

# Environmental and social eligibility criteria for solar power sub-projects/sub-investments



**European Bank**  
for Reconstruction and Development

The environmental and social (E&S) eligibility criteria in this note have been prepared to assist and support EBRD partner financial intermediaries (FIs) planning to fund solar sub-projects/sub-investments. “Solar sub-projects/sub-investments” include all sub-projects/sub-investments related to the construction and operation of utility-scale and distributed solar power facilities. “Utility-scale” refers to larger plants generating solar power with a view to feeding it into a country’s power grid for use by third parties. “Distributed solar” consists of smaller facilities, ranging from very small residential rooftop panels to sizeable installations for manufacturing sites, installed solely for own consumption. Distributed solar also includes investments in countries where, by law, any electricity generated needs to be fed into the grid and bought back.

This note sets out the specific E&S criteria that FI sub-projects/sub-investments involving solar power need to meet to qualify for Green Economy Transition (GET) financing. The criteria, therefore, correspond to the requirement established in the EBRD’s Performance Requirement 9 (PR9) for FIs, which states that the “EBRD may require FIs to adopt and implement environmental and social requirements, depending on the nature of the FI, its business activities, and the level of environmental and social risks and impacts associated with its portfolio and sub-Projects, as applicable.”<sup>1</sup>

Prior to approval for receipt of EBRD proceeds, all solar sub-projects/sub-investments of 5 MW or more, or involving a sensitive area per Appendix 2 of the Environmental and Social Policy (Category A Projects), are subject to review against these criteria by the EBRD’s Environment and Sustainability Department.

For solar sub-projects/sub-investments of less than 5 MW, only solar photovoltaic (PV) technologies that are listed on the EBRD [Green Technology Selector \(GTS\)](#) at the sub-loan signing date will be eligible for financing under the GET programme, unless otherwise agreed in writing by the EBRD.

These thresholds refer to the cumulative solar MW capacity financed by the sub-project/sub-investment.

In this note, the term “sub-project/sub-investment” refers to the solar sub-project/sub-investment being considered for financing, including all of its associated facilities, as defined by the 2019 EBRD Environmental and Social Policy. This typically includes, but is not limited to, access roads, temporary sites and the connection to the grid. It also includes the supply chain of goods and materials to the sub-project/sub-investment.

The term “developer/sponsor” refers to the sub-borrower/ investee that owns the sub-project/sub-investment and receives indirect EBRD funding.

The “sub-project/sub-investment” includes four temporal elements: 1) planning and siting of the facility, 2) construction, 3) operation and maintenance, and 4) decommissioning. All four elements are discussed here. These eligibility criteria are specific to new or greenfield sub-projects/sub-investments and extensions to or remodelling of existing facilities.

The eligibility criteria below are organised with reference to the EBRD Performance Requirements, as set out in the 2019 EBRD Environmental and Social Policy. The key issues cited below are typical of sub-projects/sub-investments and technologies used in constructing solar sub-projects/sub-investments (solar PV and concentrated solar power [CSP]), but may not be exhaustive. Proposed projects that use atypical construction or operating methods may require additional evaluation.

<sup>1</sup> See EBRD (2019).

**Table 1. E&S eligibility criteria that FI sub-projects/sub-investments must meet to qualify for GET finance**

EBRD ESP 2019	Issue	Eligibility criteria	Evidence
PR1: Assessment and management of environmental and social risks and impacts	<p><b>Regulatory compliance:</b> The sub-project/sub-investment or proposed sub-project/sub-investment may not have all the necessary permissions and permits required under national law.</p>	<ul style="list-style-type: none"> <li>• The sub-project/sub-investment must comply with all requirements of national environmental, health and safety, and labour laws.</li> <li>• The sub-project/sub-investment must have obtained all applicable local planning and zoning approvals to enable the sub-project/sub-investment development to proceed.</li> </ul>	<ul style="list-style-type: none"> <li>• For new developments, if required by law, the developer/sponsor has undertaken an environmental impact assessment (EIA) and the EIA has been disclosed to the public in accordance with national requirements.</li> <li>• The developer/sponsor has obtained the required national licences and permits to build (in case of new developments) or operate (in case of existing facilities) the sub-project/sub-investment.</li> <li>• For new developments, the developer/sponsor has obtained the required local planning and zoning board approvals required to build and operate the sub-project/sub-investment.</li> </ul>
PR1: Assessment and management of environmental and social risks and impacts	<p>The sub-project/sub-investment may fall within the Category A list set out in Appendix 2 of the 2019 EBRD Environmental and Social Policy (ESP). A category A classification can also be triggered by the establishment of high-voltage overhead electrical power lines or a combination of other cumulative impacts.</p>	<p>The developer/sponsor has assessed and demonstrated that the sub-project/sub-investment:</p> <ul style="list-style-type: none"> <li>• does not include the construction of high-voltage overhead electrical power lines</li> <li>• is not planned to have or likely to have a perceptible impact, including cumulative impact, on sensitive locations of international, national or regional importance</li> <li>• will not result in significant adverse social impacts on local communities or other sub-project/sub-investment-affected parties</li> <li>• will not involve significant involuntary resettlement or economic displacement</li> <li>• will not result in significant cumulative impacts along with existing facilities, reasonably foreseeable developments and/or unplanned but predictable activities enabled by sub-projects/sub-investments that may occur later or at a different location.</li> </ul>	<ul style="list-style-type: none"> <li>• The developer/sponsor has established and maintained an environmental and social management system (ESMS) appropriate to and commensurate with the level of its environmental and social impacts and issues, in line with good international practice.</li> <li>• If the sub-project/sub-investment falls under Category A, the developer/sponsor will conduct an environmental and social impact assessment (ESIA) that meets the requirements of EBRD PRs 1-8 and 10.</li> <li>• Under EBRD PR9 (Appendix A: Referral List), FI financing of any Category A sub-project/sub-investment is subject to referral to the EBRD.</li> </ul>

EBRD ESP 2019	Issue	Eligibility criteria	Evidence
PR2: Labour and working conditions	Sub-project/sub-investment workers may not be employed in line with national legal requirements, treated fairly or adequately protected.	<ul style="list-style-type: none"> <li>An assessment of labour and working conditions has been conducted, including human resources policies, labour management plans, equal opportunity, terms and conditions of employment, and grievance mechanisms.</li> <li>These aspects should be considered for all sub-project/sub-investment workers, including staff of the developer/sponsor and staff of contractors, sub-contractors, intermediaries and service providers.</li> </ul>	<ul style="list-style-type: none"> <li>The assessment of human resource and labour management processes for the sub-project/sub-investment has found no significant gaps.</li> <li>Processes are in place to identify any emerging or ongoing issues and to monitor whether management measures are effective.</li> </ul>
PR2: Labour and working conditions	<p><b>Labour management procedures:</b> The developer/sponsor must establish labour management procedures that are contractually binding on sub-project/sub-investment contractors and sub-contractors, ensuring that all sub-project/sub-investment workers receive written employment documentation and have access to an effective grievance mechanism.</p>	<ul style="list-style-type: none"> <li>The sub-project/sub-investment implements labour management procedures that ensure compliance with national labour and employment laws, social security laws and any collective agreements to which employing actors on the sub-project/sub-investment (developer/sponsor, contractor, sub-contractor) are party.</li> <li>Contractors and sub-contractors are contractually bound to comply with the sub-project/sub-investment's labour management procedures, national labour and employment laws, social security laws and any applicable collective agreements, as well as the requirement for a worker grievance mechanism.</li> <li>Worker grievance procedures are documented and tracked.</li> </ul>	<ul style="list-style-type: none"> <li>Human resources and labour management requirements have been identified through an assessment process, and human resource and labour management policies, plans and processes are in place that address all labour management planning components, including those of contractors, subcontractors, and intermediaries, with no significant gaps.</li> </ul>

EBRD ESP 2019	Issue	Eligibility criteria	Evidence
PR2: Labour and working conditions	<p><b>Supply chain:</b> The solar PV supply chain may be associated with risks of forced labour and harm to workers in the context of raw-mineral refining, as well as component and panel manufacturing.</p>	<ul style="list-style-type: none"> <li>• Investments in new PV sub-projects/sub-investments of more than 5 MW will only be financed with EBRD proceeds or allocated to EBRD participation upon FI referral of the sub-project/sub-investment to the EBRD.</li> </ul> <p>The thresholds below refer to the cumulative solar MW capacity financed by the sub-project/sub-investment:</p> <p><i>PV cumulative investment 5-25MW</i></p> <ul style="list-style-type: none"> <li>• The name of the module supplier must feature on the <a href="#">GTS</a>.</li> <li>• The developer/sponsor obtains a self-declaration from the module manufacturer(s), stating that its products do not contain any components made with forced labour.</li> <li>• The developer/sponsor has a policy and/or supplier code of conduct in place that prohibits the use of forced labour in its own business operations and in suppliers'/ business partners' operations and includes a requirement for direct suppliers/business partners to cascade this prohibition to their sub-suppliers and/or sub-contractors.</li> </ul> <p><i>PV cumulative investment 25-50MW</i></p> <ul style="list-style-type: none"> <li>• The name of the module supplier must feature on the <a href="#">GTS</a>.</li> <li>• The developer/sponsor obtains a self-declaration from the module manufacturer(s), as above.</li> <li>• The developer/sponsor has a policy and/or supplier code of conduct in place, as above.</li> <li>• The developer/sponsor obtains the module manufacturer's policy or code of conduct, covering both the manufacturer's own operations and those of its solar component suppliers, clearly stating that forced labour is prohibited and that sub-suppliers of solar components must cascade the same prohibitions down their supply chains.</li> <li>• The developer/sponsor obtains a complete bill of materials (BoM) listing all the suppliers and sub-suppliers selected to produce the sub-project/sub-investment's solar panels. Compliance with the BoM and subsequent verification needs to be included in the relevant procurement documents.</li> </ul>	<ul style="list-style-type: none"> <li>• Developer/sponsor provides all requisite documentation for FI review; FI provides sub-project/sub-investment supply-chain documentation for EBRD review.</li> <li>• The developer/sponsor commits to solar supply-chain traceability protocols as they become available over time.</li> <li>• For utility-scale (&gt;50MW) sub-projects/sub-investments, the developer/sponsor has an SCMS, in line with EBRD requirements, including third-party BoM verification, and financing agreements between the FI and developer/sponsor include cascading provisions on forced labour.</li> </ul>

EBRD ESP 2019	Issue	Eligibility criteria	Evidence
		<ul style="list-style-type: none"> <li>• The developer/sponsor obtains from the module manufacturer a BoM verification report providing evidence that the solar component suppliers listed in the BoM were used during the production process.</li> </ul> <p><i>PV cumulative investment &gt;50 MW</i></p> <ul style="list-style-type: none"> <li>• The name of the module supplier must feature on the <a href="#">GTS</a>.</li> <li>• The developer/sponsor has/ develops a supply-chain management system (SCMS), in line with EBRD requirements, including third-party BoM verification.</li> <li>• Financing agreements between FI and developer/sponsor must include provisions on forced labour. These provisions must be cascaded by the developer/sponsor as contractual requirements to the engineering, procurement and construction (EPC) contractor or module supplier, as applicable, in addition to the developer/sponsor's own requirements.</li> </ul>	
PR3: Resource efficiency and pollution prevention and control	The sub-project/sub-investment may, both directly and indirectly, increase local and regional economic activity, which can generate increased levels of pollution to air, water and land, and consume finite resources in a manner that may threaten people and the environment at the local, regional and global levels.	<ul style="list-style-type: none"> <li>• The developer/sponsor will adopt technically and financially feasible and cost-effective measures to minimise its consumption and improve the efficiency of its use of energy, water and other resources and material inputs, and recover and re-utilise waste materials.</li> <li>• The developer/sponsor will integrate resource efficiency measures and the principles of cleaner production into product design and production processes.</li> </ul>	<ul style="list-style-type: none"> <li>• The developer/sponsor has conducted an evaluation of consumables and waste and has developed a strategy to minimise energy usage and to re-use/ recycle waste materials.</li> <li>• The developer/sponsor has anticipated the volumes of waste to be managed and has a strategy to manage waste through authorised companies.</li> <li>• The developer/sponsor has anticipated the impacts associated with sub-project/sub-investment construction and has identified required mitigation, including dust abatement, appropriate excavation material disposal and fertile soil conservation, as applicable.</li> </ul>

EBRD ESP 2019	Issue	Eligibility criteria	Evidence
PR3: Resource efficiency and pollution prevention and control	<p><b>Groundwater resources:</b> Concentrated solar power (CSP) plants may have higher requirements, and clusters of PV plants may have a high cumulative water use requirement in arid areas where local communities rely upon scarce groundwater resources. Depending on geographical location, PV modules and CSP plants require periodic rinsing to remove dust.</p>	<ul style="list-style-type: none"> <li>If groundwater is required, the sub-project/sub-investment must not adversely affect water supply.</li> </ul>	<ul style="list-style-type: none"> <li>The developer/sponsor has undertaken an assessment to determine groundwater availability.</li> <li>Based on empirical information, the developer/sponsor has developed a water management plan that provides for proper use, treatment and/or disposal of wastewater.</li> <li>Operation and maintenance methods in relation to water availability and use should be carefully reviewed where risks of adverse impacts on community usage are identified.</li> </ul>
PR3: Resource efficiency and pollution prevention and control	<p><b>Waste management:</b> The sub-project/sub-investment could generate hazardous (for example, broken solar panels, fluorescents, obsolete electronics, sewage and medical waste) and non-hazardous waste (packaging materials, concrete, glass, plastics and so on) during sub-project/sub-investment activities.</p>	<ul style="list-style-type: none"> <li>The developer/sponsor must include design features that follow the waste management hierarchy to avoid or minimise the generation of hazardous and non-hazardous waste.</li> </ul>	<ul style="list-style-type: none"> <li>The developer/sponsor will develop a waste management plan to demonstrate technical and financially feasible alternatives for environmentally sound disposal.</li> </ul>
PR3: Resource efficiency and pollution prevention and control	<p><b>Soil management:</b> Sub-project/sub-investment site preparation and construction will disturb the ground surface and increase the likelihood of soil erosion and sedimentation, potentially polluting nearby water courses and adversely impacting aquatic life. Ongoing operations and maintenance will require continued clearance of site vegetation.</p>	<ul style="list-style-type: none"> <li>The sub-project/sub-investment must demonstrate that sediments in stormwater will be managed in a manner that avoids or minimises impacts on streams and rivers.</li> <li>Ongoing vegetation control must not include the use of toxic herbicides that could adsorb into sediments transported into streams, creating a potential hazard to aquatic receptors.</li> </ul>	<ul style="list-style-type: none"> <li>The developer/sponsor proposes the use of best management practices (BMPs) for soil erosion and runoff (such as sediment settling basins, silt fencing, hay bales, physical barriers and grassed swales).</li> </ul>

EBRD ESP 2019	Issue	Eligibility criteria	Evidence
PR4: Health, safety and security	<p><b>Workforce health and safety:</b> Occupational health and safety hazards specific to solar primarily include exposure to toxic chemicals and metals, electrical risks, working at height and musculoskeletal disorders.</p>	<ul style="list-style-type: none"> <li>• Workforce health and safety assessment includes all sub-project/sub-investment workers, including staff of the developer/sponsor and staff of contractors, sub-contractors, intermediaries, suppliers and service providers.</li> <li>• The sub-project/sub-investment ensures compliance with statutory and collectively agreed occupational health and safety requirements.</li> <li>• The developer/sponsor recognises its primary responsibility to provide safe and healthy working environments for sub-project/sub-investment workers and to inform, instruct, train, supervise and consult sub-project/sub-investment workers on health and safety.</li> </ul>	<ul style="list-style-type: none"> <li>• An assessment has been undertaken of sub-project/sub-investment workforce health and safety issues, risks and management measures, including risks of inadequate or unsafe worker accommodation, with no significant gaps.</li> <li>• A sub-project/sub-investment-specific occupational safety and health plan is in place. Where appropriate, the plan is integrated into the sub-project/sub-investment ESMS.</li> <li>• Processes are or will be in place to identify any emerging or ongoing sub-project/sub-investment workforce health and safety issues and risks, and to monitor whether management measures are effective.</li> <li>• The developer/sponsor has, or will have, a procurement system in place that ensures that contractors abide by the provisions of their health and safety programme and national law.</li> </ul>
PR4: Health, safety and security	<p><b>Gender-based violence and harassment (GBVH):</b> Female community members and workers may be at heightened risk of GBVH. Risks are heightened at sub-projects/sub-investments situated in remote areas or where there is a significant workforce influx.</p>	<ul style="list-style-type: none"> <li>• The developer/sponsor will assess sub-project/sub-investment-related gender-based violence risks of sexual harassment, sexual exploitation and abuse to sub-project/sub-investment-affected persons and communities.</li> <li>• Where appropriate, the sub-project/sub-investment has clear GBVH safeguarding processes in place, including the provision of confidential channels for reporting incidents and providing support.</li> <li>• Where required, the developer/sponsor has relied on work conducted by qualified and experienced specialists to identify and assess GBVH risks.</li> </ul>	<ul style="list-style-type: none"> <li>• The assessment of GBVH safeguarding processes for the sub-project/sub-investment has found no significant gaps.</li> <li>• Processes are in place to identify any emerging or ongoing GBVH-related issues and to monitor whether safeguarding measures are effective.</li> <li>• All site-specific GBVH risk assessment and mitigation strategies have been implemented by recognised GBVH experts.</li> </ul>

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PR4: Health, safety and security	<b>Traffic safety:</b> Construction activities including the transportation of materials (solar PVs, augers, cement batchers and earth moving equipment) and workers could lead to increased traffic on the local roads. If not managed appropriately, this could adversely affect community safety.	<ul style="list-style-type: none"> <li>The developer/sponsor will identify, evaluate and monitor potential traffic and road safety risks to workers and potentially affected communities and where appropriate develop measures and plans to address them.</li> <li>The developer/sponsor will seek to prevent the occurrence of incidents and injuries to members of the public associated with the transportation of workers and equipment.</li> </ul>	<ul style="list-style-type: none"> <li>The sub-project/sub-investment has developed a traffic management plan for implementation during construction, operation and decommissioning. This is incorporated into the environmental and social management plan (ESMP) and EPC requirements for the sub-project/sub-investment.</li> <li>Proper occupational safety and health risk identification and management procedures have been incorporated into every sub-project/sub-investment management plan and standard EPC contractual clauses.</li> <li>The site area is restricted to avoid unauthorised entrance.</li> </ul>
PR4: Health, safety and security	<b>Noise and air emissions:</b> Construction activities increase local noise and generate air emissions that can adversely affect nearby residential communities.	<ul style="list-style-type: none"> <li>The sub-project/sub-investment will address and, when required by national regulations or international standards, include noise abatement and dust control measures to eliminate or minimise impacts on nearby communities.</li> </ul>	<ul style="list-style-type: none"> <li>The selection of the sub-project/sub-investment site has maximised distance from residential communities as much as possible.</li> <li>Where unabated noise and air emissions from the construction of the solar plant have been shown to present an unacceptable risk to nearby residents, abatement and management measures have been included to reduce this to acceptable levels.</li> </ul>
PR4: Health, safety and security	<b>Glint and glare:</b> Glint and glare may occur from the solar panels and may have health and safety impacts. Approval from the military may be required if the site is near a military-sensitive site. Likewise, consideration is required if the site is located close to an airport.	<ul style="list-style-type: none"> <li>Health and safety considerations will be assessed as part of the environmental impact and permitting process.</li> </ul>	<ul style="list-style-type: none"> <li>Where there were potential health and safety risks relating to glint and glare from the sub-project/sub-investment, the sub-project/sub-investment was designed to mitigate the potential impacts by considering the layout, size and scale of the sub-project/sub-investment and landscaping and planting in order to screen the modules from the surrounding receptors.</li> <li>Clearance certificates/approvals have been obtained where needed (such as from the military for military-sensitive areas).</li> </ul>



EBRD ESP 2019	Issue	Eligibility criteria	Evidence
<p>PR5: Land acquisition, restrictions on land use and involuntary resettlement</p>	<p>The sub-project/sub-investment may result in physical displacement (relocation or loss of shelter) and/or economic displacement (loss of assets or resources, and/or loss of access to assets or resources that leads to loss of income sources or means of livelihood) as a result of sub-project-/sub-investment-related land acquisition and/or restrictions on land use.</p> <p>Under EBRD PR9 (Appendix A: Referral List), FI financing of any activities resulting in involuntary resettlement is subject to referral to the EBRD.</p>	<ul style="list-style-type: none"> <li>• The developer/sponsor will identify whether land acquisition and/or restrictions on land use for the sub-project/sub-investment, its components or any associated facilities<sup>2</sup> will result in physical displacement, economic displacement or loss of access to assets or resources.</li> <li>• If the sub-project/sub-investment will result in physical or economic displacement, a resettlement action plan and/or compensation plan is required.</li> </ul> <p>Where applicable, the sub-project/sub-investment applies a “mitigation hierarchy”, as required by the EBRD Environmental and Social Policy, as follows:</p> <ul style="list-style-type: none"> <li>• Avoid displacement and, where this is not possible, implement additional measures to minimise, mitigate and, as a last resort, compensate for potential residual adverse impacts.</li> <li>• Forced evictions are prohibited, in line with international law.</li> <li>• Unavoidable residual displacement impacts must be mitigated by (i) timely compensation at full replacement cost and (ii) ensuring meaningful consultation.</li> <li>• Livelihoods must be improved or, at a minimum, restored.</li> <li>• The sub-project/sub-investment must avoid impacts on protected species and their habitats to the greatest extent possible.</li> <li>• The developer/sponsor has identified any potential protected species that may be affected by the proposed development in accordance with national legislation and international treaties.</li> </ul>	<ul style="list-style-type: none"> <li>• An alternatives analysis has been conducted to identify alternative sites and transmission routings.</li> <li>• If resettlement or economic displacement is unavoidable, the developer/sponsor has prepared a resettlement action plan and/or compensation plan.</li> <li>• The developer/sponsor has a plan in place to manage adverse effects on downstream stakeholders during flood events.</li> </ul>

<sup>2</sup> Facilities and projects developed by separate legal entities, the viability and existence of which are determined by or depend exclusively on the sub-project/sub-investment and are essential for the successful operation of the sub-projects/sub-investments. These may include, for example, powerlines to connect the sub-projects/sub-investments to the grid where these are not part of the sub-projects/sub-investments.

EBRD ESP 2019	Issue	Eligibility criteria	Evidence
PR6: Biodiversity conservation and sustainable management of living natural resources	The siting and construction of the solar plant and related transmission lines could adversely impact protected species or their habitat directly or through habitat fragmentation.	<ul style="list-style-type: none"> <li>The sub-project/sub-investment must avoid impacts on protected species and their habitats to the greatest extent possible.</li> <li>The developer/sponsor has identified any potential protected species that may be affected by the proposed development in accordance with national legislation and international treaties.</li> </ul>	<ul style="list-style-type: none"> <li>The developer/sponsor has relied on work conducted by qualified and experienced specialists to identify protected species that may be affected as part of the ecological baseline with reference to at least national regulations and International Union for the Conservation of Nature (IUCN)<sup>3</sup> and Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) lists.<sup>4</sup></li> <li>An alternatives analysis was conducted to identify alternative sites and minimise current and future impacts on protected species.</li> <li>Where impacts cannot be avoided, the developer/sponsor has developed a mitigation strategy to limit the effect of the development on protected species. Habitat enhancement measures have been put in place, where appropriate, to offset any adverse impacts on sensitive habitats at a site.</li> </ul>
PR6: Biodiversity conservation and sustainable management of living natural resources	<p><b>Protected areas:</b> The siting and construction of the solar plant and related transmission lines could adversely impact designated national or international protected areas.</p> <p>Designated areas (such as a national park or a Natura 2000 site, both official and shadow lists) are typically listed as such because they contain threatened, rare or sensitive fauna and flora.</p> <p>Under EBRD PR9 (Appendix A: Referral List), FI financing of activities that occur within or have the potential to adversely affect a protected area is subject to referral to the EBRD.</p>	<ul style="list-style-type: none"> <li>The sub-project/sub-investment must avoid impacts on designated national or international protected areas to the greatest extent possible.</li> <li>The developer/sponsor has identified any designated national or international protected areas that may be affected by the proposed development in accordance with national legislation and international treaties.</li> </ul>	<ul style="list-style-type: none"> <li>The developer/sponsor has identified national or international protected areas that may be affected by the sub-project/sub-investment.</li> <li>An alternatives analysis was conducted to identify alternative sites and minimise current and future impacts on national or international protected areas.</li> <li>If the site is located in a sensitive area, such as a Natura 2000 area, or near a Natura 2000 area, the developer/sponsor has or will undertake an additional ecological survey and assessment in line with the European Union Birds Directive (Directive 2009/147/EC),<sup>5</sup> the Habitats Directive (Directive 92/43/EC)<sup>6</sup> and the Bern Convention (June 1979).<sup>7</sup></li> <li>Where impacts cannot be avoided, the developer/sponsor has developed a mitigation strategy to limit the effect of the development on national or international protected areas and a full ESIA has been conducted per Category A sub-project/sub-investment (see PR1).</li> </ul>

<sup>3</sup> See IUCN (n.d.). <sup>4</sup> See CITES (2024). <sup>5</sup> See European Union (2009). <sup>6</sup> See European Union (1992). <sup>7</sup> See European Union (1982).

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PR6: Biodiversity conservation and sustainable management of living natural resources	<p><b>Landscape and visual impacts:</b> Sub-project/sub-investment siting, as well as glint and glare from the solar modules, may have landscape and visual impacts for neighbouring businesses or residences, and affect landscape designation, character type and surrounding communities.</p>	<ul style="list-style-type: none"> <li>The sub-project/sub-investment must assess the compatibility of the proposed solar plant with the existing and future planned land use as part of a visual impact assessment.</li> </ul>	<ul style="list-style-type: none"> <li>A landscape and visual impact assessment has been prepared to assess compatibility with existing and planned land use.</li> <li>Mitigation measures have been included as part of the sub-project/sub-investment design, such as layout considerations, size and scale, landscaping and planting in order to screen the modules from surrounding receptors.</li> </ul>
PR8: Cultural heritage	<p>Sub-project/sub-investment construction may cause damage or disturbance to irreplaceable sites (areas of archaeological or historical interest to local communities), features, or practices of tangible or intangible cultural heritage value.</p> <p>Under EBRD PR9 (Appendix A: Referral List), FI financing of any activities that may affect adversely sites of cultural or archaeological significance is subject to referral to the EBRD.</p>	<ul style="list-style-type: none"> <li>The sub-project/sub-investment must avoid impacts on cultural heritage assets to the greatest extent possible.</li> <li>The sub-project/sub-investment complies with applicable national laws on cultural heritage, antiquities, planning and building permits, conservation areas, protected areas, and other laws and regulations governing the built heritage.</li> <li>The developer/sponsor has identified any potential tangible and intangible heritage that may be affected by the proposed development in accordance with national legislation and international treaties and obtained clearance for the sub-project/sub-investment from the relevant authority.</li> <li>The developer/sponsor has relied on work (such as archaeological surveys, as appropriate) conducted by qualified and experienced specialists to identify and assess heritage that may be affected.</li> </ul>	<ul style="list-style-type: none"> <li>The sub-project/sub-investment avoids impacts on cultural heritage assets wherever possible.</li> <li>Where impacts cannot be avoided, the developer/sponsor has developed a mitigation strategy, including a chance finds procedure, to limit the effect of the development on heritage.</li> <li>All site-specific cultural studies and mitigation strategies have been implemented by recognised archaeologists or cultural historians in accordance with international standards.</li> </ul>

EBRD ESP 2019	Issue	Eligibility criteria	Evidence
<p>PR10: Information disclosure and stakeholder engagement</p>	<p>Identification of and engagement with stakeholders is an integral part of a sub-project/sub-investment's preparation, environmental and social assessment, and management. The scope and depth of the required stakeholder engagement and information disclosure is proportionate to the sub-project/sub-investment's environmental and social risks and impacts.</p>	<ul style="list-style-type: none"> <li>• The sub-project/sub-investment has a systematic approach to stakeholder engagement that will help the developer/sponsor build and maintain a constructive relationship with its stakeholders.</li> <li>• The sub-project/sub-investment provides the means for effective and inclusive engagement with sub-project/sub-investment stakeholders throughout the sub-project/sub-investment cycle.</li> <li>• The sub-project/sub-investment ensures that appropriate E&amp;S information is disclosed, and meaningful consultation is held with the sub-project/sub-investment's stakeholders and, where appropriate, that feedback provided through the consultation is taken into consideration.</li> <li>• The sub-project/sub-investment ensures that grievances from stakeholders are responded to and managed appropriately.</li> <li>• The sub-project/sub-investment develops a non-technical summary outlining the potential impacts of the sub-project/sub-investment, as well as the results of the impact monitoring. This non-technical summary should be developed to enable meaningful stakeholder engagement throughout the sub-project/sub-investment cycle.</li> </ul>	<ul style="list-style-type: none"> <li>• The affected community has been identified, notified and consulted prior to the development of the facility.</li> <li>• For higher-risk sub-projects/sub-investments involving large-scale land acquisition, or with significant community concerns or complex issues, the developer/sponsor establishes a stakeholder engagement and community liaison function, with dedicated personnel.</li> <li>• The sub-project/sub-investment has implemented a stakeholder engagement plan or equivalent documented process proportionate to the nature and scale of the risks, impacts and development stage of the sub-project/sub-investment, ensuring data protection, confidentiality and non-reprisal, establishing processes for information disclosure, meaningful consultation, feedback on consultation and documentation, and access to the sub-project/sub-investment grievance mechanism.</li> <li>• Information on monitoring results is provided to local stakeholders as necessary or as part of annual sustainability reporting.</li> <li>• An NTS is published for the sub-project/sub-investment and the information is made available to local communities.</li> <li>• An effective grievance mechanism has been developed and implemented by the developer/sponsor as early as possible in the sub-project/sub-investment cycle, to cover both the construction and operational phases of the sub-project/sub-investment. The mechanism is publicised and disclosed in a format and language that is readily understandable to the affected stakeholders. Monitoring of grievances is undertaken on a periodic basis against clear indicators.</li> <li>• Contractors' roles and responsibilities for receiving grievances, supporting the investigation and resolution of grievances and abiding by the sub-project/sub-investment grievance mechanism are clearly set out in the grievance procedure and stipulated in the contractor's contract.</li> </ul>

## References

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