
<td><strong>India</strong>: Tamil Nadu Industrial Connectivity Project, Project No. 51337-001</td>
</tr>
<tr>
<td>17 October</td>
<td><strong>Pakistan</strong>: Punjab Intermediate Cities Improvement Investment Project, Project No. 46526-007</td>
</tr>
<tr>
<td>7 November</td>
<td><strong>Sri Lanka</strong>: Green Power Development and Energy Efficiency Improvement Investment Program—Tranche 1, Project No. 47037-004</td>
</tr>
<tr>
<td>9 November</td>
<td><strong>Pakistan</strong>: Supporting PPP Investments in Sindh Province, Project No. 46538-002</td>
</tr>
<tr>
<td>10 November</td>
<td><strong>Nepal</strong>: SASEC Mugling–Pokhara Highway Improvement Phase 1 Project, Project No. 52097-002</td>
</tr>
</tbody>
</table>
Two complaints received in late 2021 on the following projects were forwarded to OSPF in 2022:

<table>
<thead>
<tr>
<th>Date</th>
<th>Project Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 February</td>
<td><strong>Pakistan:</strong> Jalalpur Irrigation Project, Project No. 46528-002 and Pakistan: Greater Thal Canal Irrigation Project, Project No. 49372-002</td>
</tr>
<tr>
<td>11 March</td>
<td><strong>India:</strong> Chhattisgarh Road Connectivity Project, Project No. 52002-001</td>
</tr>
</tbody>
</table>

Five complaints on the following projects were forwarded to the CRP:

<table>
<thead>
<tr>
<th>Date</th>
<th>Project Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 March</td>
<td><strong>India:</strong> Shapoorji Affordable Housing Project, Project No. 48341-001</td>
</tr>
<tr>
<td>9 August</td>
<td><strong>Nepal:</strong> SASEC Mugling–Pokhara Highway Improvement Phase 1 Project, Project No. 52097-002</td>
</tr>
<tr>
<td>19 August</td>
<td><strong>India:</strong> Rajasthan Urban Sector Development Program, Project No. 42267-026</td>
</tr>
<tr>
<td>18 October</td>
<td><strong>Sri Lanka:</strong> Integrated Road Investment Program, Project No. 47273-006</td>
</tr>
<tr>
<td>27 December</td>
<td><strong>Pakistan:</strong> Khyber Pakhtunkhwa Cities Improvement Project, Project No. 51036-002</td>
</tr>
</tbody>
</table>

Figure 1: Trend in Accountability Mechanism-Related Complaints, 2012–2022
(As of 31 December 2022)


Notes:
1. For 2022, the CRO received 36 AM-related complaints. The total of 38 complaints for 2022 above includes two complaints received in 2021 but forwarded in 2022.
2. Due to dissatisfaction on the resolution process of the concerned operations department, three complaints (two in 2020 and one in 2019) were sent to the OSPF directly. All other complaints were received by the CRO.

Source: Complaint Receiving Officer, ADB.
As of 31 December 2022, 19 complaints were forwarded to OSPF and 5 complaints to Office of the Compliance Review Panel. A total of 12 complaints were closed by the CRO and 2 complaints remain pending with the CRO. In terms of sector, 21 are in transport; 9 in water and other urban infrastructure and services; 5 in energy; 2 in agriculture, rural development, and natural resources; and 1 is a multisector project (Figure 2). In terms of location, 24 are from South Asia, 12 from Central and West Asia, and 1 each from East Asia and Southeast Asia; in terms of financing operations, two complaints involve private sector operations (Figure 3). The 38 complaints exclude complaints received by the CRO that were not AM-related. These complaints were forwarded by the CRO to the relevant Asian Development Bank (ADB) department or office.
Conducting site visits. The Compliance Review Panel carried out site visits to review the Georgia North-South Corridor (Kvesheti-Kobi) Road Project. They completed and submitted their final report to the ADB Board of Directors in 2022 (photo by the Compliance Review Panel).
COMPLIANCE REVIEW

Complaints are learning opportunities.

During the year 2022, the CRP received five complaints of which three were declared ineligible for lack of good faith efforts with ADB’s Management. The following sections provide a brief information on these complaints.
Blueprint for compliance review. Over the last several years, the CRP and the OCRP have gathered evidence-based lessons, particularly relevant to ADB operations. The OCRP has been diligently sharing these lessons with all internal and external stakeholders, together with several other awareness-raising and learning initiatives to contribute in improving the quality of future projects’ design and implementation and in turn maximize development effectiveness and help avoid repetition of the same grievances in future (photo by the Compliance Review Panel).
Shapoorji Affordable Housing Project (Project No. 48341-001)

Complaint number: 2022/1
Complaint Received: 3 March 2022
Eligibility Determination: Declared Ineligible on 21 June 2022

In this project, ADB invested equity in a housing platform to develop a portfolio of affordable housing projects through the private sector client, Joyville Shapoorji Housing Private Limited (formerly Drashti Developers Private Limited). Project sponsor is Shapoorji Pallonji and Company Private Ltd (SPCPL). The complainants asserted that their land was illegally sold to third parties and was subsequently included in the gross area acquired for one of the sub-projects. After initial review based on the preliminary evidence, the CRP determined that the complaint was ineligible due to lack of good faith efforts with ADB’s relevant operations department to address issues by one of the two complainants whose grievance was distinct from the first complainant.
South Asia Subregional Economic Cooperation Mugling-Pokhara Highway Improvement Phase 1 Project (Project No. 52097-002)

Complaint number: 2022/2
Complaint received: 9 August 2022
Eligibility determination: Declared Ineligible on 6 October 2022

The project aims to upgrade the 81-kilometer Pokhara to Mugling road from a two-lane to a four-lane asphalt road, including the construction of two main bridges. The project also includes increasing awareness and strengthening the capacity of the Department of Roads (DOR) of the Ministry of Physical Infrastructure and Transport in road safety and disaster risk reduction.

The complaint was submitted by two residents of Pokhara, who are also members and leaders of national and international bird conservation groups. The complainants asserted that the Initial Environmental Examination for the project was inadequate and/or faulty; in particular because it had inadequately assessed and addressed bird diversity along the highway resulting in the loss of a critically endangered slender-billed vulture chick and the destruction of its nest during tree cutting at a section of the road.

After its review based on the preliminarily evidence, the CRP determined the complaint ineligible due to complainants’ lack of good faith efforts in addressing their issues with the South Asia Department.

Improving mobility, boosting the economy. An ADB-supported project in Nepal connected many routes along the major highway, has improved travel durations, and has impacted the profitability of commerce in the areas (photo by ADB).
Rajasthan Urban Sector Development Program
(Project No. 42267-026)

Complaint number: 2022/3
Complaint received: 19 August 2022
Eligibility determination: Declared Ineligible on 21 October 2022

The Government of Rajasthan has initiated a sectoral development program aimed at improving water supply and wastewater services for its residents. The program focuses on the rehabilitation and expansion of water supply systems in selected project cities, as well as capacity building and efficient program management.

The issues raised by the complainants included (i) inconvenience caused by construction works carried out without respect for fundamental and human rights; (ii) lack of accountability of the implementing agency, the employer’s representative, and the contractor; (iii) damage to properties; (iv) rainwater flooding their homes due to raised street levels; (v) poor quality of restored roads; and (vi) disturbance to people’s daily life.

After its initial review based on the preliminary evidence, the CRP determined the complaint ineligible for complainants’ lack of good faith efforts in addressing their issues with ADB’s South Asia Department.
Integrated Road Investment Program—Tranche 4
(Project No. 47273-006)

Complaint number: 2022/4
Complaint received: 18 October 2022
Complaint status: The complaint was withdrawn by the complainants on 8 November 2022.

This project is the Tranche 4 of the Integrated Road Investment Program. This tranche aims to improve and maintain about 3,108 kilometers (km) of rural access roads, 248 km of national roads. The complainants whose properties were by the roadside and within the construction area stated that (i) they were unable to continue planned landscape improvements on their property for almost a year because a large amount of concrete debris, tar, parts of trees, and soil had been disposed of there by the road expansion project; (ii) a natural ditch that enabled the smooth flow of water through the complainants’ property had been destroyed causing the natural flow of water to deviate from its original course; and (ii) the access road to the complainants’ property had become unusable due to the passing of heavy vehicles such as excavators and tractors, working on the road expansion. However, before the CRP’s assessment of the complaint, the complainants withdrew their complaint because the Sri Lanka Resident Mission team had managed to resolve all the issues raised in the complaint to their satisfaction.

Smooth roads, convenient rides. Upgraded estate roads have brought bus service to residents (photo by ADB).
Khyber Pakhtunkhwa Cities Improvement Project
(Project No. 51036-002)

Complaint Number: 2022/5
Complaint Received: 27 December 2022
Complaint status: The complaint was withdrawn by the complainants on 28 December 2022

This project aims to improve the livability of five cities in the Khyber Pakhtunkhwa Province by (i) expanding physical investments in urban water, sewerage, solid waste disposal, and green infrastructure; (ii) providing institutional support to improve service delivery and the performance of municipal companies; and (iii) promoting gender-friendly municipal services.

The complainants, represented by a lawyer, stated that they had not received fair and adequate compensation for their land that had been acquired for the project. However, before the CRP could initiate processing this complaint, the complainants withdrew their complaint following receipt of adequate compensation.

Enhancing livability through physical investments. Through the Khyber Pakhtunkhwa Cities Improvement Project, more than 3.5 million people will benefit from improved access to clean and safe water, reliable and integrated waste management and sanitation services, green urban spaces, and gender-friendly urban facilities (photo by ADB).
North–South Corridor (Kvesheti–Kobi) Road Project (Loan No. 3803)

Complaint Number: 2021/1  
Complaint Received: 6 January 2021  
Eligibility Determination: Declared eligible on 10 March 2021  
Complaint status: Active, implementation of the Remedial Action Plan ongoing

The project involves the construction of a portion of the North–South Transport Corridor road connecting Tbilisi to the Mtskheta–Mtianeti region in the north and to the Kvemo Kartli region in the south. It includes (i) construction of about 23 km of climate-resilient bypass road between Kvesheti and Kobi, and about 5 km of climate-resilient all-weather access roads to roadside towns and villages, (ii) the establishment of a Khada Valley visitor center, and (iii) capacity building of the Roads Department of Georgia on project management.

Unlocking Georgia’s potential. ADB empowers Georgia to become a regional transport, trade, agribusiness, and logistics hub; create livable cities; and access finance for small and medium-sized enterprises and social services (photo by ADB).
The Complaint

Green Alternative, a Georgian nongovernment organization (NGO), authorized by some affected persons filed a complaint and raised concerns about the destruction of Khada Valley, insufficient consideration of alternatives, negative impacts on livelihoods and local benefits, project design issues, effects on cultural heritage, inadequate consultation and access to information, and deficiencies in the environmental and social impact assessment.

Another Georgian NGO also filed a complaint with the Independent Project Accountability Mechanism (IPAM) of the European Bank for Reconstruction and Development on physical cultural resources (PCR) issues. Thus, the CRP closely coordinated its investigation with IPAM on this issue.

CRP Findings

After thorough investigation, the CRP recommended to the Board that actions must be taken to bring the project back into compliance in the following areas of ADB’s noncompliance with the Safeguard Policy Statement

- in conducting the pre-Board approval due diligence and review responsibilities to ensure adequate consideration of the induced impacts;
- for inadequate pre-Board approval due diligence relating to the complete assessment of environmental impacts on all PCR and identifying measures for avoidance, minimization, and mitigation of adverse impacts to PCR;
- for inadequate monitoring and supervision ensuring adequate assessment and mitigation of potential adverse impacts on PCR, and ensuring that steps taken to address the risks to PCR from adverse construction impacts are in accordance with SPS.
- for inadequate pre-Board approval due diligence on identification and mitigation of adverse social impacts risks arising from negotiated land acquisition by the contractors; reduced community access to some areas of land; identifying the wider social implications of the Project’s landscape impacts; and inadequate identification and mitigation of adverse operational phase social impacts, like litter and waste and community safety and security;
- for inadequate pre-Board approval due diligence and review responsibilities failing to ensure adequate allowances for livelihood restoration; and non-cash assistance for income or livelihood restoration and improvement;
- for inadequate access to information by failing to ensure adequate disclosure of information, including (a) the contractors’ environmental and social performance under the Environment Monitoring Reports; (b) the specific environmental management plans, site-specific environmental management plans, topic-specific environmental management plans, NACHP’s Second Interim Report, and the CHGAP which CRP considers as safeguard documents. The inadequate disclosure was also found non-compliant with ADB’s Access to Information Policy; and
- for inadequate supervision actions not commensurate with the Project’s risks and impacts.

Lessons Learned

The CRP also provided detailed lessons learned from this case including the need for

- rigorously collecting field data during the baseline assessment of air quality, noise, PCR and where relevant, other environmental parameters as important inputs to the environmental impact assessment;
- reviewing and disclosing contractor’s site-specific management plans by treating them as safeguards documents in the SPS updating which are subject to the provisions of the SPS on access to information and ADB’s Access to Information Policy;
- normalizing practices of early and routine dialogue between ADB and borrower’s public agencies (other than the EA/IA) whose mandates are closely aligned with critical project safeguards issues;
- conditional safeguards policy compliance memorandum when baseline studies done prior
to obtaining safeguards clearance and Board approval are insufficient to satisfy SPS requirements making it subject to the satisfactory conduct of required remaining studies. Primary responsibility for oversight of such additional safeguard studies remains with ADB;

• further elaboration of the cultural heritage requirements within the updated SPS and corresponding OM and strengthening ADB’s own PCR capacity;

• treating gender and social dimensions regarding ‘enhancement’ of ‘positive impacts’ as well as its implementation responsibility as requirements not aspirations, notwithstanding their focus on ‘value addition’ rather than ‘risk mitigation’;

• inclusion of contractors’ negotiations of land acquisition for temporary project facilities in the updated SPS coverage given the risk of adverse social impacts in the event of poor contractor performance, as well as potential asymmetries of bargaining power in negotiations with affected people;

• optimizing and enhancing the implementation of ADB’s responsibilities regarding gender dimensions of the SPS by integrating ADB’s gender specialists in relevant SPS due diligence and monitoring and supervision processes.

• agreement with the borrower to disclose project pre-feasibility studies when such studies are not financed by ADB but their disclosure would give adequate project-related information to the affected-people in a timely manner;

• escalation of critical and long-standing issues to the next in rank within ADB if ADB staff and consultants on the ground fail to resolve such issues efficiently;

• adequate and up-to-date record keeping by ADB staff, contractors, and consultants;

• interpretation of the term ‘likely harm’ in line with the objectives of the Accountability Mechanism Policy (AMP) and not in a restrictive manner. This case highlighted that restrictive interpretation leads to the risk of remaining harm to the affected-people.

CRP also highlighted good practices in this compliance review process which should be followed in future compliance reviews. This includes the close cooperation with the Project team and the Resident Mission while maintaining CRP’s independence and, the collaboration with the accountability mechanism of cofinancing international financial institution with a similar complaint while respecting the distinct mandates and confidentiality requirements of the two accountability mechanisms.
Sustainable Urban Transport Investment Program—Tranche 3
(Loan No. 3063)

Complaint number: 2016/1
Complaint received: 14 March 2016
Eligibility Determination: Declared eligible on 21 June 2016
Complaint status: Closed, CRP final monitoring report issued on 21 February 2022

Compliance Review Panel’s Monitoring of the Remedial Action Plan

The project was closed on 18 July 2020 with cancellation of construction of the Ponichala section of the road. With this cancellation, the remedial actions relating to the restoration of the project area remained relevant and hence monitored by the CRP. Under its last monitoring report in February 2022, the CRP noted the status of the remedial actions’ implementation as follows:

i. remedial actions relating to the noise and vibration impacts, impacts on vulnerable groups, and impacts on river ecology became redundant due to loan closure and canceled construction of the road;
i. remedial actions on adequate and meaningful consultation were implemented because the affected persons were informed about loan closure; and
iii. remedial action ensuring appropriate environmental categorization of the project was implemented.

Lessons Learned

The CRP’s final monitoring report also included important lessons learned such as (a) the need for robust baseline data; (b) comprehensive and detailed project adverse impacts assessment; (c) meaningful consultation; (d) a phased approach for implementation and monitoring of remedial actions; and (e) the importance of proper exit procedures for loans that are either nearing project closure or in instances where portions of the loan are canceled while remedial actions are still being implemented.
PROBLEM-SOLVING

Complaints are gifts.

New Complaints

The Office of the Special Project Facilitator (OSPF) registered 19 complaints. Of these 19 complaints lodged for problem-solving, 3 were deemed eligible, while 16 were deemed ineligible due to lack of good faith efforts to resolve issues at the project level. These 16 complaints were forwarded to ADB operations departments for problem-solving. The ADB AM is a last resort mechanism, and the concerned ADB operations department is required to try to address the issues raised in the complaint before it can be deemed eligible by OSPF (or the Office of the Compliance Review Panel, OCRP).
Blueprint for problem-solving. Through the years, the problem-solving function of ADB’s Accountability Mechanism, through its complaint and knowledge management initiatives, aims to illuminate successful experiences and best practices to promote learning and knowledge sharing among ADB project staff, development partners, and beneficiaries. This portrait of Saima assisting her 6-year-old sister in reading serves as a depiction of our mission and a blueprint for problem-solving. It provides guidance on effectively integrating various elements of solutions and emphasizes the importance of viewing complaints as valuable gifts (photo by ADB).
SUMMARY OF COMPLAINTS

Complaints Forwarded by OSPF to the Relevant Operations Department for Lack of Good Faith Efforts to Resolve Issues With Them

PAKISTAN

Jalalpur Irrigation Project and Greater Thal Canal Irrigation Project

Complaint number: SPF-2022-01-01-0121
Complaint received: 1 February 2022
Eligibility determination: Ineligible, 15 February 2022

Two complainants raised concerns related to the reduced water availability in the whole delta area and its impact on the communities living downstream, which affects the environment, agricultural production, and quality of drinking water. The concerned ADB operations department maintained continued engagement with the complainants and held in-person meetings with relevant water sector staff. ADB is closely monitoring the dialogue between federal and provincial governments on interprovincial water sharing, water resources availability, and flow monitoring on the Indus River.

Boosting agro-production. Both ADB-assisted projects aim to increase agricultural production in the project area (photo by ADB).
Second Integrated Road Investment Program

Complaint number: SPF-2022-02-01-0122  
Complaint received: 25 February 2022  
Eligibility determination: Ineligible, 22 March 2022

Two complainants raised concerns related to road flooding. Although the complainants have discussed their concerns with the government project team, their issues remain unresolved. Based on the findings of the ADB project team, the root cause of certain grievances or complaints was found not to be directly related to the activities carried out by the project. No amicable solution could be achieved on this issue due to the disagreement among the communities along this road section. A closing report from the concerned ADB project team was issued on 30 August 2022.
Chhattisgarh Road Connectivity Project

Complaint number: SPF-2022-03-0123
Complaint received: 11 March 2022
Eligibility determination: Ineligible, 30 March 2022

Two complainants claimed that (i) the valuation of their property was incorrect, and the compensation determined was inadequate, (ii) their request for revaluation and enhancement of compensation with the district authorities has not been addressed, and (iii) they have been subject to threat and harassment from authorities involved in the valuation process.

The project team has successfully worked with complainants to resolve the issues. The complaint was closed on 24 September 2022 as the complainants were satisfied. The closing report has more details.

Reviving roads, connecting lives. The project will rehabilitate and upgrade at least 850 kilometers of state highways and major district roads in Chhattisgarh to improve connectivity and access to basic services and livelihood opportunities (photo from the project’s news release).
Khyber Pakhtunkhwa Provincial Roads Improvement Project (Additional Financing)

Complaint number: SPF-2022-04-0124  
Complaint received: 12 May 2022  
Eligibility determination: Ineligible, 9 June 2022

A total of 19 complainants raised concerns related to dust pollution, road safety issues, other adverse impacts on residential areas and agricultural lands, and flooding. While the complainants informed OSPF that they have submitted their complaint to local government channels, they also explained that they have not attempted to raise their concerns with the concerned ADB operations department. Through the efforts of the ADB project team, the contractor has been mobilized on the ground and the construction activities are ongoing in accordance with the memorandum of understanding between complainants and the ADB project team.

Trucks on queue. The project will improve provincial road networks and enhance road safety and maintenance management in Khyber Pakhtunkhwa (photo from the project’s news release).
Empowering Sri Lankan agriculture. The project is building more than 260 kilometers of new and upgraded canals, reservoirs, and other irrigation infrastructure in Sri Lanka (photo from the MWSIP At a Glance Brochure).

SRI LANKA

Mahaweli Water Security Investment Program

Complaint number: SPF-2022-05-0125
Complaint received: 19 May 2022
Eligibility determination: Ineligible, 17 June 2022

Five complainants raised issues related to land acquisition, valuation, and compensation. The complainants said that they were not satisfied with the valuation and compensation determination for their lands to be acquired for the project, due to lack of transparency during the process, thus, they did not accept the compensation offered. The ADB project team has been facilitating the communications between the executing agency and complainants.
Irrigating growth. The complainants raised issues related to loss of resort business incomes, impacts on livelihood, road safety, and environmental issues. The resort is located 9 kilometers from the main road and the side road also presents challenging conditions for traffic (photo by OSPF).
Empowering communities. The project will provide financing to construct a 300-megawatt run-of-river hydropower plant located on the Kunhar river in Mansehra District, Khyber Pakhtunkhwa province of Pakistan. Community consultations were held (photo by ADB).

PAKISTAN

Balakot Hydropower Development Project

Complaint number: SPF-2022-07-01-0127
Complaint received: 21 June 2022
Eligibility determination: Ineligible, 19 July 2022

A total of 11 complainants raised concerns related to land acquisition, valuation, and compensation. The complainants explained that the compensation offered to them was inadequate and was based on incorrect valuations. While the complainants have communicated their concerns with different government offices, they also confirmed that they have not tried to resolve their issues with the concerned ADB operations department. The ADB project team is still working with the stakeholders to try to resolve the issues.
Maharashtra State Road Improvement Project

Complaint number: SPF-2022-08-01-0128
Complaint received: 27 June 2022
Eligibility determination: Ineligible, 25 July 2022

Two complainants raised issues related to land acquisition and compensation. Complainants also explained that their property was not included in the project’s Initial Environmental Examination but is already being used for road construction without their consent and without paying any compensation. The complainants also confirmed that they have raised their concerns with the relevant government agencies and have also reached out to the ADB project team but explained that they were dissatisfied with the responses, thus, they lodged their complaint with the ADB AM. Efforts to resolve the issues of the complainants are still ongoing at the ADB operations department level.

Roads to progress. The project will upgrade and maintain about 450 kilometers of state roads forming part of the core road network in Maharashtra, which will enhance transport accessibility and efficiency, and improve the sustainability of the road network (photo from a news release related to the project).
PAKISTAN

Balakot Hydropower Development Project

Complaint number: SPF-2022-09-02-0129
Complaint received: 28 June 2022
Eligibility determination: Ineligible, 19 July 2022

Two complainants raised concerns related to land acquisition, valuation, and compensation. The complainants explained that the compensation offered to them was inadequate and was based on incorrect valuations. While the complainants have communicated their concerns with different government offices, they also confirmed that they have not tried to resolve their issues with the concerned ADB operations department. The ADB project team and the stakeholders are still engaged in the problem-solving process.

Change despite challenges. The photo shows a structure in a village to be affected by the project (photo from the project’s implementation monitoring report).
Delhi-Meerut Regional Rapid Transit System Investment Project

Complaint number: SPF-2022-10-01-0130
Complaint received: 4 July 2022
Eligibility determination: Ineligible, 1 August 2022

A representative of three complainants raised issues related to environmental and social impacts of the construction and operation of an elevated viaduct through the residential colony. During the initial assessment of the complaint, OSPF noted that efforts to address the issues were ongoing at the project level with the concerned ADB operations department. While the ADB project team has been working with complainants and the executing agency on this complaint, complainants have requested OSPF that they be considered as additional complainants in a second complaint filed with OSPF, by similarly situated residents of two other blocks within their colony.

OSPF has considered complainants as additional complainants in that second complaint.
INDONESIA

Tangguh Liquefied Natural Gas Expansion Project

Complaint number: SPF-2022-11-01-0131
Complaint received: 12 July 2022
Eligibility determination: Ineligible, 9 August 2022

A local NGO lodged a complaint on behalf of four complainants and raised issues related to (i) customary rights as indigenous people over land and resources, including timber products; (ii) compensation; and (iii) inadequate information and awareness. Complainants confirmed that they are not aware of any other grievance redress mechanisms that were available for the project, thus, they lodged their complaint with the ADB AM without addressing their issues with the concerned ADB operations department. The ADB project team has reached out to the executing agency to try to facilitate a resolution of the complaint. Efforts are ongoing.
Tamil Nadu Industrial Connectivity Project

Complaint number: SPF-2022-12-01-0132
Complaint received: 27 July 2022
Eligibility determination: Ineligible, 19 August 2022

Three complainants raised issues related to land acquisition, valuation, and compensation. Complainants confirmed that they have not contacted the concerned ADB operations department to address their concerns. Efforts to resolve this complaint are ongoing at the ADB operations department level.

Resolving compensation issues. The complainants claimed that their residential plot has been incorrectly compensated for an agricultural land classification which is lesser than the compensation applicable for residential classification. Images of road construction near the residence of the complainants from a video clip shared by complainants to OSPF.
GEORGIA

Batumi Bypass Road Project

Complaint number: SPF-2022-13-03-0133
Complaint received: 25 August 2022
Eligibility determination: Ineligible, 16 September 2022

Two complainants raised concerns related to damage to complainants’ residential property due to the road construction. The ADB operations department confirmed that efforts to address the issues at the project level are ongoing.

Addressing property concerns during road project. The complainants described that the ongoing construction activities along the road project have resulted in cracks and damages to their residential structure (photos by OSPF and complainants).
INDIA

Tamil Nadu Industrial Connectivity Project

Complaint number: SPF-2022-15-02-0135
Complaint received: 12 October 2022
Eligibility determination: Ineligible, 4 November 2022

Two complainants raised issues related to delayed project construction and road safety issues along the State Highway (SH)-40 corridor from Thiruchendur to Ambasamudhiram in Tamil Nadu, being implemented under this ADB-assisted project. This is the second complaint on this project from a different set of complainants. The ADB project team is still working on the facilitation of resolution of issues of the complainants.

Ensuring fair livelihoods. The complainants raised concern on the lack of proper assessment and valuation for their lands and other assets, including trees and livestock, which are their main sources of livelihood (photos from complainants).
Green Power Development and Energy Efficiency Improvement Investment Program (Tranche 1)

Complaint number: SPF-2022-17-01-0137
Complaint received: 7 November 2022
Eligibility determination: Ineligible, 7 December 2022

Two complainants raised issues related to landownership, compensation, and valuation. The complainants confirmed that their lands were allotted to them by the government under permits and they understood that ownership was not absolute and subject to restrictions. The complainants also said that there was no proper assessment and valuation for their lands, and other assets including trees and livestock, which are their main sources of livelihood. Moreover, complainants alleged that there were other affected households in a similar situation who were offered higher compensation and thus requested a revaluation of their lands and assets to be in line with ADB policy requirements. The complainants confirmed that engagement with the relevant ADB operations department has started, and they agreed to continue the dialogue with the ADB project team on the issues raised.

Addressing health and safety concerns in road project. The complainants raised issues related to dust pollution along the project road, the resulting health impacts on the communities, and increased safety risks to the road users during construction. Images of the road condition from a video clip shared by complainants to OSPF.
South Asia Subregional Economic Cooperation
Mugling–Pokhara Highway Improvement Phase 1 Project

Complaint number: SPF-2022-19-01-0139
Complaint received: 10 November 2022
Eligibility determination: Ineligible, 7 December 2022

The complainants raised issues related to road safety and dust pollution due to ongoing construction. After the OSPF team discussed with the concerned ADB operations department, OSPF informed the complainants that the ADB project team has undertaken a supervision mission in which the issues related to construction safety, including dust, have been assessed and the project authorities are currently working on measures to ensure that the impacts are effectively addressed. Thus, considering the ongoing process at the project level, the complaint was forwarded by OSPF to the concerned ADB operations department for problem-solving. The process at the operations department is ongoing.

Revamping Nepal’s key access route. The project is rehabilitating and upgrading 81 kilometers of road section, which comprises a critical section of the country’s main access route to the tourist destination city of Pokhara (photos from the Social Monitoring Semiannual Report from July to December 2022).
Two complainants raised issues related to resettlement, compensation, valuation, impacts on noise, vibration, easement rights, environment, and safety. An earlier complaint (SPF-2022-14-02-0134) on this project was received on 4 July 2022 from a different set of complainants and was deemed ineligible due to lack of good faith efforts to resolve issues at the ADB operations department level. Both sets of complainants are now being handled by OSPF under one complaint. All the stakeholders expressed their willingness to engage in the OSPF’s problem-solving process. The OSPF review and assessment phase is ongoing. The last review and assessment mission was fielded in January 2023 when OSPF staff met with stakeholders to try to understand the issues better and formulate ways to address the interests of all the stakeholders.
PAKISTAN

Punjab Intermediate Cities Improvement Investment Project

Complaint number: SPF-2022-16-02-0136
Complaint received: 17 October 2022
Eligibility determination: Eligible, 15 November 2022

Two complainants raised the following issues in connection with the project: (i) land acquisition, valuation, and compensation; (ii) lack of meaningful consultation and participation; and (iii) dissatisfaction with the problem-solving process at the project level. The complainants’ initial complaint was lodged for the problem-solving process on 7 January 2021 (SPF-2021-01-01-0104) and was then deemed ineligible by OSPF due to lack of good faith efforts to resolve issues at the operations department level. Complainants came back to OSPF with their complaint for problem-solving since their grievances remain unresolved despite the problem-solving efforts by the concerned ADB operations department. The OSPF review and assessment phase is ongoing. OSPF has reached out to other ADB departments for technical support as it tries to resolve the issues of the complainants.

Revitalizing Punjab’s intermediate cities. The project will improve the quality of life of the residents in the intermediate cities of Sahiwal and Sialkot in Punjab Province, making these cities more livable and sustainable (photo from ADB).
Supporting Public–Private Partnership Investments in Sindh Province

Complaint number: SPF-2022-18–01-0138
Complaint received: 9 November 2022
Eligibility determination: Eligible, 20 December 2022

A local NGO assisted the two complainants who raised issues related to the environment, involuntary resettlement, climate change, and stakeholder engagement. The complainants, the ADB project team, and the borrower have all requested OSPF involvement and facilitation. OSPF was also informed by the ADB project team that the borrower is willing to participate in the OSPF problem-solving process. OSPF is conducting its review and assessment of the complaint.

Challenges in preserving heritage. Some of the heritage sites that will be demolished as a result of the project (photos from complainants).
## OTHER ACTIVE COMPLAINTS

### PAKISTAN

#### Pehur High Level Canal Extension Project

<table>
<thead>
<tr>
<th>Project Number</th>
<th>48078-005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval Date</td>
<td>24 November 2016</td>
</tr>
<tr>
<td>Funding Source</td>
<td>Loan 3470: $86.41 million</td>
</tr>
<tr>
<td>Project Description</td>
<td>A sector loan project was proposed as the Government of Khyber Pakhtunkhwa Province has a development plan to meet the priority development needs of the irrigated agriculture and water resource sector as included in the Comprehensive Development Strategy up to 2017, and several subprojects were identified for new irrigated agriculture developments associated with small–medium dam constructions. Selection of the subprojects will be carried out during project implementation. The proposed project is in line with the country partnership strategy that includes water and irrigation as one of the core sectors and focuses on the expansion of irrigated agriculture as well as the rehabilitation of irrigation systems. It is included in the country operations business plan.</td>
</tr>
<tr>
<td>Project Status</td>
<td>Active</td>
</tr>
<tr>
<td>Complaint Receipt</td>
<td>13 March 2019</td>
</tr>
<tr>
<td>Complaint Number</td>
<td>SPF-2019-04-01-0084</td>
</tr>
<tr>
<td>Complainants</td>
<td>Twenty-three complaint signatories, representing 10 families</td>
</tr>
<tr>
<td>Complaint Issues</td>
<td>Reduced farm productivity and loss of income</td>
</tr>
<tr>
<td>Eligibility Determination</td>
<td>23 April 2019</td>
</tr>
<tr>
<td>Complaint Status</td>
<td>Active</td>
</tr>
</tbody>
</table>
The project includes a section of pressure pipeline that will traverse the farm of 10 families who complained that (i) the project would significantly reduce their farm productivity and income, (ii) the pressure pipe would present serious safety hazards to the complainants, and (iii) they were not consulted regarding the pipe alignment. They filed their complaint on 13 March 2019, and it was determined to be eligible for the problem-solving process on 23 April 2019. OSPF continued to monitor the progress of the executing agency and the concerned ADB operations department. Several efforts are underway toward a possible resolution of the complaint including the engagement of experts for an independent valuation survey and technical review, and looking into the possibility of changing the alignment or acquiring the entire property of complainants.
### MFF Power Transmission Enhancement Investment Program II (Tranche 3)

<table>
<thead>
<tr>
<th>Project Number</th>
<th>48078-005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval Date</td>
<td>28 June 2018</td>
</tr>
</tbody>
</table>
| Funding Source     | Grant 0578: $4 million  
Loan 3677: $280 million |

**Project Description**

Tranche 3 will support the National Transmission & Despatch Company Limited (NTDC) in meeting the electricity demand of 1,150 megawatts efficiently and reliably at loan centers in Punjab Province by deploying high-level technologies and climate change-resilient transmission systems. Tranche 3 will likewise support installation of a 500-kilovolt substation in Lahore North, a 500-kilovolt switching station near Maira, a 220-kilovolt substation near Jauharabad, and 194 kilometers of associated new transmission lines in Punjab and reconductoring of 44 kilometers of transmission lines with high-temperature, low-sag conductors near Lahore. Further, it will support the first large-scale grid-connected battery energy storage system pilot project in Pakistan, which will provide subsecond frequency regulation. This pilot project will use wind power to help NTDC comply with frequency requirements in the existing Grid Code and will supplement the functions of the supervisory-control and data-acquisition system being upgraded under Tranche 2. The battery energy storage system pilot project will recommend the (i) revision of the Grid Code for better frequency compliance and (ii) development of a commercial ancillary services market. Tranche 3 will promote the deployment of high-temperature, low-sag conductors, which can operate at higher ambient temperatures within the required vertical clearance. It will also support the replacement of porcelain insulators with a fog-resistant type, such as glass or composite insulators, which are expected to perform better in heavily polluted areas.

<table>
<thead>
<tr>
<th>Project Status</th>
<th>Active</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaint Receipt</td>
<td>19 June 2019</td>
</tr>
<tr>
<td>Complaint Number</td>
<td>SPF-2019-07-01-0087</td>
</tr>
<tr>
<td>Complainants</td>
<td>Four project-affected people representing almost 120 farm families</td>
</tr>
<tr>
<td>Complaint Issues</td>
<td>Lack of adequate consultation regarding project site selection leading to displacement of 120 poor farmer families</td>
</tr>
<tr>
<td>Eligibility Determination</td>
<td>20 June 2019</td>
</tr>
<tr>
<td>Complaint Status</td>
<td>Active</td>
</tr>
</tbody>
</table>
On 19 June 2019, 120 farm families from north of Lahore complained about the acquisition of their land for a 500-kilovolt grid station to be constructed. The complaint was deemed eligible for OSPF problem-solving. The land acquisition process was just beginning and OSPF was preparing for a multistakeholder meeting when the coronavirus disease (COVID-19) pandemic interrupted the negotiations. Since then, OSPF has had periodic virtual meetings with the complainants’ representatives, executing agency, and the resident mission to discuss how to resolve any outstanding issues of the complaint, including ensuring the social and environmental integrity of the project layout and land acquisition process. The OSPF facilitation and the parties’ commitments resulted in the signing of a memorandum of understanding by all parties on 13 September 2021. OSPF continued to monitor the progress of the assurances of NTDC, the executing agency (i) that there would be no harm to complainants’ remaining land; (ii) that there are no plans for further land acquisition; and (iii) that the livelihood restoration plan is being finalized. OSPF monitored the mobilization of the project in mid-July 2022 and land acquisition and a resettlement plan was finalized in July 2022.
## Tanahu Hydropower Project

<table>
<thead>
<tr>
<th><strong>Project Number</strong></th>
<th>43281-013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Approval Date</strong></td>
<td>21 February 2013</td>
</tr>
</tbody>
</table>
| **Funding Source** | Loan 2990: $120 million  
Loan 2991: $30 million  
EIB: $85 million  
Abu Dhabi Fund: $30 million  
TA 8329: $1.50 million  
JICA: $184 million  
Grant: $33.55 million |

### Project Description

The project has three main components: (i) a medium-sized hydropower plant of 140 megawatts with significant water storage facilities and associated transmission lines to evacuate the generated power, (ii) rural electrification and community development in the project area, and (iii) a reform and restructuring plan for the national utility, the Nepal Electricity Authority. The project site is in the Seti River in the Tanahu district, about 150 kilometers west of Kathmandu.

### Project Status

Active

### Complaint Receipt

12 February 2020

### Complaint Number

SPF-2020-02-02-0094

### Complainants

Three affected persons of an indigenous peoples community, representing about 37 other community households, project-affected people supported by two local NGOs as complainants’ advisors.

### Complaint Issues

- Dissatisfaction regarding (i) compensation determined for loss of properties, livelihood, and village infrastructure; and (ii) adequate consultation, information, and participation
- Incomplete impact assessment on grazing and farmlands
- Indigenous peoples representation in the Local Consultative Forum

### Eligibility Determination

20 February 2020

### Complaint Status

Active

EIB = European Investment Bank, JICA = Japan International Cooperation Agency, TA = technical assistance.
On 12 February 2020, three complainants representing 32 households of a Magar indigenous peoples community, together with two NGOs, filed a complaint with OSPF for problem-solving. The same complaint was filed with the Complaints Mechanism of the European Investment Bank (EIB). The complainants alleged inadequate compensation for titled and non-titled agricultural land and lack of recognition of their indigenous rights. The complaint was determined to be eligible for the problem-solving process on 20 February 2020. Despite the challenges posed by the COVID-19 situation, OSPF completed its review and assessment phase virtually and issued its final review and assessment report on 16 November 2020.

After 2 years of lockdown due to imposed travel restrictions in relation to COVID-19, OSPF fielded a mission to Kathmandu and Tanahu from 18 January to 11 February 2022, with OSPF staff from ADB headquarters.

To build capacities of the complainant representatives to participate effectively in the joint meeting with Tanahu Hydropower Ltd. (THL), OSPF conducted a capacity-building session on 20 July 2022. The training session covered the topics on (i) enhancement of skills related to negotiation, (ii) communication, identification, and presentation of issues, (iii) questioning during discussions, (iv) conflict analysis, and (v) practical sessions on negotiations. The joint stakeholder meetings followed on 21–22 July 2022 between the complainants and THL, with the NGO advisors and ADB project team participating as observers. The OSPF team facilitated the joint meetings during the 2-day session in Pokhara, Nepal.

OSPF fielded another mission in Pokhara, Nepal on 13–14 October 2022 for the second round of the joint meetings which aimed to facilitate and mediate between the stakeholders. The dispute resolution team of the EIB Complaints Mechanism (project co-finance); some of the complainants and project-affected people from Paltyang Village, Tanahu; complainants’ NGO representatives; staff and officers of the executing agency THL; and ADB project team staff attended the joint meetings. The meetings involved extensive discussions on the revised proposal of THL regarding (i) land compensation options—cash compensation and replacement lands, and (ii) compensation of unregistered lands. The problem-solving phase is ongoing.
## MONGOLIA

### Ulaanbaatar Urban Services and Ger Areas Development Investment Program (Tranche 1)

<table>
<thead>
<tr>
<th><strong>Project Number</strong></th>
<th>45007-004 (Tranche 1)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Approval Date</strong></td>
<td>13 December 2013</td>
</tr>
<tr>
<td><strong>Funding Source</strong></td>
<td></td>
</tr>
<tr>
<td>Grant 0380</td>
<td>$3.70 million</td>
</tr>
<tr>
<td>Loan 3098</td>
<td>$27.50 million</td>
</tr>
<tr>
<td>Loan 3099</td>
<td>$22.50 million</td>
</tr>
<tr>
<td>EIB</td>
<td>$28.38 million</td>
</tr>
<tr>
<td>MUB</td>
<td>$33.15 million</td>
</tr>
</tbody>
</table>

### Project Description
Tranche 1 focuses on two subcenters, Selbe and Bayankhoshuu. Tranche 1 outputs are expected to include road improvements, flood protection channels, bridges, heating plant, water supply systems, heating distribution network, water reservoir, sewage collector, electric lines and telecommunications networks, kindergarten, business incubator, and vocational training center.

### Project Status
Active

### Complaint Receipt
28 December 2020

### Complaint Number
SPF-2020-10-03-0102

### Complainants
Two NGOs submitted a complaint on behalf of 11 affected people.

### Complaint Issues
- Nonadherence to (i) Mongolian road standards, (ii) safety and noise standards, and (iii) requirements for technical and management monitoring of project implementation
- Nondisclosure of information and lack of meaningful consultation.

### Eligibility Determination
18 January 2021

### Complaint Status
Closed, 6 April 2022

EIB = European Investment Bank, MUB = Municipality of Ulaanbaatar City.
OSPF received complaints on Tranches 1 and 2 of the Mongolia: Ulaanbaatar Urban Services and Ger Areas Development Investment Program on 28 December 2020. The complaint on Tranche 1 raised issues on adherence to (i) Mongolian road standards, (ii) safety and noise standards, (iii) requirements for technical and management monitoring of project implementation, and (iv) nondisclosure of information and lack of meaningful consultation. The two complaints were determined to be eligible for the problem-solving process on 18 January 2021. OSPF facilitated initial discussions with key stakeholders to develop mutually acceptable courses of actions to resolve the issues raised in the complaints.

The review and assessment phases for both complaints included (i) documentation review; (ii) discussions and virtual meetings with the complainants, NGOs, Municipality of Ulaanbaatar, program management office, and ADB project staff in the Urban and Social Sectors Division and the Mongolia Resident Mission of the East Asia Department; (iii) capacity building for the complainants to equip them with the knowledge and skills for conflict resolution, negotiation, and communication; and (iv) joint site visits.

After OSPF completed the review and assessment phases, problem-solving phases started. In both cases, case-specific negotiations with individual households were conducted. All stakeholders were satisfied with the outcomes of the negotiations. They executed a problem-solving agreement to jointly implement the actions agreed on in the negotiations with the individual households.

All stakeholders have engaged in a constructive way and developed a mutually satisfactory problem-solving approach. Some scheduled activities were delayed due to several intermittent lockdowns caused by the pandemic. Such delays were beyond control and affected the problem-solving timelines to some extent; however, the parties worked hard to meet the deadlines and implement all agreed actions in due course. The problem-solving process of this complaint was successfully completed in April 2022. The final report on the complaint has more details.
Accountability Mechanism Offices’ Experience on Increasing Risk of Retaliation and/or Reprisal

In this space, the term “retaliation” or “reprisal” refers to any detrimental act, whether direct or indirect, that is advocated, threatened, or actually taken against a person involved or planning to be involved in an Accountability Mechanism process, and that is justifiably understood to be associated with that involvement. Such detrimental acts may include harassment, threats, violence, damage to property, discriminatory treatment, impairment or harm or threats to impair or harm the person, directly or indirectly, or the person’s property, and the withholding of entitlements. In recent years, the risk of retaliation and reprisal has become a growing concern in the AM work of international financial institutions (IFIs), prompting discussions not only internally but also across Independent Accountability Mechanisms (i.e., the IAMnet, a network of 19 IFI IAMs).

In 2022, the AM offices experienced issues relating to retaliation in six complaints—four for the Office of the Special Project Facilitator (OSPF) and two for the Compliance Review Panel (CRP)—all of which were declared ineligible for not meeting the requirements set by the AM Policy (AMP). Two of these complaints alleged serious events of actual harassment by the project authorities and the remaining four complaints raised concerns about fear of retaliation from local authorities. Based on the specific allegations and sensitivities of each complaint, a complaint-handling strategy with the relevant ADB project team was worked out to address the issues raised in the complaints and, at the same time, upholding the request for confidentiality and avoiding any retaliation risks. Further, the complainants were assured that their names and other information that might divulge their identities will continue to be treated with utmost confidentiality.

Our offices have serious concerns that if unresolved, reprisal risk can specifically inhibit accountability when project-affected people (mostly vulnerable and underprivileged) desist from filing meritorious complaints. On the other hand, if the affected people still decide to come forward with their concerns and complaints, it may increase reprisal risk or worse, they may actually suffer additional harm for raising their concerns with the project-level grievance redress mechanisms (GRMs) or with the AM.

Outreach Activities

• **IAMnet joint activities.** The Office of the Compliance Review Panel (OCRP) and OSPF together with a few other selected IAMnet members organized awareness-raising workshops during (i) 29–30 March 2022 for civil society organizations (CSOs) in Pakistan and (ii) 7–8 June 2022 for CSOs and community members in Nepal. A few CSOs partnered with IAMs to organize these sessions and to nominate CSO speakers. These sessions were not recorded to encourage candid and open discussion in a safe space. As a result, these sessions generated very high-quality and useful discussions both for the CSOs and for the IAMs. The CSOs showed high interest in more follow-up sessions with each organization separately. In addition to these outreach activities, OCRP, together with the Independent Project Accountability Mechanism of the European Bank for Reconstruction and Development, presented at the practitioners’ dialogue organized by the Asian Infrastructure Investment Bank. The presentation focused on the experience of the Georgia: Nenskra Hydropower Project case.

• **Outreach in ADB headquarters.** Briefings for ADB staff on the AM were conducted during the regular Induction Program for New Staff organized by the Budget, People, and Management Systems Department as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Number of Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1–4 March</td>
<td>36</td>
</tr>
<tr>
<td>31 May–3 June</td>
<td>36</td>
</tr>
<tr>
<td>30 August–2 September</td>
<td>25</td>
</tr>
<tr>
<td>22–25 November</td>
<td>25</td>
</tr>
</tbody>
</table>

• **IAMnet Annual Meeting.** OCRP and OSPF attended the 19th IAMnet Meeting in New York during 24–27 October 2022. The CRP Chair Elisea Gozun joined the panel that discussed balancing transparency with confidentiality concerns around IAM effectiveness and efficiency. Senior Facilitation Specialist Viswanathan Ramasubramanian talked about the emerging best practices for interacting with management-led grievance processes and shared his experience on how to ensure AM independence and maintain accessibility to potential complainants. OCRP Advisor Irum Ahsan discussed “What are some of the emerging best practices to manage retaliation risks in compliance and dispute resolution cases?” and “How can we continue to build IAM staff’s skills to support the complainants in cases of retaliation?” In addition, 1 day was allotted for discussions with CSOs. IAMnet welcomed CSOs working in accountability, human rights, environmental protection, and development. IAMnet also facilitated a training session on retaliation against complainants, and how to mitigate retaliation risks and impacts. This training was conducted by the Frontline Defenders.

• **Grievance redress mechanism training and Accountability Mechanism awareness-raising workshops.** During 6–14 December 2022, OCRP and OSPF jointly organized a detailed GRM training coupled with awareness-raising sessions on ADB’s Accountability Mechanism in Pakistan spread over several days each in Islamabad and Lahore. This training was offered to ADB staff and government executing and implementing agencies covering ADB-financed projects. In addition, awareness-raising sessions were also organized for CSOs and ADB staff in Islamabad.
Knowledge Work

- **Knowledge management mainstreaming activities.** OCRP took the lead and collaborated with OSPF in streamlining their knowledge work to align it with the ADB-wide knowledge management (KM) Action Plan. In this regard (i) KM infrastructure documents, including the KM and Communications strategies together with their respective action plans were developed with a view to eventually establishing a simple and user-friendly online KM hub or its equivalent and (ii) OCRP developed a case for recognition of its outreach training with stakeholders in the Philippines as a recognized knowledge solution for ADB and successfully got it validated and recognized as such out of the total 56 ADB-wide submissions.

- **Accountability Mechanism stories of inspiration.** OCRP and OSPF produced two short videos capturing the AM’s positive impacts through mock stories based on real cases. The videos did not use the real names of complainants to keep their identities confidential. These compliance review story and problem-solving story short videos explain that accountability is not bad for development and, if used efficiently, can change the lives of people affected by ADB projects. These videos also show that accountability of ADB projects not only leads to an improvement in people’s lives but also helps ADB achieve greater development impact.

- **Joint learning report.** OCRP is leading the preparation and publication of the joint learning report, which is prepared every 3 years by the OCRP, OSPF, Independent Evaluation Department, and Sustainable Development and Climate Change Department in accordance with paragraph 212 of the AMP. This time, the theme of the Joint Learning Report will be “ADB Accountability Mechanism strengthens good governance.” The theme is based on the rationale that AMs exist to ensure good governance of the multilateral development banks that enjoy immunities and privileges. In addition, this theme is also selected because ADB has recently initiated a transformation exercise by defining its core values to be “client-centric,” “trustworthy,” and “transformational” to ensure good governance and enhance development effectiveness. The ADB AM not only reinforces all the eight characteristics of good governance but has also, since its inception, been the prime example of these core values.

OCRPs Outreach and Knowledge Work

Outreach Activities

OCRP organized deep-dive learning sessions with the Private Sector Operations Department and the Strategy, Policy, and Partnerships Department on 16 May and 3 June 2022, respectively. These sessions were well-attended by the staff and Management and generated very interesting and candid discussions. These sessions were customized to the needs of the host departments and, in addition, included introductory information about the AM and some lessons learned.

Knowledge Work

- **Lessons learned from compliance reviews series.** This series of publications from OCRP provides practical insights on project design, implementation, and the process of compliance review. It focuses on the compliance review of eight projects: (i) Sustainable Urban Transport Investment Program—Tranche 3 in Georgia, (ii) Visayas Base-Load Power Development Project in the Philippines, (iii) Integrated Citarum Water Resources Management Investment Program–Project 1 in Indonesia, (iv) Mundra Ultra Mega
Power Project in India, (v) Sri Lanka Southern Transport Development Project, (vi) CAREC Transport Corridor 1 (Bishkek-Torugart Road) Project 1 in the Kyrgyz Republic, (vii) Fuzhou Environmental Improvement Project in the People’s Republic of China, and (viii) Rehabilitation of the Railway Project in the Kingdom of Cambodia. The lessons shared through this series provide opportunities for improved project design and implementation and a strengthened compliance review function. It aims to contribute to capacity development in project management and good institutional governance.

- **Common Threads: Lessons from Compliance Reviews—Strengthening the Fabric of Development Effectiveness.** This summary lessons learned report gathers trends in the roots of noncompliance and the triggers of the compliance review. This discusses lessons and insights gathered from the eight compliance reviews conducted during 2004–2020 by the CRP. Common threads signify those common issues in project processing and implementation that have formed a trend in emerging complaints. The publication emphasizes that knowledge and understanding of these trends—and corresponding behavioral and operational improvements—can improve project design and reduce grievances thereby strengthening the development effectiveness of ADB.

- Among the common threads identified are:
  1. Comprehensive baseline data is essential for impact modeling, good project design, appropriate risk control and mitigation measures and effective monitoring of project outcomes;
  2. Meaningful and inclusive stakeholder engagement, including vulnerable groups, allows ADB to design better quality projects and contributes to practical and innovative project solutions and design inputs;
  3. A thorough understanding of ADB policies enhances compliance by enabling implementers to distinguish between ADB safeguards and national policies thus minimizing the risks and cost of remedial and corrective actions;
  4. Understanding of the ADB Accountability Mechanism Policy helps clarify its objectives and processes and gives stakeholders confidence in ADB’s grievance redress and accountability mechanisms;
  5. Prompt and regular supervision and monitoring minimize the risk of noncompliance and the likelihood of harm and reduce reputational risk; and
  6. A timely and comprehensive remedial action plan prevents further marginalization of project-affected people, brings effective relief to affected people and ensures the sustainability of development outcomes.

### OSPF’s Outreach and Knowledge Work

**ADB Staff Certified as Tier 1 Mediators by the Singapore International Mediation Institute**

With the goal of building the capacities of ADB project team staff in addressing complaints, the OSPF, together with the Budget, People and Management Systems Department, organized the pilot Basic Mediation Training in 2021. This was conducted by the Singapore International Mediation Institute primarily for ADB staff from different ADB operations departments who play a role in project implementation. This training program aimed to equip ADB project staff with skills and knowledge to conduct mediations and apply mediation concepts and processes complementary to the design of project-level GRM, ADB operations complaint-handling processes, as well as the OSPF overall problem-solving framework. Elements, key features and stages of mediation, cultural considerations in mediation, and contextualizing stages of mediation were discussed.

Some participants from the Basic Mediation Training decided to join the Advanced Mediation Training in December 2021. This advanced training focused on conflict management styles, power imbalance,
self-awareness and internal bias, impartiality, problem-solving skills, overcoming impasse, managing multiparty/multi-representative mediations, cultural awareness, and diversity and their impact on mediation. A total of 50 ADB staff completed the Basic and Advanced Mediation Training.

An assessment was conducted in Maxwell Chambers, Singapore, in August 2022. Six ADB staff have now been certified as Tier 1 Mediators by the Singapore International Mediation Institute. Due to the high demand and excellent feedback from training participants, OSPF will lead another Mediation Training in 2023.

Training on Grievance Redress Mechanism for ADB-assisted Projects in Mongolia, India, and Pakistan

With the continuing demand across regions, OSPF, in 2022, conducted seven training workshops on GRMs under the OSPF technical assistance for Capacity Building for Grievance Redress and Dispute Resolution during Project Implementation in India, Mongolia, and Pakistan.

The GRM training aims to (i) improve the function of project GRMs, (ii) equip project staff with communication skills and knowledge of proper handling and management of grievances received from affected households and stakeholders, and (iii) improve participants’ skills, knowledge, and practice in addressing problems encountered in ADB-assisted projects.

Through this capacity building, the goal of OSPF is to help project teams to address risks and emerging issues more effectively in ADB-assisted projects and avoid escalation of complaints that may affect project implementation.

The training in Mongolia was the first in-person training since the COVID-19 pandemic. Given the high number of nominations, participants were divided into two cohorts and the two trainings were held during 19–21 and 22–24 May 2022. The training sessions were attended by 54 participants from around 20 executing and implementing agencies of ADB-assisted projects in Mongolia. An overwhelming number of nominations was received from India. Thus, for India, three cohorts were done through virtual sessions of the training in June–July 2022, which were attended by 116 participants from across more than 50 sectors. As mentioned under the joint activities of the accountability offices in December 2022, OSPF conducted two batches of GRM training in Islamabad and Lahore. A total of 47 staff from 18 government agencies attended the training on GRM in Islamabad (6–8 December 2022) and Lahore (12–14 December 2022).

Case Study on Complaints in Mongolia

In May 2022, OSPF started the analytical work for the case study on the closed complaints under problem-solving in Mongolia. The case study aims to support ADB operations departments, government and private sector partners, and other stakeholders by documenting the complaint management experiences and identifying important lessons and good practices on problem-solving that are useful for future projects. OSPF intends to present the findings from this case study and lessons learned from the Mongolia complaints with ADB project teams across different departments and with other international independent AMs.

Study on the Cost and Benefits of the Accountability Mechanism Policy 2012

In line with the AMP 2012 requirement for ADB management to undertake a study on the benefits and costs of the AM, OSPF has been leading this study. The objective of this study is to guide future policy design and implementation of the AM. OSPF initiated this study in November 2022.
THE ACCOUNTABILITY MECHANISM TEAM
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Chair, Compliance Review Panel
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Office of the Compliance Review Panel

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COMPLAINT RECEIVING OFFICER

ANNELLE REYES GONZALES-DE JESUS
### Appendix: Summary of Accountability Mechanism-Related Complaints Processed by the Complaint Receiving Officer in 2022

<table>
<thead>
<tr>
<th>Number</th>
<th>Date Received</th>
<th>Country/Sector</th>
<th>Project Name</th>
<th>Type of Complainant</th>
<th>Categorization</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>19 December 2021</td>
<td>India / Transport</td>
<td>Chhattisgarh Road Connectivity Project</td>
<td>Individual</td>
<td>Compensation</td>
<td>Forwarded to OSPF on 11 March 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Complainants have not attempted to resolve the issues at the operations department level</td>
</tr>
<tr>
<td>2</td>
<td>31 December 2021</td>
<td>Pakistan / Agriculture</td>
<td>Jalalpur Irrigation Project</td>
<td>NGO</td>
<td>Livelihood and public health</td>
<td>Forwarded to OSPF on 1 February 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Greater Thal Canal Irrigation Project</td>
<td></td>
<td></td>
<td>Complainants have not attempted to resolve the issues at the operations department level</td>
</tr>
<tr>
<td>3</td>
<td>2 February 2022</td>
<td>India / Transport</td>
<td>Tamil Nadu Industrial Connectivity Project</td>
<td>Individual</td>
<td>Land acquisition and compensation</td>
<td>Closed</td>
</tr>
<tr>
<td>4</td>
<td>16 February 2022</td>
<td>India / Water</td>
<td>Shapoorji Affordable Housing Project</td>
<td>Individual</td>
<td>Land acquisition and environment</td>
<td>Forwarded to OCRP on 3 March 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Complaint excluded for matters that complainants have not attempted to address at the operations department level</td>
</tr>
<tr>
<td>5</td>
<td>16 February 2022</td>
<td>Sri Lanka / Transport</td>
<td>Second Integrated Road Investment Program</td>
<td>Individual</td>
<td>Village infrastructure and environment</td>
<td>Forwarded to OSPF on 25 February 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Complainants have not attempted to resolve the issues at the operations department level</td>
</tr>
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<table>
<thead>
<tr>
<th>Number</th>
<th>Date Received</th>
<th>Country/ Sector</th>
<th>Project Name</th>
<th>Type of Complainant</th>
<th>Categorization</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>31 March 2022</td>
<td>Mongolia / Transport</td>
<td>Regional Road Development and Maintenance Project</td>
<td>Individual</td>
<td>Loss of livelihood, compensation and lack of information</td>
<td>Forwarded to OSPF on 27 May 2022; Deemed ineligible on 23 June 2022; Issues being resolved at the operations department level</td>
</tr>
<tr>
<td>7</td>
<td>8 April 2022</td>
<td>India / Water</td>
<td>Tamil Nadu Urban Flagship Investment Program—Tranche 2</td>
<td>Individual</td>
<td>Damaged pipes due to underground drainage works</td>
<td>Closed; Failure to comply with minimum requirements under para. 151 of AMP 2012</td>
</tr>
<tr>
<td>8</td>
<td>11 April 2022</td>
<td>Sri Lanka / Transport</td>
<td>Sri Lanka: Railway Efficiency Improvement Project</td>
<td>Individual</td>
<td>Flooding due to construction debris</td>
<td>Closed; Complaint does not relate to the ADB project as verified by the operations department</td>
</tr>
<tr>
<td>9</td>
<td>21 April 2022</td>
<td>Pakistan / Transport</td>
<td>Khyber Pakhtunkhawa Provincial Roads Improvement Project (Additional Financing)</td>
<td>Individual</td>
<td>Incomplete bridges and drains; flooding</td>
<td>Forwarded to OSPF on 12 May 2022; Deemed ineligible on 9 June 2022; Complaintants have not attempted to resolve issues at the operations department level</td>
</tr>
<tr>
<td>10</td>
<td>28 April 2022</td>
<td>India / Water</td>
<td>An urban sector development investment program in northern India</td>
<td>Individual</td>
<td>Faulty pipeline and other construction errors</td>
<td>Complaint closed based on para. 142 (iv) of the AMP 2012; Complaint involves an ADB project that has been closed for more than 2 years</td>
</tr>
<tr>
<td>11</td>
<td>8 May 2022</td>
<td>Sri Lanka / Agriculture</td>
<td>Mahaweli Water Security Investment Program</td>
<td>Individual</td>
<td>Land acquisition and compensation</td>
<td>Forwarded to OSPF on 19 May 2022; Deemed ineligible on 17 June 2022; Issues being resolved at the operations department level</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Number</th>
<th>Date Received</th>
<th>Country/ Sector</th>
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<th>Type of Complainant</th>
<th>Categorization</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>25 May 2022</td>
<td>India / Transport</td>
<td>Chhattisgarh State Road Sector Project</td>
<td>Individual</td>
<td>Compensation</td>
<td>Complaint closed based on para. 142 (iv) of the AMP 2012</td>
</tr>
<tr>
<td></td>
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<td><a href="https://www.adb.org/projects/44427-013/main">https://www.adb.org/projects/44427-013/main</a></td>
<td></td>
<td></td>
<td>Complaint involves an ADB project that has been closed for more than 2 years</td>
</tr>
<tr>
<td>13</td>
<td>26 May 2022</td>
<td>India / Transport</td>
<td>Assam Road Network Improvement Project</td>
<td>Individual</td>
<td>Compensation</td>
<td>Closed</td>
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<td><a href="https://www.adb.org/projects/53335-001/main">https://www.adb.org/projects/53335-001/main</a></td>
<td></td>
<td></td>
<td>Failure to comply with minimum requirements under para. 151 of AMP 2012</td>
</tr>
<tr>
<td>14</td>
<td>2 June 2022</td>
<td>India / Transport</td>
<td>Delhi-Meerut Regional Rapid Transit System Investment Project</td>
<td>Individual</td>
<td>Compensation, safety, noise pollution, high-intensity vibrations, loss of easement rights and lack of consultation</td>
<td>Forwarded to OSPF on 4 July 2022</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Issues being resolved at the operations department level</td>
</tr>
<tr>
<td>15</td>
<td>9 June 2022</td>
<td>Indonesia / Energy</td>
<td>Tangguh Liquefied Natural Gas Expansion Project</td>
<td>NGO</td>
<td>Compensation</td>
<td>Forwarded to OSPF on 12 July 2022</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Complainants have not attempted to resolve issues at the operations department level</td>
</tr>
<tr>
<td>16</td>
<td>11 June 2022</td>
<td>India / Transport</td>
<td>Maharashtra State Road Improvement Project</td>
<td>Individual</td>
<td>Compensation</td>
<td>Forwarded to OSPF on 27 June 2022</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Issues being resolved at the operations department level</td>
</tr>
<tr>
<td>17</td>
<td>13 June 2022</td>
<td>Pakistan / Energy</td>
<td>Balakot Hydropower Development Project</td>
<td>Representative</td>
<td>Land acquisition, resettlement and compensation</td>
<td>Forwarded to OSPF on 21 June 2022</td>
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<tr>
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<td>Complainants have not attempted to resolve issues at the operations department level</td>
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<th>Number</th>
<th>Date Received</th>
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<th>Type of Complainant</th>
<th>Categorization</th>
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<tr>
<td>18</td>
<td>14 June 2022</td>
<td>Pakistan / Transport</td>
<td>Central Asia Regional Economic Cooperation Corridor Development Investment Program (Tranche 2)</td>
<td>Individual</td>
<td>Land acquisition</td>
<td>Closed</td>
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<td><a href="https://www.adb.org/projects/48404-004/main">https://www.adb.org/projects/48404-004/main</a></td>
<td>Complaint does not relate to the ADB project as verified by the operations department</td>
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<tr>
<td>19</td>
<td>24 June 2022</td>
<td>Pakistan / Energy</td>
<td>Balakot Hydropower Development Project</td>
<td>Representative</td>
<td>Land acquisition and compensation</td>
<td>Forwarded to OSPF on 28 June 2022</td>
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<td>Complainants have not attempted to resolve issues at the operations department level</td>
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<tr>
<td>20</td>
<td>30 June 2022</td>
<td>Nepal / Transport</td>
<td>SASEC Mugling–Pokhara Highway Improvement Phase 1 Project</td>
<td>NGO</td>
<td>Loss of critically endangered species</td>
<td>Forwarded to OCRP on 9 August 2022</td>
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<td>Complainants have not attempted to resolve issues at the operations department level</td>
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<tr>
<td>21</td>
<td>30 June 2022</td>
<td>India / Transport</td>
<td>Tamil Nadu Industrial Connectivity Project</td>
<td>Individual</td>
<td>Land acquisition and compensation</td>
<td>Forwarded to OSPF on 27 July 2022</td>
</tr>
<tr>
<td></td>
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<td>Complainants have not attempted to resolve issues at the operations department level</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>2 July 2022</td>
<td>India / Water</td>
<td>Rajasthan Secondary Towns Development Sector Project</td>
<td>Individual</td>
<td>Land acquisition, compensation and lack of information</td>
<td>Closed</td>
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<td><a href="https://www.adb.org/projects/42267-031/main">https://www.adb.org/projects/42267-031/main</a></td>
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<td><a href="https://www.adb.org/projects/47037-005/main">https://www.adb.org/projects/47037-005/main</a></td>
<td>Failure to comply with minimum requirements under para. 151 of AMP 2012</td>
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<th>Categorization</th>
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<tbody>
<tr>
<td>24</td>
<td>6 August 2022</td>
<td>Georgia/Transport</td>
<td>Batumi Bypass Road Project</td>
<td>Individual</td>
<td>Compensation</td>
<td>Forwarded to OSPF on 25 August 2022</td>
</tr>
<tr>
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<td>Complainants have not attempted to resolve issues at the operations department level</td>
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<tr>
<td>25</td>
<td>10 August 2022</td>
<td>India/Water</td>
<td>Rajasthan Urban Sector Development Program</td>
<td>Individual</td>
<td>Damage to property and lack of information and consultation</td>
<td>Forwarded to OCRP on 19 August 2022</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>Complainants have not attempted to resolve issues at the operations department level</td>
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<tr>
<td>26</td>
<td>15 August 2022</td>
<td>Sri Lanka/Transport</td>
<td>Integrated Road Investment Program</td>
<td>NGO</td>
<td>Damage to property and compensation</td>
<td>Forwarded to OCRP on 18 October 2022</td>
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<td><a href="https://www.adb.org/projects/47223-002/main">https://www.adb.org/projects/47223-002/main</a></td>
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<td>CRP has terminated processing on 11 November 2022 due to complainants' withdrawal of the complaint</td>
</tr>
<tr>
<td>27</td>
<td>16 August 2022</td>
<td>Pakistan/Multisector</td>
<td>Supporting Public–Private Partnership Investments in Sindh Province</td>
<td>NGOs and Individuals</td>
<td>Flawed Environmental Impact Assessment and lack of consultation</td>
<td>Forwarded to OSPF on 9 November 2022</td>
</tr>
<tr>
<td>28</td>
<td>7 September 2022</td>
<td>India/Transport</td>
<td>Delhi-Meerut Regional Rapid Transit System Investment Project</td>
<td>Individual</td>
<td>Safety, high-intensity vibrations, noise pollution, loss of easement rights and lack of information</td>
<td>Forwarded to OSPF on 11 October 2022</td>
</tr>
<tr>
<td>29</td>
<td>14 September 2022</td>
<td>Pakistan/Water</td>
<td>Punjab Intermediate Cities Improvement Investment Project</td>
<td>Individual</td>
<td>Flawed project design and negative impact on livelihood</td>
<td>Closed</td>
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|        |               |                | [https://www.adb.org/projects/46526-007/main](https://www.adb.org/projects/46526-007/main) |                     |                | Failure to comply with minimum requirements under para. 151 of AMP 2012 | continued on next page
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<th>Project Name</th>
<th>Type of Complainant</th>
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<tbody>
<tr>
<td>30</td>
<td>19 September 2022</td>
<td>India/Transport</td>
<td>Tamil Nadu Industrial Connectivity Project</td>
<td>Individual</td>
<td>Project delay, public safety, damage to property</td>
<td>Forwarded to OSPF on 12 October 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Deemed ineligible on 4 November 2022</td>
</tr>
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<td></td>
<td></td>
<td>Complainants have not attempted to resolve issues at the operations department level</td>
</tr>
<tr>
<td>31</td>
<td>25 September 2022</td>
<td>Sri Lanka/Energy</td>
<td>Green Power Development and Energy Efficiency Improvement Investment Program—Tranche 1</td>
<td>Individual</td>
<td>Land acquisition and compensation</td>
<td>Forwarded to OSPF on 7 November 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Deemed ineligible on 7 December 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Complainants have not attempted to resolve issues at the operations department level</td>
</tr>
<tr>
<td>32</td>
<td>27 September 2022</td>
<td>Nepal/Transport</td>
<td>SASEC Mugling–Pokhara Highway Improvement Phase 1 Project</td>
<td>Individual</td>
<td>Pollution due to road construction</td>
<td>Forwarded to OSPF on 10 November 2022</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Deemed ineligible on 7 December 2022</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Complainants have not attempted to resolve issues at the operations department level</td>
</tr>
<tr>
<td>33</td>
<td>3 October 2022</td>
<td>India/Water</td>
<td>Integrated Urban Flood Management for the Chennai-Kosasthalaiyar Basin Project</td>
<td>Individual</td>
<td>Project delay and poor construction works</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Failure to comply with minimum requirements under para. 151 of AMP 2012</td>
</tr>
<tr>
<td>34</td>
<td>12 October 2022</td>
<td>Pakistan/Water</td>
<td>Khyber Pakhtunkhwa Cities Improvement Project</td>
<td>Individual</td>
<td>Land acquisition and compensation</td>
<td>Forwarded to OCRP on 27 December 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CRP has terminated processing on 28 December 2022 due to complainants’ withdrawal of the complaint</td>
</tr>
<tr>
<td>35</td>
<td>13 October 2022</td>
<td>Pakistan/Water</td>
<td>Punjab Intermediate Cities Improvement Investment Project</td>
<td>Individual</td>
<td>Land acquisition and compensation</td>
<td>Forwarded to OSPF on 17 October 2022</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Eligible on 15 November 2022</td>
</tr>
</tbody>
</table>

continued on next page
<table>
<thead>
<tr>
<th>Number</th>
<th>Date Received</th>
<th>Country/Sector</th>
<th>Project Name</th>
<th>Type of Complainant</th>
<th>Categorization</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>36</td>
<td>31 October 2022</td>
<td>India / Transport</td>
<td>SASEC Road Connectivity Investment Program—Tranche 2</td>
<td>Individual</td>
<td>Land acquisition and compensation</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>Complaint does not relate to the ADB project as verified by the operations department</td>
</tr>
<tr>
<td>37</td>
<td>30 November 2022</td>
<td>Pakistan / Transport</td>
<td>Peshawar Sustainable Bus Rapid Transit Corridor Project</td>
<td>Individual</td>
<td>Compensation</td>
<td>Pending with CRO</td>
</tr>
<tr>
<td>38</td>
<td>7 December 2022</td>
<td>Pakistan / Transport</td>
<td>Central Asia Regional Economic Cooperation Corridor Development Investment Program—Tranche 1</td>
<td>Individual</td>
<td>Violation of road safety and noise standards, poor monitoring of project implementation and lack of information and consultation</td>
<td>Pending with CRO</td>
</tr>
</tbody>
</table>

AMP = Accountability Mechanism Policy, CRO = Complaint Receiving Officer, CRP = Compliance Review Panel, NGO = nongovernment organization, OCRP = Office of the Compliance Review Panel, OSPF = Office of the Special Project Facilitator.

Source: Complaint Receiving Officer, Asian Development Bank
This 2022 annual report highlights how the accountability mechanism offices’ efficient complaints handling and effective capacity-building and awareness-raising programs have supported comprehensive learning. It outlines how learning-based recommendations were shared with the Asian Development Bank (ADB) and its partners to improve future project design and implementation and strengthen the accountability of ADB’s operations. This report identifies common issues requiring attention: comprehensive baseline data, customized responses to vulnerable groups’ needs, strong engagement with stakeholders, enhanced understanding of ADB policies, and timely and comprehensive remedial action plans.

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.