

Complaint Form

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



Project
Complaint
Mechanism

Step 1: Details of the Complaint

Name of the Person(s) or Organisation(s) filing the Complaint ("the Complainant"). <div></div>
2. Contact information of the Complainant (Please include address and, if possible, phone number and email address). <div></div> , Craiova, Dolj, Romania, email <div></div> , phone no. <div></div>
3. Is there a representative making this Complaint on behalf of the Complainant? No
Is proof of authorisation included with the Complaint? No <input type="checkbox"/>
4. Are you requesting that this Complaint be kept confidential ? No <input type="checkbox"/>
5. Please provide the name or a description of the EBRD Project at issue. Kozloduy International Decommissioning Support Fund KIDSF supports SERAW, the Bulgarian organisation in charge of decommissioning Kozloduy units 1 to 4, in constructing a near surface repository close to the Kozloduy site for radioactive waste from the decommissioning process. The first stage of construction is being funded with a €71.8 million (\$85.7 million) grant from the Kozloduy International Decommissioning Support Fund, which is administered by the European Bank for Reconstruction and Development.
6. Please describe the harm that has been caused or might be caused by the Project (<i>please continue on a separate sheet if needed</i>) <i>First of all, the repository will not only be used for the radioactive waste from the decommissioning Kozloduy units 1 to 4, but also for the radioactive waste from the operating units 5 and 6 and possibly from another unit announced to be installed in the region. Thus, EBRD indirectly supports nuclear energy activities in the future, with the risks implied, when the global trend is to renounce to such sources of energy in favour of renewable, population and environment risk free energy. A surprising conclusion considering the mission stated on the EBRD site: "we promote entrepreneurship, inclusive, sustainable growth and green energy."</i> The near surface repository for radioactive waste close to the Kozloduy site implies a series of risks for the population and environment, including communities from the south region of Romania, in the name of whom we file this complaint. Even if the ESPOO and Aarhus Conventions speak of the right of the potentially affected communities to be consulted, the few public debates organized in transfrontier context were only formally respected. The Romanian public was not appropriately informed and thus, only about 10 Romanians happened to participate. There has been an unacceptable lack of transparency regarding the nuclear waste repository project and a total lack of information which should have been made available for the Romanian population living in areas potentially affected by this project. However, representatives of a civic platform anti-Kozloduy our NGO has founded together with other local associations, have succeeded to gather no less than 15300 (!) citizen signatures in support of a local referendum which has not been approved by the Local Council in Craiova. This number is, nonetheless, the most important and eloquent proof of the citizens' will to be consulted. The initial Environmental Assessment was declared illegal back in 2013 by the Supreme Administrative Court in Bulgaria

Please write on a separate sheet wherever needed.

and the present one is currently challenged in court, the main concern being if the guidelines of the Court were respected.

In a study elaborated by the Bulgarian Academy of Sciences on the evaluated site, Radiana does not appear amongst the most favourite. Scientific studies claim that given the sandy and loamy ground out there and the quite high slope, a risk of landslides is present.

An analysis of [REDACTED], professor and engineer specialised in materials resistance from the University of Craiova, questions the geography of the place in relationship with building such a waste repository – an alluvian terrain, close to the Danube.

Step 2: Problem-solving Initiative

7. If you are requesting the PCM's help through a **Problem-solving Initiative**, you must have made a genuine effort to contact the EBRD or Project Sponsor (Client) regarding the issues in this complaint.

a. Have you **contacted the EBRD** to try to resolve the harm caused or expected to be caused by the Project?

Yes (please go to question 8)

Please provide a record of this contact with the EBRD, as instructed at the end of this form.

b. Have you **contacted the Project Sponsor** (Client) to try to resolve the harm caused or expected to be caused by the Project?

No ☐ (please go to question 8)

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

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Step 3: Additional information

Although not required, it would be helpful to the PCM if you could also include the following information:

9. If you believe the EBRD may have failed to comply with its own policies, please describe which EBRD policies.

Excerpts from the Environmental and Social Policy of EBRD that show a lack of the client to comply with EBRD policies:

„The client will review the measures regularly, and engage the affected communities and agencies on an ongoing basis, informing them on the status of implementation of plans and commitments, results, and discussing with them any material changes needed to the plans, in advance of changes.”

- SERAW and Bulgarian officials have not been transparent with the Romanian communities in transfrontier context (ESPOO and Aarhus Conventions).

„As part of the client's assessment of public health, safety and security risks and potential impacts from project-related activities (see paragraph 7 on page 30), the client will identify major-accident hazards, and will take all measures necessary to prevent major accidents and to limit their consequences for humans and the environment, with a view to ensuring high levels of protection to humans and the environment in a consistent and effective manner. Such measures will be identified in a major-accident prevention/emergency preparedness policy and an appropriate management system including organisational structures, responsibilities, procedures, communication, training, resources and other aspects required to implement such policy and to respond effectively to emergencies associated with project hazards. The management system will include an internal and an external emergency plan.”

Please write on a separate sheet wherever needed.

- We would like EBRD to inform us if the client has provided you with such a plan.
<p>10. Please describe any other complaints you may have made to try to address the issue(s) at question (for example, court cases or complaints to other bodies).</p> <p>Together with other NGOs in Craiova, I have founded a civic platform anti-Kozlodui projects. Representatives of our platform have sent letters and complaints to officials in Romania and have maintained a dialogue with opponents in Bulgaria, including [REDACTED], Deputy Chairman of the National Movement Ecoglasnost, who is currently challenging in court the lawfulness of the Environmental Assessment of the proposed Nuclear Waste Facility in Bulgaria, case no. 1343/17 of the Supreme Administrative Court, after a similar Environmental Assessment was declared illegal by the court back in 2013. The main concern is whether the guidelines given by the Supreme Administrative Court at that time were actually respected.</p>
<p>11. Are you seeking a Compliance Review where the PCM would determine whether the EBRD has failed to comply with a Relevant EBRD Policy in respect of an approved Project? Yes <input type="checkbox"/></p>
<p>12. Are you seeking a Problem-solving Initiative which has the objective of restoring a dialogue between you and the Project Sponsor (Client) to resolve the issue(s) underlying your Complaint without attributing blame or fault? Yes <input type="checkbox"/></p>
<p>13. What results do you hope to achieve by submitting this Complaint to the PCM?</p> <p>Stopping the funding of the nuclear waste repository at least until the client of your KIDSF complies with international conventions, until the population is authentically consulted or at least until the present court trial reaches an end.</p>
Date: March 7, 2018

Supporting documents

If possible, please provide the following supporting documents by email to pcm@ebrd.com:

- Proof that the Representative has been authorised by the Complainant to file the Complaint. For example, this can be in the form of a letter signed by the Complainant giving permission to the Representative to make the Complaint on his behalf.
- A written record of your correspondence with the EBRD in regards to this problem (these may be letters, emails or other form of correspondence and communication).
- A written record of your correspondence with the Project Sponsor (Client) in regards to this problem (these may be letters, emails or other form of correspondence and communication).

Please send your Complaint by fax, post, or email to:

Project Complaint Mechanism
Attn: PCM Officer
European Bank for Reconstruction and Development
One Exchange Square
London EC2A 2JN
Fax: +44 20 7338 7633
E-mail: pcm@ebrd.com

Alternatively, a Complaint may be delivered by post or hand, at any one of the [EBRD Resident Offices](#) in the countries of operations. Please mark these "For the attention of the Project Complaint Mechanism Officer"., indicating that it is for transmission to the PCM. Complaints may be sent using the Complaint [online form](#), available at: http://www.ebrd.com/eform/pcm/complaint_form

Please write on a separate sheet wherever needed.