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**ANNUAL REPORT ON GRIEVANCE CASES
INVOLVING GEF-FUNDED PROJECTS**

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INTRODUCTION

1. This document is the first annual report to Council on grievance cases involving GEF-funded projects under the updated reporting requirements of GEF Policies on Environmental and Social Safeguards and on Minimum Fiduciary Standards.¹ In accordance with these policies, it provides a summary of cases taken under formal review by the independent Accountability and Grievance Systems and Investigation Functions of GEF Partner Agencies.

2. The summary reflects up-to-date information on cases from Agencies in response to a request by the Secretariat for a full update as of November 5, 2020. It includes cases reported this past March following a one-time request made by the Secretariat for information on all pending grievance cases,² new developments in these cases, and other cases and developments reported since that time, as required by GEF policy.

3. The first section of the summary provides descriptive summary information of cases that are not subject to requirements of confidentiality.³ For each of these cases, the summary sets out the name of the project and responsible implementing agency, a summary of the allegations, key dates and milestones in the submission and review of the case, the status of the case and, for cases having reached this stage, the findings of the review/investigation as well as key management actions to address the findings. There are 15 cases reported in this section, listed by the country in which the project takes place.⁴

4. The second section provides statistical information on the remaining cases, taking into account Agency requirements of confidentiality relevant to these cases as recognized under GEF policy. These cases all involve fiduciary matters where the responsible Agency has indicated a requirement for confidentiality, for which GEF Policy on Fiduciary Standards provides for reporting of statistical information only (paragraph 15). Information on these cases has previously been reported directly to Council. There are five case reported in this section.

5. The final section of this document provides a log of reporting to Council on individual cases when they arose, as well as on new developments in the cases. This separate reporting to Council on an ongoing basis is done in accordance with the updated reporting requirements of the two Policies (on Safeguards and on Fiduciary Standards) for prompt, real-time reporting on new cases, as well as new developments in those cases as they arise.

¹ GEF Policy on Environmental and Social Safeguards, SD/PL/03 (July 1, 2019); GEF Policy on Minimum Fiduciary Standards for GEF Partner Agencies, GA/PL/02 (December 19, 2019).

² This one-time request covered, among others, cases that arose before the entry into force of the updated Policies (July 1, 2019, and December 2020 respectively)

³ As indicated below, GEF Policy recognizes that reporting is subject to Agency requirements of confidentiality, including for investigative needs and due process in cases involving fiduciary standards.

⁴ These case summaries are also included on the GEF website, at the link Conflict Resolution.

SUMMARIES OF CASES - NOT SUBJECT TO AGENCY REQUIREMENTS OF CONFIDENTIALITY

6. This section provides summaries of grievance cases reported by Agencies that are not subject to Agency requirements of confidentiality. There are 15 cases, listed by the country in which the project takes place.

(1) Ukraine – Bioenergy and Energy Efficiency

7. *Project concerned:* Development and Commercialization of Bioenergy Technologies in the Municipal Sector in Ukraine (GEF ID 4377), implemented by UNDP

8. *Date on which complaint received:* 15 November 2019

9. *Summary of allegations:* An anonymous source made allegations of procurement fraud in the award of a training contract and in the award of a contract for the provision of boilers. In addition, the complainant alleged that grants to five NGOs and four individual contracts were unduly awarded to people/entities linked to a member of the Project Board.

10. *Date case put under formal review:* 18 November 2019

11. *Status and findings:* First investigation report has been submitted to the Resident Representative. Investigation is ongoing.

12. *Management actions:* The Bioenergy Project (GEF ID 4377) is in the closure phase. In March 2020, out of an abundance of caution, UNDP suspended the Energy Efficiency in Public Buildings Project (GEF IE 5357) and initiated a full management review of the project due in November 2020.

(2) Mauritius – Coastal Zone Biodiversity

13. *Project concerned:* Mainstreaming Biodiversity into the Management of the Coastal Zone in the Republic of Mauritius (GEF ID 5514), implemented by UNDP

14. *Date on which complaint received:* 23 March 2019

15. *Summary of allegations:* The complaint was filed by Aret Kokin Nu Laplaz (AKNL), an NGO coalition located in Mauritius asserting that UNDP's work in the country to protect Environmental Sensitive Areas is tantamount to “*greenwashing*” in light of the permits being issued by the government for construction projects along the country's coast. According to the complaint, the GEF and UNDP were grossly negligent in continuously channeling funding to the government despite “. . . a number of critical GEF-funded projects ending up in Government drawers, or coffers rather, with very little effective results.”

16. The complaint further alleges that in 2007- 2009 GEF and UNEP funded a complete inventory of all ESAs, as well as the drafting of an Act that would have ensured solid legal protection for all ESA, but the draft ESA Act was never presented to Parliament, nor was the

national ESA inventory made public. According to the complaint, ten years down the road, “the results are catastrophic: the ESA protection system, which was to be fully integrated in the procedures for development clearances, has become purely cosmetic as development licenses and permits are issued with scant regard for ESAs.”

17. *Date case put under formal review by UNDP-SECU:* The Social and Environmental Compliance Unit (SECU) of UNDP put the case under formal review on 7 June 2019.

18. *Status and findings of UNDP-SECU Case:* The [final SECU report](#) has been submitted to the UNDP Administrator, and is awaiting his decision.

19. *Date case put under formal review by UNDP-SRM:* the case was accepted by the UNDP Stakeholder Review Mechanism (SRM) on 12 April 2019

20. *Status and findings of UNDP-SRM case:* Closed. 6 April 2020. Further details available [here](#).

(3) Mauritius – Small Grants Programme in Mauritius

21. *Project concerned:* GEF Small Grants Programme in Mauritius, implemented by UNDP, and executed by UNOPS

22. *Date on which complaint received:* 31 March 2019

23. *Summary of allegations:* The Environmental Protection and Conservation Organisation (EPCO), former SGP grantee in Mauritius, alleged improper grant management by the SGP National Coordinator, including termination of their grant, favoritism, and conflict of interest by a National Steering Committee member.

24. *Date case put under formal review:* 16 April 2019 by UNOPS

25. *Status of the case:* Closed.

26. *Findings and recommendations:* The Internal Audit and Investigation Group (IAIG) of UNOPS found no evidence of fraud and recommended several steps to improve the implementation of the SGP Operational Guidelines and Standard Operation Practices. UNOPS and UNDP have developed a management plan to address the recommendations which is under implementation with planned completion in November 2020.

(4) Republic of Congo – Conservation of Biodiversity

27. *Project concerned:* Integrated and Transboundary Conservation of Biodiversity in the Basins of the Republic of Congo (GEF ID 9159), part of the Global Wildlife Program, implemented by UNDP

28. *Date on which complaint received:* 2 August 2018

29. *Summary of allegations:* Survival International, a UK-based NGO, filed a complaint with the Social and Environmental Compliance Unit (SECU) of UNDP on behalf of six indigenous communities in the Sangha region in the north of the Republic of Congo. The indigenous Baka alleged that their access to the area, which is their traditional homeland and is essential to their livelihoods, has been severely restricted. They also claimed there was no proper consultation process including free, prior and informed consent, that the project would unlawfully evict Baka communities, and expressed human rights concerns. The Baka also alleged that eco-guards subject them to beatings and arrests.

30. *Date case put under formal review:* 24 October 2018

31. *Status and findings:* The [final SECU report](#) has been submitted to the UNDP Administrator, and is awaiting his decision.

32. *Management actions:* Project was suspended on 11 March 2019 and will remain suspended until the UNDP Administrator's Decision is issued. Further details [available here](#).

(5) Cameroon – Conservation of Biodiversity

33. *Project concerned:* Integrated and Transboundary Conservation of Biodiversity in the Basins of the Republic of Cameroon (GEF ID 9155), implemented by UNDP

34. *Date on which complaint received:* 2 August 2018

35. *Summary of allegations:* Survival International, a UK-based NGO, filed a complaint with the Social and Environmental Compliance Unit (SECU) of UNDP and asserted that TRIDOM II will support the continued eviction and displacement of Baka and Bantu communities – eviction and displacement that began, they state, when the Nki National Park (herein Nki) was created in 2005, and that continued through TRIDOM I.

36. Because the Baka rely mostly on traditional hunting and gathering activities for their livelihoods and wellbeing, their exclusion from the area is deeply affecting their way of life and survival. Eviction and displacement has occurred (and is occurring), they assert, through measures that function to restrict community access to areas – including areas both within and adjacent to Nki - and to natural resources traditionally accessed by these communities within these areas.

37. The complaint indicates that one such key measure is the use of wildlife guards who are preventing community members from pursuing their traditional hunting and resource gathering within these areas. This and similar measures, they argue, fail to recognize the communities' rights to access these areas and resources. The complaint implies that TRIDOM II will be advancing the same measures, with the same results for communities.

38. *Date case put under formal review:* 24 October 2018

Status and findings: The [final SECU report](#) has been submitted to the UNDP Administrator, and is awaiting his decision.

39. *Management actions:* Project was suspended on 26 March 2019 and will remain suspended until the UNDP Administrator's Decision is issued. Further details [available here](#).

(6) Myanmar – Ridge to Reef

40. *Project concerned:* Ridge to Reef: Integrated Protected Area Land and Seascape Management in Tanintharyi (GEF ID 6992), implemented by UNDP

41. *Date on which complaint received:* 20 September 2018

42. *Summary of allegations:* The civil society organization 'Conservation Alliance Tanawthari (CAT) filed the complaint on behalf of indigenous communities in the Tanintharyi Region of Myanmar. The complaint advances several claims, including the following:

- (i) In the development and inception phases of the project, UNDP is violating complainants' right to free, prior, informed consent (FPIC);
- (ii) the project violates the rights of Internally Displaced Persons (IDPs) and refugees to return to areas from which they were displaced by armed conflict;
- (iii) the project threatens to contravene the 'interim arrangements' of the National Ceasefire Accords agreed by the Government of Myanmar and Ethnic Armed Organizations;
- (iv) the project violates the UN Declaration on the Rights of Indigenous Peoples (herein 'UNDRIP') and the land and resource rights of the indigenous Karen Communities in the Tanintharyi Region of Myanmar; and
- (v) the project fails to recognize and support indigenous community-driven initiatives to protect indigenous territories, strengthen local institutions and practices, and protect forests and resources in the project area.

43. *Date case put under formal review:* 13 December 2018

44. *Status and findings:* Ongoing. Second field mission due to be undertaken end-February 2020 was postponed due to coronavirus travel restrictions. Part one of two draft reports now scheduled to be released before end of 2020.

45. *Management actions:* Project was suspended on 26 December 2018 and remains suspended until the UNDP Administrator's Decision is issued. Further details [available here](#).

(7) Sri Lanka – Small Grants Programme in Sri Lanka

46. *Project concerned:* GEF Small Grants Programme in Sri Lanka, implemented by UNDP

47. *Date on which complaint received:* 30 June 2020
48. *Summary of allegations:* Sri Lanka Nature Forum (SLNF) - a network of registered environmental organizations in Sri Lanka – submitted allegations of wrongdoing, irregularities, discrimination, fraud and injustice.
49. *Date case put under formal review:* 31 July 2020 by UNOPS
50. *Status and findings:* The Internal Audit and Investigation Group (IAIG) of UNOPs is conducting a remote forensic audit of the programme.

(8) Armenia – Infrastructure and Rural Finance Support

51. *Project concerned:* The GEF-funded project is ID 8005 for the Infrastructure and Rural Finance Support Programme (IRFSP) in Armenia, co-financed by IFAD, another IFI and the GEF (IFAD notes that the allegations in this grievance case are not related to GEF funded components of the project).
52. *Date on which complaint received:* The complaint was received by IFAD on 3 September 2018. On 17 January 2019, IFAD began a process to determine whether the allegation was eligible for consideration.
53. *Summary of allegations:* The complaint was made by an NGO in Armenia, on behalf of a village. The allegations are related to the investment component 2 (Rural Areas Water Infrastructure) of the project, funded by another IFI as co-financier with the Government of Armenia. The complaint is related to water infrastructure investments in a village which, the claim states, is contributing to water scarcity for a community in a neighboring village.
54. *Date on which put under formal review:* Although this complaint was not related to activities financed by IFAD, at the request of the co-financier, a fact-finding mission was undertaken between 16 and 29 June 2019 under IFAD's Social Environmental and Climate Assessment Procedures and based on IFAD's Complaints Procedure. Following that mission, IFAD invited the Government of Armenia and the co-financier to verify further the facts and, as appropriate, to identify potential actions to address the issue, as in our view the complaint warrants further detailed investigation.
55. *Status and findings:* Subsequently, an investigation was carried out by the Republic of Armenia Human Rights Defender Office. This investigation followed the earlier fact-finding mission under IFAD's Social, Environmental and Climate Assessment Procedures. The investigation concluded that proper procedures and permitting had been followed, and there was no evidence of any social or environmental effects due to the water supply investments of the project. The Office terminated its consideration of the complaint on May 11, 2020 and communicated its decision to the complainants.
56. *Management actions:* No suspensions or other significant management actions have been undertaken and are not deemed necessary at this time.

(9) Afghanistan – Building Adaptive Capacity and Resilience

57. *Project concerned:* Building adaptive capacity and resilience to climate change in Afghanistan (GEF ID 4227) (LDCF Trust Fund), implemented by UNEP

58. *Date on which complaint received:* Not applicable (see below)

59. *Summary of allegations* (and nature of the claim): As part of the UNEP/GEF Task Manager's regular project supervision, she noticed delays in financial reporting and questioned some financial expenditures in this project, which was executed by UNEP's Office in Afghanistan and a separate UN Agency. She escalated this matter through the UNEP and GEF management systems. At the same time, the Director responsible for UNEP's Office in Afghanistan triggered an internal audit of the Afghanistan Office by the Office of Internal Oversight Services (OIOS).

60. *Date case put under formal review:* The OIOS audit was conducted between Nov 2018 and Feb 2019 with the final report released in May 2019.

61. *Status and findings:* In addition to the LDCF project, UNEP's Afghanistan Office was implementing eight other projects and programs. The various projects' finance was combined and managed as a broader program without a clear and transparent system for apportioning specific costs to specific projects nor financially reporting to specific projects. During the reconciliation, it was determined that \$323,920 in ineligible costs had been charged to the LDCF project.

62. *Management action:* In June 2018, before the OIOS audit, the Task Manager suspended further disbursements to the project until her concerns on reporting and eligible expenditure were resolved. The Branch responsible for the Afghanistan Office has reimbursed \$323,920 to the LDCF project. The Country Program Manager for the Afghanistan Office has been replaced. The Branch responsible for the Afghanistan Offices has strengthened its accountability mechanisms for project delivery. The LDCF project has resumed implementation and a Steering Committee Meeting was convened where these events were discussed with stakeholders. Following internal discussions within UNEP, it was decided to move the execution of this project to the National Environmental Protection Agency (NEPA). Handover documents are being finalized to formally handover the project by the end of 2020.

63. Execution arrangements for the LDCF 2 project (which has been CEO endorsed) have been agreed with NEPA and a project cooperation agreement is under review. The project will be executed by NEPA as the lead agency, and a third party/NGO will be selected, following capacity assessments, to execute the field level component.

(10) Libya – Updating National Implementation Plans for POPs

64. *Project concerned:* Umbrella Global Project on the Updating of National Implementation Plans for POPs (Global Project with Libyan allocation of \$169,132) (GEF ID 5307), implemented by UNEP
65. *Date on which complaint was received:* 13 November 2019
66. *Summary of allegations:* A senior GEF Secretariat staff member reported to the UNEP GEF Coordinator that she met the Libyan GEF Operational Focal Point (OFP) during an Extended Constituency Workshop of MENA Countries, and he reported to her that: “*some of the funds transferred to the executing agency in Libya have disappeared.*”
67. *Status and Findings; Date case put under formal review:* The Libyan component of this global project began implementation in July 2014, with an initial disbursement of \$30,000 to the Environmental General Authority (EGA). In spite of challenging circumstances, UNEP was in regular contact with the Project Manager and received satisfactory technical and financial reports (justifying expense of \$30,074) and a second disbursement of \$38,386 was issued in September 2016 and a no-cost extension was granted through September 2018.
68. The EGA (amongst other parts of the Libyan Government) subsequently fractionated, with the Stockholm Convention Focal Point residing in the EGA based in Tripoli and the GEF OFP residing in competing EGA based in Elbaida. Accountability for the project was no longer clear and UNEP no longer received technical or financial reports on the project, in spite of regular reminders and follow up.
69. *Management actions:* In 2017-18, given the challenging circumstances and the lack of compliance with reporting obligations, UNEP tried to broker that the Libyan component of the global project be executed by a different, e.g. regional, executing agency. These negotiations were ultimately unsuccessful.
70. Simultaneously, UNEP engaged other entities, for example, the Permanent Mission of Libya to the UN Offices in Geneva, to get clarity on the situation. Given the lack of response and reporting from the executing agency over a one-year period and the clear politicization of the project, UNEP wrote to the Stockholm Convention Focal Point and GEF OFP, signaling its intent to cancel the Libyan element of the project.
71. The remaining \$100,820 earmarked for Libya in this global project has subsequently been reallocated to other components of the global project. UNEP is following its protocol for recovering the outstanding \$38,312 from Libya. The matter was escalated to the UN Resident Coordinator. The Resident Coordinator’s Office, particularly the Environment and Energy Focal Point for Libya, has been working with the newly nominated (July 2020) GEF OFP who has been very responsive and proactive in assisting with efforts to recover the outstanding funds.

(11) Republic of South Africa – Minamata Initial Assessment

72. *Project concerned:* Minamata Initial Assessment (GEF ID 9494), implemented by UNEP

73. *Date on which complaint was received:* 26 November 2019

74. *Summary of allegations:* Following a Project Steering Committee meeting held in Pretoria, South Africa in November 2017, the project beneficiary wrote to UNEP (as implementing agency) and the executing agency, raising concerns over a large sole source procurement valued at \$115,000. In 2018-2019, UNEP conducted an informal review into the procurement and agreed that there were valid issues linked to the procurement related to inappropriate identification, selection and payment to a supplier outside the scope of the project procurement plan and procurement policies of UNEP as set out in the legal instrument with the executing agency.

75. *Date case put under formal review:* Following an informal review of the project procurements and financial statements by the implementing and executing agencies and the project beneficiary, the implementing division in UNEP passed the files to the Office of Internal Oversight Services (OIOS), who in November 2019, agreed to take the case under investigation and it was put in the 2020 OIOS work plan.

76. *Status and findings:* The investigation by OIOS is on-going and interviews have been conducted with several members of the UNEP and Africa Institute teams

77. *Management actions:* In consultation with the Executing Agency and Project Beneficiary, the Staff Member responsible has been removed from all UNEP/GEF projects; UNEP's procurement section undertook a review of the executing agency process and assisted them in the development of a procurement manual in line with international standards. UNEP is developing a new, updated procurement manual for projects; the Executing Agency has cancelled the procurement contract and recovered all funds over and above those equivalent to the level of services provided to date. Financial exposure for the project was therefore protected and all parties are satisfied that all GEF funds are now accounted for.

78. Internal investigations at the executing agency have resulted in the decision not to renew the contract of the concerned staff. Depending on the findings of the OIOS investigation, UNEP will re-evaluate its ongoing and pipeline projects with this executing agency.

(12) Ukraine – Finance and Technology Transfer Centre for Climate Change

79. *Project concerned:* Finance and Technology Transfer Centre for Climate Change (FINTECC) Ukraine, implemented by EBRD.

- This is an EBRD project/loan that has benefited from a GEF incentive grant under the EBRD GEF funded FINTECC program. The total project cost is €27 million, consisting of a €25 million EBRD loan and also includes a \$409,000 FINTECC result-based performance grant funded by the GEF. The complaint has been processed and

remediation actions are underway. The complaint does not relate to the GEF-funded portion of the project.

- EBRD has provided a senior loan of €25 million to “PJSC Myronivsky Hliboproduct” (MHP), a Ukrainian producer of poultry meat, grain, and animal feed. The loan will be used to construct and put into operation a 10MW biogas plant in the Vinnitsa region of Ukraine. The biogas plant will utilize chicken manure and other agricultural residues from poultry and grain operations. By financing this project, the EBRD is helping MHP implement its long-term strategy to develop “green energy” capacity, become self-sufficient energy-wise, reduce its environmental footprint, and manage waste.
- GEF Funding: MHP Biogas received a \$409,000 grant under the GEF Funded FINTECC Project. Use of GEF Proceeds: Support MHP Group's strategy to improve the energy efficiency and environmental footprint of its operations, by supporting improvements in the technology for biogas production and the implementation of an energy management system. Please see the [project summary document](#).

80. *Date on which complaint received:* The complaint was received by the EBRD’s Project Complaint Mechanism (PCM) on 5 June 2018 and it was registered and published on the [PCM Register](#) on 21 June 2018 in [English](#) and [Ukrainian](#).

81. *Summary of allegations:* In the Complaint, the Complainants (community members from Olyanytsya, Zaozerne, and Kleban villages in Vinnitsa Region of Ukraine with the help of CEE Bankwatch, Accountability Counsel, and Eco Action) raised environmental and social concerns as well as concerns about limited access to information in relation to the operations of MHP and the EBRD investments. Complainants requested a Problem-solving Initiative be undertaken by the PCM and if not successful, a Compliance Review. Please see the following [link](#) for the Eligibility Assessment Report. The Complaint can be found in annex of the above and [here](#).

82. *Date case put under formal review:* The case was registered on 21 June 2018 as Complaint 2018/09, according to the [PCM Rules of Procedure](#) (para 11-13), and remains active. Relevant parties were informed.

83. *Status and findings; Management actions:* On 29 June 2018, a PCM Expert was appointed to conduct the Eligibility Assessment jointly with the PCM Officer and his assignment started from 9 July 2018, which was sent to all parties 25 September 2018. On 1 October 2018, the Eligibility Assessment Report was completed in [English](#) and [Ukrainian](#) and [President's decision](#) to accept the recommendation to start the Problem-solving Initiative were publicly released and posted. In December 2018, the mediation process commenced. The Complainants and MHP (the Parties) agreed to discuss the issues raised in the complaint through a voluntary and constructive mediation process facilitated by the PCM.

84. During this process eight joint meetings were held in response to the complaint. About 50 issues were raised and discussed in detail by Parties. Since the initiation of the Problem-

solving Initiative, the PCM supported the Parties to implement a number of socially important initiatives, namely:

- Joint Fact Finding supported by independent experts to obtain accurate and reliable information about the environmental impacts of MHP's operations in the Vinnitsa region, as well as impacts of its activity on roads and houses.
- A project to enhance road safety for children in winter in Vinnitsa region. In December 2019 MHP conducted joint information events with police officers and local school students about traffic rules, purchased reflective tapes, and developed informational materials and magnetic signs.
- In April 2019, MHP commissioned the bypass road around Olyanytsya village and opened the railroad crossing. The construction and opening of this road made it possible to reduce the traffic load on the road through Olyanytsya village. MHP's total investment in the construction of the bypass road and the railroad crossing amounted to around UAH 22 million. The Parties intend to continue the discussion how to make bypass road more effective, as well as on ways to address the problems related to the use of roads by MHP transport and its subcontractors.
- In parallel with the mediation process, in early 2019, the water supply system was opened in Olyanytsya village. The Parties agreed to discuss the problematic issues related to the water supply and water quality in the three impacted villages during next mediation meetings to be organized by the PCM.

85. In January 2020 a Joint MHP-Complainants Communique was published highlighting the above. Please see the [Processing Steps](#) and [Joint MHP Communique](#).

(13) Zambia – Lake Tanganyika Basin Project

86. *Project concerned:* Zambia Lake Tanganyika Basin Sustainable Development Project, GEF ID 8021, implemented by the African Development Bank

87. *Date on which complaint was received:* On 16 June 2020 a claim was received seeking court redress to suspend works on the site as it is used for traditional rites and as such has to remain as open land. AfDB's country office undertook a supervision mission on 25 June 2020, which noted some lapses on E&S compliance in the Environmental and Social Impact Assessment which should have been posted on the Bank website and approved by the Zambia Environmental Management Agency (ZEMA) before the civil works contract was signed.

88. On July 23, 2020, the Senior Chief of the Royal Lungu Chieftdom sent a complaint letter to the Ministry of Water Development, Sanitation and Environmental Protection, attaching an Affidavit in Support of Ex-parte Summons for an Order of Interim Injunction restraining the Executing Agency from taking possession of, constructing on or in any way whatsoever dealing with the property known as *Subdivision A of Stand 606 Mpulungu* or any other portion of *Stand 606 Mpulungu* in the Northern Province of the Republic of Zambia.

89. *Summary of allegations:* This case involves a land dispute raised by the Royal Lungu Chiefdom in Mpulungu District (Zambia) regarding the siting and construction of a Jetty, Landing Site and Fish Market in the same district. These are activities in project components financed through the AfDB loan (not GEF grant). As noted above, the claim is that the site involved is used for traditional rites and as such has to remain as open land.

90. *Date case put under formal review:* see above

91. *Status and findings; Management actions:* Based on the supervision mission findings, a management letter informed the Ministry of Water Development, Sanitation and Environmental Protection (Executing Agency) that civil works on the affected sites have been suspended. The same letter stressed that AfDB may suspend disbursement to the whole project if all environmental and social non compliances are not satisfactorily addressed before the end of the year 2020. Finally, AfDB management would lift the suspension when the Ministry of Water Development, Sanitation and Environmental Protection would take the necessary actions (alternative appropriate ceremony sites are allocated by the Government and accepted by the affected people) to resolve the case.

(14) Tonga – Renewable Energy Project

92. *Project concerned:* This case relates to ADB project loan Tonga Outer Island Renewable Energy Project, which is associated to GEF ID 9355, implemented by the Asian Development Bank

93. *Date on which complaint received:* During training sessions in May 2020.

94. *Summary of allegations:* During training sessions in May 2020, members of four local communities complained at the project level, that they were not consulted properly with the idea of removing the old generators from the powerhouse and putting the new OIREP generator inside. These still-working generators were brought by the community themselves with their own hard-earned money and they did not want to see all their efforts go to waste. It has been requested by all communities if the project could help out and build a new small shed to shelter their old generators so when they switch from the old system to the new system built by OIREP, they still have these generators for back up and stand by.

95. *Date case put under formal review; Status and findings:* The complaints have been reported to the Project Steering Committee, which has requested funding from ADB to resolve the issues. The Ministry of Meteorology, Energy, Information, Disaster Management, Environment, Climate Change and Communications (MEIDECC) has housed the old gen-sets in temporary shelters, while more permanent measures are being considered, in consultation with communities, through the project. The situation is now resolved.

96. For this case, no complaints were brought to the attention of ADB's Accountability Mechanism as these were all resolved through the project's own grievances redress mechanism. All grievances filed were reported and monitored through the project's Social and Environmental monitoring reports. ADB's grievance mechanism was publicly disclosed to all project beneficiaries.

(15) The Philippines – Integrated Natural Resources and Environmental Management

97. *Project concerned:* This case relates to ADB project loan Integrated Natural Resources and Environmental Management Sector Project (INREMP) in the Philippines, associated with GEF ID 3980, implemented by the Asian Development Bank

98. *Date on which complaint received:* In June 2019 a petition was submitted to the Provincial Environmental and Natural Resources Office (PENRO) to immediately stop the on-going implementation of Reforestation and Agro projects under the INREMP under BAAGMADOLI WMU awarded to Dagupan Women’s Organization.

99. *Date case put under formal review; Status and findings:* Over the following months, a series of consultations was facilitated by the Department of Environment and Natural Resources (DENR) and Local Government Unit (LGU) to address and settle the issues. These included the standing and role of clan owner of the land, possible relocation of already implemented subprojects, and the purpose and intention of the conducted survey and mapping. DENR Staff and Project Officers (POs) agreed to raise the issue to the Watershed Management Council. Based on the consultative stakeholder process, the issue was resolved in July 2020 by relocating the Reforestation and Agroforestry site to another area within the same municipality.

100. The project areas of INREMP are mostly within ancestral domains of various tribes especially in the Chico River Basin (project site), where traditional and cultural practices still exist. Conflict resolution of the grievance response mechanism is mainly being done using these traditional practices wherein the Council of Elders are the jury and judge in any disputes or conflicts and even crimes and domestic issues. In areas outside ancestral domains, the Barangay is the local government unit, in-charge or handling conflicts and grievances. For the project-related case, conflicts are being handled at the Council of Elders and Barangay Levels with the participation of other government agencies as needed.

101. For this case, no complaints were brought to the attention of ADB’s Accountability Mechanism as these were all resolved through the project’s own grievances redress mechanism. All grievances filed were reported and monitored through the project’s Social and Environmental monitoring reports. ADB’s grievance mechanism was publicly disclosed to all project beneficiaries.

STATISTICAL INFORMATION - CASES UNDER CONFIDENTIAL REVIEW

102. This section provides statistical information on cases for which Agencies have indicated requirements of confidentiality, in accordance with the provisions of GEF Policy on Fiduciary Standards. As noted previously, the Policy provides for the reporting of statistical information only on such cases, for reasons of confidentiality relating to the review and investigation.

103. There are five reported cases involving such matters for which confidentiality has been requested by the responsible implementing Agency. One of these involves a project in Asia,

three in Africa and one in the Pacific region. Four are implemented by one GEF implementing agencies, and the fifth by another.

104. Each of these cases has been previously reported to Council at the time that they were put under formal review by the Agency. This previous reporting was done under the separate reporting requirements of paragraph 15 of the Policy on Fiduciary Standards to report to Council on individual cases as soon as they are taken under formal review, and on new developments in such cases.

LOG OF REPORTS TO COUNCIL ON GRIEVANCE CASES (REAL-TIME REPORTING)

105. Set forth below is a log of reporting to Council on the cases included in the summary above. The log tracks the reporting of each case individually when it they arose, as well as new developments in the case.

106. This separate reporting to Council on an ongoing basis, reflected in the log, is done in accordance with the updated reporting requirements of the two Policies (on Safeguards and on Fiduciary Standards) for prompt, real-time reporting on new cases, as well as new developments in those cases as they arise.

Project and Agency	Report to Council	Updates to Council
1. Ukraine - Bioenergy (GEF ID 4377) and Energy Efficiency (GEF ID 5357), UNDP	March 27, 2020	April 10, 2020
2. Mauritius – Coastal Biodiversity (GEF ID 5514), UNDP	June 17, 2019	March 27, July 13 and November 6, 2020
3. Mauritius – SGP Programme in Mauritius	March 27, 2020	July 6, 2020
4. Republic of Congo - Congo Basin (GEF ID 9159), UNDP	March 11, 2020	March 27 and June 14, 2020
5. Cameroon - Congo Basin (GEF ID 9159), UNDP	March 27, 2020	May 29 and September 21, 2020
6. Myanmar – Ridge to Reef (GEF ID 6992), UNDP	March 27, 2020	Pending
7. Sri Lanka – SGP Programme in Sri Lanka	August 3, 2020	Pending
8. Armenia – Infrastructure and Rural Finance (GEF ID 8005), IFAD	March 27, 2020	October 2, 2020; Completed
9. Afghanistan – Adaptive Capacity and Resilience (GEF ID 4227, LDCF/SCCF), UNEP	March 27, 2020	Completed
10. Libya (Global) – Updating National Implementation Plans for POPs (GEF ID 5307), UNEP	March 27, 2020	Pending
11. South Africa – Minamata Initial Assessment (GEF ID 9494), UNEP	March 27, 2020	Pending
12. Ukraine – Finance and Tech Transfer for Climate Change (GEF ID 6942), EBRD	March 27, 2020	Pending
13. Zambia – Lake Tanganyika project	October 28, 2020	Pending
14. Tonga – Renewable Energy Project	November 4, 2020	Completed
15. Philippines – Integrated Natural Resources and Environmental Management	November 4, 2020	Completed
Five other cases have been reported confidentially to Council	See statistical information report (above)	See statistical information in report (above)