



European Bank
for Reconstruction and Development

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Mr Ivan M. Petrovic
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Dear Mr Petrovic,

I have carefully reviewed the complaint submitted on behalf of your clients, residents of Barosevac, and all supporting documents and I am afraid the complaint is not eligible for registration under the Project Complaint Mechanism (PCM) for reasons which I will explain below.

The Project Complaint Mechanism ("PCM") provides an opportunity for an independent review of complaints from individual(s) or Organisation(s) concerning a Project which allegedly has caused, or is likely to cause, harm. The goal is to enhance the EBRD's accountability through the PCM's two functions:

- the Problem-solving function, which has the objective of restoring a dialogue between the Complainant and the Client to resolve the issue(s) underlying a Complaint without attributing blame or fault; and
- the Compliance Review function, which seeks to determine whether or not the EBRD has complied with Relevant EBRD Policy in respect of an approved Project.

Therefore, the mandate of the PCM is limited to reviewing complaints that are related to EBRD projects only.

The term "Project", used above is defined by the PCM Rules of Procedure as "a Bank-financed activity for which a Project Summary Document ("PSD") is prepared pursuant to the Bank's Public Information Policy or a technical assistance activity that is subject to the

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application of Relevant EBRD Policy with the exception of those activities that are expressly exempted from the application of these rules or their predecessor by a Board decision”.

While EPS Kolubara Environmental Improvement (project number 41923) is a Bank Project, the scope of its activities does not include field “B” of Kolubara mining basin. I also note that this project has not yet started operations and none of the loan has yet been dispersed.

Therefore, considering that all environmental and social impacts described in your complaint are resulting from current EPS activities and are due to the proximity of the affected houses to the mining field “B”, which is not part of the scope of the EBRD Project, your complaint cannot be registered and reviewed by the PCM.

However, EBRD is aware of the potential for field B activities to impact on nearby residents and we have previously sent independent consultants and Bank staff to Barosevac to assess the issue and discuss possible remedies with RB Kolubara and community representatives.

Following on from your letter, EBRD project team will contact RB Kolubara again to discuss the situation and will write to you on this additionally.

Best regards,

A handwritten signature in black ink, appearing to read 'Anoush Begoyan'.

Anoush Begoyan
Project Complaint Mechanism Officer
European Bank for Reconstruction and Development