

From: [PCM - Project Complaint Mechanism](#)
To: [PCM - Project Complaint Mechanism](#)
Subject: New Project Complaint
Date: 02 August 2015 15:36:40

Project Complaint to PCM

Date/Time

02/08/2015 14:36

Name/Organisation

East Amman Society for Environmental Protection(EASEP)/chairman. & Farhan Isaa Ahmed Al-Daboubi & all members of EASEP

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Is there a representative making this Complaint on behalf of the Complainant?

Yes

If yes, please provide the Name and Contact information of the Representative

Farhan Isaa Ahmed Al-Daboubi /chirman of East Amman Society for Environmental Protection (same address above).

Chairman legally represent all members by law.

Are you requesting that this Complaint be kept confidential?

No

If yes, please explain why you are requesting confidentiality

n/a

Please provide the name or a description of the EBRD Project at issue.

IPP4 Almanakher Power Plant./Amman/Jordan.

Please describe the harm that has been caused or might be caused by the Project.

East Amman Society for Environmental Protection Complaints about IPP4

1. Absent of local affected communities involvement in ESIA: (The local affected communities weren't practically involved in the ESIA which was tailor-made for the power project to be installed in the populated area & right in the middle of our agricultural lands).

The local affected communities & stakeholders involvement is not limited to Almanaker inhabitants & shouldn't be selected by the government, but it includes Khashafiat Aldabaibah, Khashafiat Alshawabkah, Albaida, Almadounah, Alalia, Alabdaliah, Abu Alandah.

The objective of SEP isn't for the purpose of explaining how the company will communicate with the affected communities & stakeholder, but it should give us the right to have access to environmental information including polices & measures taken , the state on human health & safety and should give us the right to be part of the decision _making in ESIA, and give us the right to review procedures to challenge government decisions made without respecting the access to environmental information & public participation in environmental decision _making.

SEP is considered as "Social License" & appointing & holding meetings with certain people selected by the government authorities at the client's interests doesn't represent the type of SEP stated in PS#1-25 (Stakeholder engagement is an ongoing process that may involve, in varying degrees, the following elements: stakeholder analysis and planning, disclosure and dissemination of information, consultation and participation, grievance mechanism & ongoing reporting to Affected Communities. The nature, frequency, and level of effort of stakeholder engagement may vary

considerably and will be commensurate with the project's risks and adverse impacts, and the project's phase of development)

IFC PS#1-26 states that Clients should identify the range of stakeholders that may be interested in their actions (not selected by local governor to meet client's interests) and consider how external communications might facilitate a dialog with all stakeholders. Where projects involve specifically identified physical elements, aspects and/or facilities that are likely to generate adverse environmental and social impacts to Affected Communities the client will identify the Affected Communities (not deliberately chosen by the client & the government which are part of the problem) and will meet the relevant requirements described below.

IFC PS#1-27 states that When the stakeholder engagement process depends substantially on community representatives, the client will make every reasonable effort to verify that such persons do in fact represent the views of Affected Communities and that they can be relied upon to faithfully communicate the results of consultations to their constituents (not biased selection of certain area inhabitants that suits the client's interests & conceal the environmental crimes).

IFC PS#1-GN93 states that If the process to identify risks and impacts indicates that there may be potential impacts and risks to the Affected Community, companies should seek early engagement with them.

IFC PS#7-GN30 states that there may be situations where likely project scope and location are known, but where the engagement process with Affected Communities of Indigenous Peoples is not yet sufficiently advanced to have obtained FPIC at the time of project approval. In such cases the overall principles and engagement process, and criteria for obtaining FPIC, should be agreed on before project approval. As a minimum FPIC should be obtained prior to any of the circumstances requiring FPIC taking place.

IFC PS#1-GN6 states that an effective engagement process allows the views, interests and concerns of different stakeholders, particularly of the local communities directly affected by the project (Affected Communities), to be heard, understood, and taken into account in project decisions and creation of development benefits (client ignores our complaints & no developments are made for local affected communities).

IFC PS#1-22 states that the local communities (NGO) should appoint a liaison officer who will be qualified & not tailor-made by client & Sahab Governor to meet the client's interests & to get away with some technical responsibilities.

2. Absence of Grievance Mechanism: (The client doesn't provide any kind of grievance mechanism, nor did they appoint a liaison officer from local affected communities to play this role)

IFC PS#1-35 states that where there are Affected Communities, the client will establish a grievance mechanism to receive and facilitate resolution of Affected Communities' concerns and grievances about the client's environmental and social performance. The grievance mechanism should be scaled to the risks and adverse impacts of the project and have Affected Communities as its primary user. It should seek to resolve concerns promptly (The client refers all complaints to the local governor or the government of Jordan).

IFC PS#5-11 states that the client will establish a grievance mechanism consistent with Performance Standard 1 as early as possible in the project development phase. This will allow the client to receive and address specific concerns about compensation and relocation raised by displaced persons or members of host communities in a timely fashion, including a recourse mechanism designed to resolve disputes in an impartial manner. (The client doesn't welcome any concerns, on the contrary, the client completely ignores the concerns & claims & doesn't respond at all & we have many correspondences showing that).

The client didn't establish any grievance mechanism that address human rights issues & they ignored the local communities' concerns.

The grievance mechanism is an alternative to an external dispute resolution processes, so it should offer the advantage of locally based, simplified & mutually beneficial way to settle issues within the framework of the company-community relationship & not through external dispute resolution such as Sahab Governor or biased government-client selected village committees formed to fulfill client's illegal interests.

The issues raised from high environmental & social impacts are not solved in a simple way as ERBD did by just copying client's justifications, but needs involvement of neutral, credible, specialized & accredited third party (not the Jordanian Government authorities nor RSS) such as national or international mediation bodies, independent mediators & facilitators & independent accountability mechanisms.

Client's ESIA 6.8.9 states that In order to minimize the potential negative impacts of operation and to maximize positive impacts, AES should establish a Grievance Mechanism as part of the overall Management System to ensure that proper consultation, disclosure and community engagement is included throughout the Power Project lifecycle (The client didn't implement any Grievance Mechanism at all).

As a policy, mechanism or process for handling grievances cannot be effective if no one knows

about it, the Grievance Mechanism should be documented and publicized and should be readily available to the relevant Stakeholder Groups.

3. Absence of Environmental, Social, Health & Safety periodic reports to local affected communities:

EHS guidelines involve establishment of specific targets based on environmental assessments & environmental audits which should be conducted by neutral specialized credible accredited third party with the involvement of qualified representatives of the local affected communities & not tailor-made to fulfill client's illegal interests by the Jordanian Government Authorities who are acting as the client's defense lawyers.

EHS reports should be tailored to the hazards & risks of the project on the basis of the results of an environmental assessment & the applicability of specific technical recommendations should be based on the professional opinion of qualified, experienced accredited bodies with the witness of local communities & client's representatives. (we never heard of any reports & if any lately done by the polluter they are biased between government & client when asked to do it).

The local affected communities are severely suffering from environmental, health, social & economical impacts of IPP 4 & we aren't kinder garden kids to be treated this way.

EHS related to air emissions, GHG emissions, effluents, noise & hazardous waste management weren't properly prevented, minimized nor controlled.

Due to the lack of neutral, specialized, credible & accredited third party national air quality management framework, the client should consider the option of relying on an appropriate combination of using cleaner fuels & using more effective pollution controls (the client didn't & doesn't have the intent to do so).

The periodic reports should be provided by the client to the affected local communities & should describe the progress of implementation of the project action plans on issues that involves risks & impacts on local communities & on consultation & grievance mechanism issues & the frequency of these reports depends on the concerns of affected communities & not quarterly & not provided as per the local governor request (we never heard of such reports at all).

IFC PS#1-GN99 states that Information disclosure involves delivering information about the project to the Affected Communities and ensuring access to such information by other stakeholders. The information should be in appropriate language(s), and accessible and understandable to the various segments of the Affected Communities. For example, information can be made available house-by-house, in city halls, public libraries, in the local print media, over the radio, or in public meetings. (No periodic reports were published at all).

IFC PS#1-36 states that the client will provide periodic reports to the Affected Communities that describe progress with implementation of the project Action Plans on issues that involve ongoing risk to or impacts on Affected Communities and on issues that the consultation process or grievance mechanism have identified as a concern to those Communities.

IFC PS#1-Annex-B briefly describes what information will be disclosed, in what formats, and the types of methods that will be used to communicate this information to each of the stakeholder groups identified. Methods used may vary according to target audience, for example: Newspapers, posters, radio, television, Information centers and exhibitions or other visual displays, Brochures, leaflets, posters, summary documents reports.

IFC PS#4-GN3 states that when complex health or safety issues are involved, it may be appropriate for the client to engage external experts for a free-standing assessment, complementing the risks and impacts identification process. (No external or local experts were engaged at all).

4. Incomplete & unsatisfactory adoption of Environmental & Social Mitigation & Monitoring Program: (Absence of adopting of ESMMP as stated in the ESIA except for non-complete stack monitoring without involvement of local communities & occasional non-neutral water authority testing of effluents..see details below).

IFC PS#1-22 states that clients will consider involving representatives from Affected Communities to participate in monitoring activities. (the client denies the right of local affected communities' representatives involvement in the monitoring activities).

Client's ESIA states that a stack height of at least 70 m is therefore recommended for the Power Project to ensure compliance with World Bank / IFC Guideline for NO₂. (Is the real height of IPP 4 stacks 70 or 50m???)

Client's ESIA states that The World Bank / IFC Guidelines have been used as they are more stringent than the Jordanian Standards for ambient air quality. (IFC guidelines should be applied).

ESMMP should include the engagement of local affected communities representatives in all processes related to social & environmental after training them. (not accomplished by the client).

The client claims that they test the fuel used in the plant every month & it complies with IFC standards & guidelines & the truth is that the fuel used in IPP 4 sulfur, ash & carbon content way above the allowed IFC levels.

The client is conducting the stacks monitoring so the client is acting as the criminal & judge at the same time & we don't trust the polluter to do that & the client stated in it's ESIA that they monitor NO₂, CO, O₂ & never mentioned monitoring SO₂, PM_{2.5}, PM₁₀, O₃, H₂S, ... & they refuse to

involve the victim (us) to be involved in this testing.

Client's ESIA 6.2.71 states that whilst the design of the Power Project allows for the reservation of development area for the installation of FGD equipment, it is considered that the primary method for the control of SO₂ emissions (from any thermal power plant) is to reduce the sulphur content of the fuel. (this is not done at all as fuel sulfur content exceeds 6%).

RSS prepared ESIA & M.O.Env approved it & the government is severely protecting the client & provide the client with any test and report they may need which always complies with all needed standards & specs., therefore we the local affected communities don't trust the client nor the government authorities including RSS, therefore we insist that a neutral, specialized, credible & accredited third party should perform all kinds of monitoring, inspections & audits with the effective involvement of trained qualified representatives from local affected communities & the client should bear the cost involved.

Continuous air pollution monitoring is required because the pollution emitted from IPP 4 is related to the type of the fuel used (which contains high levels of sulfur, ash & carbon that exceeds the IFC levels), the operation period of the plant, the pollution control equipment used in the plant (FGD & ESPs aren't used) & many other factors & it should be conducted by a neutral, specialized, credible & accredited third party with the effective involvement of trained qualified representatives from local affected communities & the client should bear the cost involved.

Continuous ambient air quality monitoring in the surrounding environment (Almanaker, Albaidah, Kashafiat Aldabaiba, Kashafiat Alshawabka, Alabdalia, Almadounah, Alalia, Abu Alanda) should also be conducted by a neutral, specialized, credible & accredited third party with the effective involvement of trained qualified representatives from local affected communities & the client should bear the cost involved.

The client claims that they request M.O.Env every six (6) months to conduct air pollution monitoring & M.O.Env forwards the request to (R.S.S) to accomplish the tests which are tailor-made to the interests of the client & is pre-prepared to comply with the highest international standards (RSS isn't neutral nor accredited or credible & the pre-known biased test gives the client the time required to use gas instead of HFO or DFO, reduce the operation hours to the absolute minimum & take all required steps & considerations to get acceptable compliant readings during the duration of the testing) while this monitoring should be continuous & conducted by a neutral, specialized, credible & accredited third party with the effective involvement of trained qualified representatives from local affected communities & the client should bear the cost involved.

IFC PS#3-12 states that the client should ascertain whether licensed disposal sites are being operated to acceptable standards and where they are, the client will use these sites (IPP 4 dispose hazardous waste & sludge in nearby agricultural lands which belongs to local communities & the client sells the contaminated oil to Known local contractors).

IFC PS#1-17 states sufficient management sponsorship and human and financial resources will be provided on an ongoing basis to achieve effective and continuous environmental and social performance (the client should bear the cost of the monitoring activities & any related tasks linked with it).

M.O.Env didn't make any effort to force the client to implement the required ESMMP as required in the ESIA as no continuous monitoring is accomplished except for the stack monitoring which is accomplished by the polluter without involvement of the local affected communities & it doesn't monitor all required pollutants & the client isn't neutral nor accredited or credible to do such task.

If the client complies with all environmental & social issues as they claim, why do they refuse the monitoring, inspection & auditing to be conducted by neutral, credible, specialized & accredited third party with the involvement of representatives from local affected communities & why does the client insist that all tests, monitoring, inspection and/or auditing is done through RSS and/or Ministry of Environment and/or Water Authority???

IFC PS#1-GN#30 states that Audits should be used to identify risks and impacts, and to evaluate the effectiveness of the management system in place, conformity with the Performance Standards, and regulatory compliance. Environmental and social audits should provide identification and quantification of environmental and social risks and impacts, including liability, in a systematic, documented and objective process. The audit should document the main environmental and social aspects associated with the asset (e.g., air emissions, wastewater effluents, hazardous waste generated, historical pollution and contaminated sites, land acquisition issues, occupational health and safety, public/community safety, labor management and standards, impacts on cultural resources, internal and external grievances, disputes), and identify the key environmental and social risks and impacts associated with the asset. The audit should also assess management and mitigation measures, and identify additional corrective actions required to ensure compliance. Improvement opportunities should be considered and identified, to include community development programs (the audit is pre-arranged between client & government & RSS & is tailor-made to be compliant & no need for any corrective measures).

IFC PS#1-19 states that for projects posing potentially significant adverse impacts or where

technically complex issues involved, clients may be required to involve external experts to assist in risks and impacts identification process. (the client claims that they are not required to accomplish the monitoring through third party & they insist to use RSS).

IFC PS#1-22 states that for projects with significant impacts, the client will retain external experts to verify its monitoring information.

IFC PS#1-23 states that the client will document monitoring results and identify and reflect the necessary corrective and preventive actions in the amended management program and plans. The client, in collaboration with appropriate and relevant third parties, will implement these corrective and preventive actions, and follow up on these actions in upcoming monitoring cycles to ensure their effectiveness.

IFC PS#1-85 states that the factors to be considered in establishing an environmental monitoring program typically include (but are not limited to) engineering estimates, environmental modeling, pollutant source (e.g., emissions to atmosphere, wastewater effluents, solid and hazardous waste), noise, ambient water quality and quantity (both surface and groundwater), air quality, and workplace contaminant measurements. The focus and extent of the monitoring should be commensurate with the risk of the pollutant releases as related to the sensitivity of the surrounding areas, taking into account the Affected Community's perception of risks to their health and environment resulting from the project. Appropriate processes should also be in place to ensure the reliability of data, such as calibration of instruments, testing of equipment, and software and hardware sampling (accredited laboratory). Specific environmental monitoring measures comprise the parameters to be measured, sampling and analytical methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and the definition of thresholds that signal the need for corrective actions (the need for neutral specialized & accredited third party with involvement of representatives from local affected communities) .

IFC PS#1-86 states that the client should normally carry out the monitoring using competent professionals or other external experts (the client either conducts monitoring alone or through RSS or water authority & none of them are professionals or experts in this field), as part of its management system and programs. In certain cases (such as projects with potential significant adverse risks and impacts), due diligence conducted by financiers may result in the imposition of additional monitoring and/or verification of client monitoring (for example, as part of the supplemental action plan agreed with the client), including the appointment of qualified and experienced external experts to independently verify monitoring results. Participatory monitoring (i.e., involvement of Affected Communities) should be considered where appropriate (projects with potential significant adverse risks and impacts)..(the client refuses the idea of local communities involvement at all because the client is violating all standards). In these cases, the client should evaluate the capacity of those participating in the monitoring and provide periodic training and guidance as appropriate.

IFC PS#1-GN110 states that if the project is unable to solve a complaint (as the case of IPP4), it may be appropriate to enable complainants to have recourse to external experts or neutral parties (not done at all).

IFC PS#3-10 states that the client will avoid the release of pollutants or, when avoidance is not feasible, minimize and/or control the intensity and mass flow of their release. This applies to the release of pollutants to air, water, and land due to routine, non-routine, and accidental circumstances with the potential for local, regional, and trans boundary impacts.

IFC PS#3-GN29 & GN30 states that the client should monitor emissions. The frequency with which pollutant emissions are monitored should be appropriate to the nature, scale and variability of potential impacts. This may range from continuous to daily, monthly, annually, or less frequently.

Monitoring is particularly important for large projects with impacts that may be uncertain and potentially irreversible and consequently in need of more frequent evaluation of emissions levels or ambient quality. In addition, clients should include monitoring processes and indicators within their ESMS to alert them to significant increases in pollutant emissions or impacts on ambient conditions that may be an indicator of problems with manufacturing processes or pollution control equipment that could require corrective action.

5. Involvement of local affected communities & Stakeholders in ESMMP: (An arrangement between the client & the local governor was set up to appoint two persons from Almanaker village to represent the local affected communities in order to fulfill the interests of the client..see details below).

IFC PS#1-GN#6 states that an effective engagement process allows the views, interests and concerns of different stakeholders, particularly of the local communities directly affected by the project (Affected Communities), to be heard, understood, and taken into account in project decisions and creation of development benefits.(not biased)

IFC PS#1-22 states that clients will consider involving representatives from Affected Communities to participate in monitoring activities (the client refuses the involvement of local communities in the monitoring tasks).

IFC PS#1-GN86 states that participatory monitoring (i.e., involvement of Affected Communities) should be considered where appropriate (projects with potential significant adverse risks and

impacts). In these cases, the client should evaluate the capacity of those participating in the monitoring and provide periodic training and guidance as appropriate.

IFC PS#1-25 states that Stakeholder engagement (SEP) is an ongoing process that may involve, in varying degrees, the following elements: stakeholder analysis and planning, disclosure and dissemination of information, consultation and participation, grievance mechanism, and ongoing reporting to Affected Communities(not just formal as in IPP4 case). The nature, frequency, and level of effort of stakeholder engagement may vary considerably and will be commensurate with the project's risks and adverse impacts, and the project's phase of development.

IFC PS#1-GN93 states that if the process to identify risks and impacts indicates that there may be potential impacts and risks to the Affected Community, companies should seek early engagement with them(not done). Engagement should be based on the timely and effective dissemination of relevant project information, including the results of the process of identification of environmental and social risks and impacts and corresponding mitigation measures.(client ignores local affected communities completely & doesn't respect them or the human rights).

IFC PS#1-GN94 states that when applicable, and throughout the life of the project, clients should build upon the channels of communication and engagement with Affected Communities established during the risks and impacts identification process. In particular, clients should use the appropriate stakeholders engagement practices described in this Performance Standard to disclose information and receive feedback on the effectiveness of the implementation of the mitigation measures in the clients management system as well as the Affected Communities' on-going interests and concerns about the project.(the client ignores the local communities completely & only satisfies government authorities & certain people who really support the client & the client doesn't even permit local communities to enter the plants nor to be employed in the core work force & the client is very keen to make sure that no representative of the local affected communities is able to see their detail of work inside to hide their violations away from the local affected communities & stakeholders).

IFC PS#1-26 states that clients should identify the range of stakeholders that may be interested in their actions (not appointed by local governor to meet client's illegal interests) and consider how external communications might facilitate a dialog with all stakeholders. Where projects involve specifically identified physical elements, aspects and/or facilities that are likely to generate adverse environmental and social impacts to Affected Communities the client will identify the Affected Communities and will meet the relevant requirements.

IFC PS#1-27 states that the client will develop and implement a Stakeholder Engagement Plan (SEP) that is scaled to the project risks and impacts and development stage, and be tailored to the characteristics and interests of the Affected Communities (not client's illegal interests). Where applicable, SEP will include differentiated measures to allow the effective participation of those identified as disadvantaged or vulnerable. When the stakeholder engagement process depends substantially on community representatives, the client will make every reasonable effort to verify that such persons do in fact represent the views of Affected Communities (not to meet client's interests through appointed ineligible non-neutral persons) and that they can be relied upon to faithfully communicate the results of consultations to their constituents. (not specifically selected from local governor to suit the illegal interests of the client & to hide the severe violations).

IFC PS#1-GN95 states that stakeholders are defined as persons, groups or communities external to the core operations of a project who may be affected by the project or have interest in it(not just Almanaker population). This may include individuals, businesses, communities, local government authorities, local non-governmental and other institutions, and other interested or affected parties. Stakeholder identification broadly involves the determination of the various individuals, groups or communities who may have an interest in the project or who may affect or be affected by the project. The process of stakeholder identification includes distinct steps, including (i) identifying individuals, groups, local communities and other stakeholders that may be affected by the project, positively or negatively, and directly or indirectly, particularly those directly and adversely affected by project activities, including those who are disadvantaged or vulnerable (ii) identifying broader stakeholders who may be able to influence the outcome of the project because of their knowledge about the Affected Communities or political influence over them.

IFC PS#1-GN97 states that Clients with high-risk projects may need to identify and engage with other stakeholders, beyond those who will be directly affected by the project, such as local government officials, community leaders and civil society organizations, particularly those who work in or with the Affected Communities. While these groups may not be directly affected by the project, they may have the ability to influence or alter the relationship of the client with Affected Communities, and in addition may play a role in identifying risks, potential impacts and opportunities for the client to consider and address in the assessment process.(like Environmental Protection Societies as an NGOs).

When the stakeholder engagement process depends substantially on community representatives the client will make every reasonable effort to verify that such persons do in fact represent the views of Affected Communities and that they can be relied upon to faithfully communicate the results of

consultations to their constituents (not fulfill client's interests).

If the client complies with all environmental & social issues as they claim, why do they refuse the monitoring, inspection & auditing by neutral, credible, specialized & accredited third party with the involvement of representatives from local affected communities & why does the client insist that all tests, monitoring, inspection and/or auditing is done through RSS or Ministry of Environment and or Water Authority???

IFC PS#1-Annex-B states that key stakeholder groups who have the potential to influence project outcomes or company operations (examples of potential stakeholders are Affected Communities, local organizations, NGOs, and government authorities; stakeholders can also include politicians, other companies, labor unions, academics, religious groups, national environmental and social public sector agencies, and the media).

6. Fuel content Continuous Testing: (The client claims that monthly fuel tests are carried out & the fuel complies...this is not true at all)

The client complains that fuel compliance falls under NEPCO's responsibility !!! Does this mean that if NEPCO delivers fuel which doesn't comply with the required local & / or IFC standards whichever is more stringent, that the client will use this fuel regardless of its compliance & the blame will be on NEPCO (AES is the owner & operator of IPP 4 & should therefore make sure that everything should comply with the required standards & specifications & NEPCO is just a contractor who is responsible to provide IPP 4 with the required fuel & IPP 4 is the responsible party for compliance of the fuel used in the plant).

We need to see the fuel test reports & to know who performed the test (R.S.S or any government side is not acceptable. It should be a neutral credible specialized side with local communities involvement).

It should be continuous testing.

7. Continuous pollution emission monitoring program :

Continuous air pollution monitoring is required because the pollution emitted depends on the type of the fuel used, the operation period of the plant, the pollution control equipment used & other factors & it should be conducted by a neutral, specialized, credible & accredited third party with the effective involvement of trained qualified representatives from local affected communities & the client should bear the cost involved.

The client claimed that no third party is required to do this task!!!

- Neither R.S.S nor any other government authority is trustworthy to conduct any tests on behalf of IPP 4.
- Neither R.S.S nor any other organization in Jordan is accredited to conduct these tests as we are dealing with part of a billion accuracy.
- The local affected communities have the right to make sure that power plants comply with IFC & WHO standards as their health, lives & social position is at stake.

IFC PS#1-19 states that the process of identification of risks and impacts will consist of an adequate, accurate, and objective evaluation and presentation, prepared by competent professionals (no competent professionals in Jordan to accomplish air pollution emissions). For projects posing potentially significant adverse impacts or where technically complex issues are involved, clients may be required to involve external experts to assist in the risks and impacts identification process. (not accomplished & not acceptable to client & government).

IFC PS#1-22 states that for projects with significant impacts, the client will retain external experts to verify its monitoring information. The extent of monitoring should be commensurate with the project's environmental and social risks and impacts and with compliance requirements.

8. Continuous Stack emission monitoring program :

IFC ESIA 6.2.72 states that the stack will be fitted with continuous emissions monitors for NOx and O2. The measured values will be recorded and displayed both remotely and in the control room. (what about other pollutants??? Is client neutral or credible??? Why don't you involve local communities' representatives?? How can you act as judge & criminal???)

Representatives of local communities should be involved & the monitoring should be controlled & observed by neutral third party & local communities.

9. Continuous Ambient Air Quality Monitoring:

The client claims that there is an ambient air quality monitoring station continuously (24/7) monitors NOx, SO2, PM10... This is a big lie because M.O.Env have some monitoring stations scattered in the Kingdom & there is only one station that is located in Sahab & non is located in the affected area (hot polluted area) of Almanaker, Albaida, Kashfiat Aldabaibah, Kashfiat Alshawabkah, Almadouna, Alalia, Alabdaliah or Abualanda which are the most severe polluted areas & these stations are operated by M.O.Env which isn't a neutral nor accredited entity & they didn't involve representatives from local affected communities & this is the client's responsibility.

Laboratories that are accredited to this international standard ISO /IEC 17025 have demonstrated that they are technically competent and able to produce precise and accurate test and/or calibration

data. Laboratory accreditation can only be granted by an accreditation body. Although there are a number of accreditation bodies in the US, customers should choose calibration and testing laboratories accredited. International Laboratory Accreditation Cooperation (ILAC) developed a standard for accreditation bodies: ISO/IEC 17011.

The client claimed that an independent third party is used to carry out the Ambient Air Quality testing (R.S.S) twice a year :

- R.S.S isn't a neutral entity as they accomplished ESIA & they are the client's sole contractor for all monitoring tasks.
- R.S.S isn't accredited to conduct such monitoring as M.O.Env. said that clearly.
- Ambient Air Quality should be Continuous Monitoring & not semi-annual because the pollution exists as long as the power plant is operating.

The client claimed that M.O.Env carried out an environmental audit for IPP 1 & IPP 4 covering waste management, water treatment, noise & emissions on 23/3/2015 & 12/4/2015 & found as usual that the client fulfills full compliance:

- M.O.Env is part of the problem & we don't trust them.
- In order to maintain transparency, impartiality & integrity, M.O.Env is in no position to do environmental audit (M.O.Env actually sent one person [REDACTED] to do inspection with no tools & he brought a CD prepared by the client).

Ambient Air Quality is a continuous monitoring task that should be conducted by a neutral, credible, specialized & accredited third party with the effective involvement of trained qualified representatives of local affected communities & the polluters should bear the cost incurred.

IFC PS#3-GN1 states that to avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities.

To achieve this objective, clients should take into account the potential impact of their activities on ambient conditions (such as ambient air quality) and seek to avoid or minimize these impacts within the context of the nature and significance of pollutants emitted (they don't even monitor ambient air quality on continuous basis). For Large projects with potentially significant emissions and/or high impacts, may require monitoring of impacts on the surrounding environment (i.e., changes in ambient levels), in addition to the implementation of control measures.

IFC PS#3-GN36 states that If the ambient levels exceed the relevant ambient quality guidelines or standards (i.e., ambient conditions are already deteriorated), clients are expected to demonstrate that they have explored and, if necessary, adopted a higher level of performance than would be otherwise required under less deteriorated ambient conditions as well as further mitigation measures (e.g., offsetting emissions) in order to minimize further deterioration of the environment or preferably to achieve improvement.

Continuous ambient air quality monitoring in the surrounding environment (Almanaker, Albaidah, Kashafiat Aldabaiba, Kashafiat Alshawabka, Alabdalia, Almadounah, Alalia, Abu Alanda) should also be conducted by a neutral, specialized, credible & accredited third party with the effective involvement of trained qualified representatives from local affected communities & the client should bear the cost involved.

10. Noise Monitoring :

Noise Monitoring should be conducted by a neutral, specialized, credible & accredited third party with involvement of qualified trained representatives from local affected communities in sensitive places.

Nearby houses suffer from cracks & people suffer from disturbance & discomfort (you can ask unbiased people).

Noise Monitoring shouldn't be conducted by the client and or the government authorities or R.S.S as none of them is neutral or credible & accredited.

11. Continuous Effluents Monitoring:

Client's ESIA6.3.41 states that a suitably qualified Licensed Contractor will dispose of all sludge off-site. In addition, any waste oils will be removed by a Licensed Contractor and disposed of at an appropriate disposal site in the event that the oil cannot be recovered / reused / recycled.(oil is sold to local contractors & others are disposed to nearby lands)

Effluents parameters should be continuously tested & monitored by specialized, neutral, credible & accredited third part with the involvement of trained qualified representatives from local affected communities & not through biased government authorities like Jordanian Water Authority.

12. Management & Disposal of Hazardous Waste :

IFC PS#3-12 states that the client will avoid the generation of hazardous and non-hazardous waste materials. Where waste generation cannot be avoided, the client will reduce the generation of waste, and recover and reuse waste in a manner that is safe for human health and the environment. Where waste cannot be recovered or reused, the client will treat, destroy, or dispose of it in an

environmentally sound manner that includes the appropriate control of emissions and residues resulting from the handling and processing of the waste material (some sold & some disposed in agricultural lands by non-licensed contractors). If the generated waste is considered hazardous, the client will adopt GIIP alternatives for its environmentally sound disposal while adhering to the limitations applicable to its trans boundary movement. When hazardous waste disposal is conducted by third parties, the client will use contractors that are reputable and legitimate enterprises licensed by the relevant government regulatory agencies and obtain chain of custody documentation to the final destination (no legitimate hazardous waste contractors are used by the client & the hazardous waste is disposed to agricultural lands and/or non-hazardous waste landfills or sold to local contractors like the oil case). The client should ascertain whether licensed disposal sites are being operated to acceptable standards and where they are, the client will use these sites.

13. Management & Disposal of Sludge & contaminated Oil :

Who is the licensed hazardous waste disposal company that IPP 4 claims to use & where are the manifests of disposed hazardous waste including solid and/or sludge and/or contaminated waste water?? This is not true at all !!!

Sludge oil is sold to contractors & contaminated sludge & water disposed in nearby agricultural lands which belongs to local communities or to non-licensed landfills in nearby land.

Sewage is transported by Amman Municipality waste trucks & not tested at Algabawi Waste Landfill to make sure that the sewage doesn't contain any hazardous waste.

Client's ESIA 6.3.41 states that a suitably qualified Licensed Contractor will dispose of all sludge off-site. In addition, any waste oils will be removed by a Licensed Contractor and disposed of at an appropriate disposal site in the event that the oil cannot be recovered / reused / recycled.

The client will avoid the generation of hazardous and non-hazardous waste materials. Where waste generation cannot be avoided, the client will reduce the generation of waste, and recover and reuse waste in a manner that is safe for human health and the environment. Where waste cannot be recovered or reused, the client will treat, destroy, or dispose of it in an environmentally sound manner that includes the appropriate control of emissions and residues resulting from the handling and processing of the waste material. If the generated waste is considered hazardous, the client will adopt GIIP alternatives for its environmentally sound disposal while adhering to the limitations applicable to its transboundary movement. When hazardous waste disposal is conducted by third parties, the client will use contractors that are reputable and legitimate enterprises licensed by the relevant government regulatory agencies and obtain chain of custody documentation to the final destination. The client should ascertain whether licensed disposal sites are being operated to acceptable standards and where they are, the client will use these sites. (the client through non-licensed contractors dispose the sludge, contaminated used water, effluents to agricultural nearby lands and/or non-hazardous & non-licensed landfills and/or sell contaminated oil).

Who is the licensed hazardous waste disposal company that IPP 4 use & where are the manifests of disposed hazardous waste including solid and/or sludge and/or contaminated waste water???

14. Emission Control Measures :

Did the client install FGD to reduce the level of SO₂ emissions or did they use HFO or DFO with sulfur content that complies with IFC standards???

Did the client install Fabric Filters/ESPs to reduce level of PM emissions or did they use HFO or DFO with Ash & carbon content that complies with IFC standards???

15. Odor Monitoring :

No Odor monitoring is accomplished by the client.

16. Plant Emergency & preparedness & response report & engagement of local affected communities:

We have never heard of any drills carried out by the client as they claim & even the power plant site is actually a forbidden area for the local affected communities to even come close to.

The drill the client claimed to have conducted isn't a show business & it is the duty of the client, the responders & the local communities after training them to respond in case of emergency.

Liaison Officer is required for all of these communications & grievances to be selected from the local affected communities & must be qualified & eligible person.

IFC SP#1-20 states that Where the project involves specifically identified physical elements, aspects and facilities that are likely to generate impacts, the ESMS will establish and maintain an emergency preparedness and response system so that the client, in collaboration with appropriate and relevant third parties, will be prepared to respond to accidental and emergency situations associated with the project in a manner appropriate to prevent and mitigate any harm to people and/or the environment. This preparation will include the identification of areas where accidents and emergency situations may occur, communities and individuals that may be impacted, response procedures, provision of equipment and resources, designation of responsibilities, communication, including that with potentially Affected Communities and periodic training to ensure effective response. (not adopted at all).

IFC PS1#-21 states that The client will also assist and collaborate with the potentially Affected

Communities and the local government agencies in their preparations to respond effectively to emergency situations, especially when their participation and collaboration are necessary to ensure effective response. If local government agencies have little or no capacity to respond effectively, the client will play an active role in preparing for and responding to emergencies associated with the project. The client will document its emergency preparedness and response activities, resources, and responsibilities, and will provide appropriate information to potentially Affected Community and relevant government agencies. (None is accomplished)

IFC PS#4-11 states that the client will also assist and collaborate with the Affected Communities, local government agencies, and other relevant parties, in their preparations to respond effectively to emergency situations, especially when their participation and collaboration are necessary to respond to such emergency situations. If local government agencies have little or no capacity to respond effectively, the client will play an active role in preparing for and responding to emergencies associated with the project. The client will document its emergency preparedness and response activities, resources, and responsibilities, and will disclose appropriate information to Affected Communities, relevant government agencies, or other relevant parties.

IFC SP#4-GN23 states that Clients should consider including the Affected Community and other stakeholders in regular training exercises (e.g., simulations, drills, and debriefs of exercises and actual events) to familiarize them with proper procedures in the event of an emergency. Emergency plans should address the following aspects of emergency response and preparedness.

17. Free, Prior, Informed Consent (FPIC) : (The claims that FPIC isn't applicable for IPP4 as NEPCO is the landowner of the site...see details below).

IFC PS#1-32 states that For projects with adverse impacts to Indigenous Peoples, the client is required to engage them in a process of ICP and in certain circumstances the client is required to obtain their Free, Prior, and Informed Consent (FPIC).

IFC-PS7-GN30 states that Similarly, there may be situations where likely project scope and location are known, but where the engagement process with Affected Communities of Indigenous Peoples is not yet sufficiently advanced to have obtained FPIC at the time of project approval. In such cases the overall principles and engagement process, and criteria for obtaining FPIC, should be agreed on before project approval. As a minimum FPIC should be obtained prior to any of the circumstances requiring FPIC taking place.

At times, the assessment and management of certain environmental and social risks and impacts may be the responsibility of the government or other third parties over which the client does not have control or influence. Examples of where this may happen include: (ii) when specific actions directly related to the project are carried out by the government or third parties such as providing land for a project which may have previously involved the resettlement of communities or individuals and/or leading to loss of biodiversity. While the client cannot control these government or third party actions, an effective ESMS should identify the different entities involved and the roles they play, the corresponding risks they present to the client, and opportunities to collaborate with these third parties in order to help achieve environmental and social outcomes that are consistent with the Performance Standards.

Affected Communities of Indigenous Peoples may be particularly vulnerable to the loss of, alienation from or exploitation of their land and access to natural and cultural resources.⁵ In recognition of this vulnerability, in addition to the General Requirements of this Performance Standard, the client will obtain the FPIC of the Affected Communities of Indigenous Peoples in the following circumstances:

- When Indigenous Peoples are closely tied to their lands and related natural resources (IFC-SP7-13).
- If the client proposes to locate a project on, or commercially develop natural resources on lands traditionally owned by, or under the customary use of, Indigenous Peoples, and adverse impacts can be expected.
- The client will consider feasible alternative project designs to avoid the relocation of Indigenous Peoples from communally held lands and natural resources subject to traditional ownership or under customary use. If such relocation is unavoidable the client will not proceed with the project unless FPIC has been obtained.
- Where significant project impacts on critical cultural heritage are unavoidable, the client will obtain the FPIC of the Affected Communities of Indigenous Peoples.
- Where a project proposes to use the cultural heritage including knowledge, innovations, or practices of Indigenous Peoples for commercial purposes, the client will obtain their FPIC.

IFC PS#7-11 states that Affected Communities of Indigenous Peoples may be particularly vulnerable to the loss of, alienation from or exploitation of their land and access to natural and cultural resources. In recognition of this vulnerability, in addition to the General Requirements of this Performance Standard, the client will obtain the FPIC of the Affected Communities of Indigenous Peoples in the circumstances. FPIC applies to project design, implementation, and expected outcomes related to impacts affecting the communities of Indigenous Peoples. When any of these circumstances apply, the client will engage external experts to assist in the identification of the project

risks and impacts.

IFC PS#1-30 states that When Affected Communities are subject to identified risks and adverse impacts from a project, the client will undertake a process of consultation in a manner that provides the Affected Communities with opportunities to express their views on project risks, impacts and mitigation measures, and allows the client to consider and respond to them. The extent and degree of engagement required by the consultation process should be commensurate with the project's risks and adverse impacts and with the concerns raised by the Affected Communities. Effective consultation is a two-way process that should: begin early in the process of identification of environmental and social risks and impacts and continue on an ongoing basis as risks and impacts arise; focus inclusive engagement on those directly affected as opposed to those not directly affected; be free of external manipulation, interference, coercion, or intimidation; enable meaningful participation, where applicable; and be documented. The client will tailor its consultation process to the needs of disadvantaged or vulnerable groups.

IFC PS#1-31 states that for projects with potentially significant adverse impacts on Affected Communities, the client will conduct an Informed Consultation and Participation (ICP) process that will build upon the steps outlined above in Consultation and will result in the Affected Communities' informed participation. ICP involves a more in-depth exchange of views and information, and an organized and iterative consultation, leading to the client's incorporating into their decision-making process the views of the Affected Communities (which wasn't considered by the client) on matters that affect them directly, such as the proposed mitigation measures, the sharing of development benefits and opportunities, and implementation issues. The consultation process should (i) capture both men's and women's views, if necessary through separate forums or engagements, and (ii) reflect men's and women's different concerns and priorities about impacts, mitigation mechanisms, and benefits, where appropriate.

IFC PS#7-10 states that the client will undertake an engagement process with the Affected Communities of Indigenous Peoples as required in Performance Standard 1. This engagement process includes stakeholder analysis and engagement planning, disclosure of information, consultation, and participation, in a culturally appropriate manner.

IFC PS#7-GN25 states that FPIC comprises a process and an outcome. The process builds upon the requirements for ICP (which include requirements for free, prior and informed consultation and participation) and additionally requires Good Faith Negotiation (GFN) between the client and Affected Communities of Indigenous Peoples. GFN involves on the part of all parties: (i) willingness to engage in a process and availability to meet at reasonable times and frequency; (ii) provision of information necessary for informed negotiation; (iii) exploration of key issues of importance; (iv) use of mutually acceptable procedures for negotiation; (v) willingness to change initial position and modify offers where possible; and (vi) provision of sufficient time for decision making. The outcome, where the GFN process is successful, is an agreement and evidence thereof.

IFC PS#7-GN51 states that where benefit sharing is envisioned, benefits should be determined on mutually agreed terms as part of the process of securing FPIC. Benefits may include, for example, development benefits in the form of employment, vocational training, and benefits pursuant to community development and similar programs as well as from the making, marketing and licensing of some forms of traditional cultural expression.

18. Use of PCB (Polychlorinated biphenyl), Ammonia (NH₃), Hydrazine(N₂H₄) & Adenosine Tri-Phosphate (ATP): (the client avoids to involve the local affected communities' contractors in the supply, services and procurement for IPP4).

IFC PS#3-GN43 states that the best way to prevent the release of hazardous materials is to avoid using them in the first place. Therefore clients should explore opportunities throughout the project life-cycle to use non-hazardous materials in place of hazardous materials.

Client's ESIA 4.1.27 states that In addition to the oil storage, storage facilities will also be provided for the small quantities of chemicals (including sodium phosphate, hydrazine, ammonia/urea and others) used in boiler water dosing. All such chemicals will be retained in suitable containment areas.

Client's ESIA 6.4.30 states that Transformers are sealed units, with negligible leakages. The transformer oils will not contain polychlorinated biphenyls (PCBs).

19. Employment & Training of skilled & unskilled personal from local affected people: (The client Deliberately refuses to hire or employ people in the local affected communities in the core workforce to keep them away from discovering their severe violations).

The client doesn't employ any key employees deliberately in the core work force of the plant because the client needs to keep their severe violations hidden away from local affected communities.

Where the project involves specifically identified physical elements, aspects and facilities that are likely to generate impacts, and as part of the process of identifying risks and impacts, the client will identify individuals and groups that may be directly and differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. Where individuals or groups are

identified as disadvantaged or vulnerable, the client will propose and implement differentiated measures so that adverse impacts do not fall disproportionately on them and they are not disadvantaged in sharing development benefits and opportunities. (local affected communities are not advantaged of any development benefits or opportunities & that is limited to senior project engineers).

IFC PS#1-GN#46 states that Companies should be mindful that agreements they negotiate with host governments, concessions, and similar entities not be drafted in a way that could interfere with the human rights of parties potentially affected by the project and the state's bona fide efforts to meet its human rights obligations. States fulfill their human rights obligations in part by passing and enforcing laws.

IFC PS#1-GN#48 states that vulnerable or disadvantaged individuals and groups should be able to benefit from project opportunities equally with the rest of the Affected Communities; this may require that differentiated benefit-sharing processes and levels (such as providing training for individuals or groups who might lack the necessary skills to find a job with the project, ensuring access to medical treatments for medical conditions resulting from the projects, etc.) are available.

IFC PS#2-GN41 states that discrimination in employment is defined as any distinction, exclusion, or preference with respect to recruitment, hiring, firing, working conditions, or terms of employment made on the basis of personal characteristics unrelated to inherent job requirements that nullifies or impairs equality of opportunity or treatment in employment or occupation. (client discriminate in employment when it comes to local communities representatives as they refuse to employ any person from local affected communities in their core workforce & even they grant subcontracts to contractors who don't belong to local affected communities & force them not to employ candidates from local affected communities).

IFC PS#5-GN9 states that compensation alone does not guarantee the restoration or improvement of the livelihoods and social welfare of displaced households and communities. Restoration and improvement of livelihoods often may include many interconnected assets such as as well as employment, and capital.

IFC PS#5-9 states that the client will also provide opportunities to displaced communities and persons to derive appropriate development benefits from the project.

IFC PS#5-10 states that the client will engage with Affected Communities, including host communities, through the process of stakeholder engagement described in Performance Standard 1. Decision-making processes related to resettlement and livelihood restoration should include options and alternatives, where applicable. Disclosure of relevant information and participation of Affected Communities and persons will continue during the planning, implementation, monitoring, and evaluation of compensation payments, livelihood restoration activities, and resettlement to achieve outcomes that are consistent with the objectives of this Performance Standard.

IFC PS#5-GN39 states that Resettlement planning and implementation should focus on, at a minimum, restoration of people's livelihoods; no net loss in employment among affected households as a result of resettlement (i.e., finding or creating employment opportunities where necessary); improving affected persons' housing and access to social services such as education and healthcare.

IFC-SP5-GN50...Resettlement sites should be selected for locational advantage in terms of availability of basic services and employment opportunities that enable the displaced persons to improve or at least restore their livelihoods and standards of living.

IFC-SP5-28...If circumstances prevent the client from providing land or similar resources as described above, alternative income earning opportunities may be provided, such as credit facilities, training, cash, or employment opportunities.

IFC-SP7-GN59...The client may also look for opportunities to support existing programs tailored to deliver development benefits to Indigenous Peoples, such as bilingual educational programs, maternal, and child health and nutrition programs, employment generation activities.

IFC PS#7-2 states that private sector projects can create opportunities for Indigenous Peoples to participate in, and benefit from project-related activities that may help them fulfill their aspiration for economic and social development. Furthermore, Indigenous Peoples may play a role in sustainable development by promoting and managing activities and enterprises as partners in development.

IFC PS#7-GN51 states that Where benefit sharing is envisioned, benefits should be determined on mutually agreed terms as part of the process of securing FPIC. Benefits may include, for example, development benefits in the form of employment, vocational training, and benefits pursuant to community development

IFC PS#7-20 states that various factors including, but not limited to, the nature of the project, the project context and the vulnerability of the Affected Communities of Indigenous Peoples will determine how these communities should benefit from the project. Identified opportunities should aim to address the goals and preferences of the Indigenous Peoples including improving their standard of living and livelihoods.

Client's ESIA states that During operation, the Power Project is expected to create permanent and

temporary jobs for both skilled and non-skilled workers.

Client's ESIA 6.8.1 states that the main objective of the socio-economic impact assessment is to evaluate the long term effects that are expected from activities relating to the Power Project, and investigate how the Power Project would change the quality of life of current and future residents of communities in the area.

ESIA 6.8.9 states that the mitigation measures and monitoring programmes relating to operation are those associated with:

- *Employment and Training / Availability of Benefit Packages for Employees:* The Power Project is expected to create permanent and temporary jobs for both skilled and non-skilled workers. Therefore it is highly recommended that, wherever possible, the Consortium gives priority to the local community (i.e. Al-Manakher and then the Sahab District).

In order to make the local employment more successful it is possible that AES will arrange (in cooperation with the Vocational Training Centre in the Amman Governorate) to help create adequate training so that a larger percentage of the local population has the basic qualifications needed for the Power Project.

The job application procedure should be established according to an approved set of criteria (i.e. such as those relating to appropriate qualifications).

20. *Preferential Treatment of local companies with competitive rate prices for plants services & procurements* (the client deliberately deals with certain contractors through senior project engineers for all procurement &/or services needed for the plant & they rule out all local affected communities' contractors & they don't even announce these tenders on public in transparent way).

IFC PS#7-GN51 states that where benefit sharing is envisioned, benefits should be determined on mutually agreed terms as part of the process of securing FPIC. Benefits may include, for example, development benefits in the form of employment, vocational training, and benefits pursuant to community development and similar programs as well as from the making, marketing and licensing of some forms of traditional cultural expression.

IFC PS#7-20 states that various factors including, but not limited to, the nature of the project, the project context and the vulnerability of the Affected Communities of Indigenous Peoples will determine how these communities should benefit from the project. Identified opportunities should aim to address the goals and preferences of the Indigenous Peoples including improving their standard of living and livelihoods in a culturally appropriate manner, and to foster the long-term sustainability of the natural resources on which they depend.

IFC ESIA 6.8.9 states that The Consortium should give priority for a Local Contractor to provide construction personnel with suitable transport / other services on a competitive rates basis.

21. *Support & Development to local affected people & the surrounding affected environment:* (No real support is given to local affected communities a part of very few non-related to development donations for the purpose of pleasing some people & decision makers).

IFC PS#7-GN51 states that Where benefit sharing is envisioned, benefits should be determined on mutually agreed terms as part of the process of securing FPIC. Benefits may include, for example, development benefits in the form of employment, vocational training, and benefits pursuant to community development.

IFC PS#7-18 states that the client and the Affected Communities of Indigenous Peoples will identify mitigation measures in alignment with the mitigation hierarchy described in Performance Standard 1 as well as opportunities for culturally appropriate and sustainable development benefits. The client will ensure the timely and equitable delivery of agreed measures to the Affected Communities of Indigenous Peoples.

IFC PS#7-20 states that various factors including, but not limited to, the nature of the project, the project context and the vulnerability of the Affected Communities of Indigenous Peoples will determine how these communities should benefit from the project. Identified opportunities should aim to address the goals and preferences of the Indigenous Peoples including improving their standard of living and livelihoods in a culturally appropriate manner, and to foster the long-term sustainability of the natural resources on which they depend.

IFC ESIA 6.8.9 states that It is recommended that AES study the needs of the local community, and continue to provide support. (I think the client is still studying the needs of local affected communities & might complete the study after 25 years).

22. *Indigenous people compensation:*

IFC PS#1-32 states that For projects with adverse impacts to Indigenous Peoples, the client is required to engage them in a process of ICP and in certain circumstances the client is required to obtain their Free, Prior, and Informed Consent (FPIC).

IFC PS#5-1 states that Performance Standard 5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons that use this land. Involuntary resettlement refers both to physical displacement and to economic displacement as

a result of project-related land acquisition and/or restrictions on land use.

IFC PS#5-2 states that experience demonstrates that the direct involvement of the client in resettlement activities can result in more cost-effective, efficient, and timely implementation of those activities, as well as in the introduction of innovative approaches to improving the livelihoods of those affected by resettlement.

IFC PS#5-GN3 states that The loss of access to common property resources and natural resources is an important consideration when evaluating a project's impacts on affected communities' and households' livelihoods. The types of assets to which access might be lost could include, but are not limited to, pasture, agriculture. Whilst these resources are, by definition, not owned by individual households, access to them is often a key component of affected households' livelihoods, without which they will likely face the risk of project-induced impoverishment.

IFC PS#5-GN9 states that all categories of affected households and communities should be consulted, whether individually or through representative sampling if the numbers are large, and particular attention should be paid to vulnerable groups. In addition, clients should ensure all households and communities are informed early in the planning process about their options and rights regarding displacement and compensation. Affected households and communities should also have the opportunity for informed participation in key phases of resettlement planning so that the mitigation of adverse project impacts is appropriate and the potential benefits of resettlement are sustainable.

IFC PS#5-GN11 states that Compensation alone does not guarantee the restoration or improvement of the livelihoods and social welfare of displaced households and communities. Restoration and improvement of livelihoods often may include many interconnected assets such as as well as employment, and capital. Major challenges associated with rural resettlement include restoring livelihoods based on land or natural resource use and the need to avoid compromising the social or cultural continuity of Affected Communities, including the host communities.

IFC PS#5-10 states that the client will engage with Affected Communities, including host communities, through the process of stakeholder engagement described in Performance Standard 1. Decision-making processes related to resettlement and livelihood restoration should include options and alternatives, where applicable. Disclosure of relevant information and participation of Affected Communities and persons will continue during the planning, implementation, monitoring, and evaluation of compensation payments, livelihood restoration activities, and resettlement to achieve outcomes that are consistent with the objectives of this Performance Standard.

IFC PS#5-25 states that In the case of projects involving economic displacement only, the client will develop a Livelihood Restoration Plan to compensate affected persons and/or communities and offer other assistance that meet the objectives of this Performance Standard. The Livelihood Restoration Plan will establish the entitlements of affected persons and/or communities and will ensure that these are provided in a transparent, consistent, and equitable manner. The mitigation of economic displacement will be considered complete when affected persons or communities have received compensation and other assistance according to the requirements of the Livelihood Restoration Plan and this Performance Standard, and are deemed to have been provided with adequate opportunity to reestablish their livelihoods.

IFC PS#7-1 states that Performance Standard 7 recognizes that Indigenous Peoples, as social groups with identities that are distinct from mainstream groups in national societies, are often among the most marginalized and vulnerable segments of the population. In many cases, their economic, social, and legal status limits their capacity to defend their rights to, and interests in, lands and natural and cultural resources, and may restrict their ability to participate in and benefit from development. Indigenous Peoples are particularly vulnerable if their lands and resources are transformed, encroached upon, or significantly degraded. As a consequence, Indigenous Peoples may be more vulnerable to the adverse impacts associated with project development than non-indigenous communities.

IFC PS#7-2 states that Private sector projects can create opportunities for Indigenous Peoples to participate in, and benefit from project-related activities that may help them fulfill their aspiration for economic and social development

IFC PS#7-2 states that the objective of PS#7 is to promote sustainable development benefits and opportunities for Indigenous Peoples in a culturally appropriate manner & to establish and maintain an ongoing relationship based on informed consultation and participation with the Indigenous Peoples affected by a project throughout the project's life-cycle & to ensure the Free, Prior, and Informed Consent (FPIC) of the Affected Communities of Indigenous Peoples when the circumstances described in this Performance Standard are present.

IFC PS#7-8 states that The client will identify, through an environmental and social risks and impacts assessment process, all communities of Indigenous Peoples within the project area of influence who may be affected by the project, as well as the nature and degree of the expected direct and indirect economic, social, cultural and environmental impacts on them.

IFC PS#7-9 states that adverse impacts on Affected Communities of Indigenous Peoples should be

avoided where possible. Where alternatives have been explored and adverse impacts are unavoidable, the client will minimize, restore, and/or compensate for these impacts in a culturally appropriate manner commensurate with the nature and scale of such impacts and the vulnerability of the Affected Communities of Indigenous Peoples. The client's proposed actions will be developed with the informed consultation and participation of the Affected Communities of Indigenous Peoples and contained in a time-bound plan, such as an Indigenous Peoples Plan, or a broader community development plan with separate components for Indigenous Peoples.

IFC PS#7-18 states that The client and the Affected Communities of Indigenous Peoples will identify mitigation measures in alignment with the mitigation hierarchy described in Performance Standard 1 as well as opportunities for culturally appropriate and sustainable development benefits. The client will ensure the timely and equitable delivery of agreed measures to the Affected Communities of Indigenous Peoples.

IFC PS#7-20 states that various factors including, but not limited to, the nature of the project, the project context and the vulnerability of the Affected Communities of Indigenous Peoples will determine how these communities should benefit from the project. Identified opportunities should aim to address the goals and preferences of the Indigenous Peoples including improving their standard of living and livelihoods in a culturally appropriate manner, and to foster the long-term sustainability of the natural resources on which they depend.

23. General:

IFC PS#1-3 states that Business should respect human rights, which means to avoid infringing on the human rights of others and address adverse human rights impacts business may cause or contribute to.

IFC PS#1 states that to ensure that grievances from Affected Communities and external communications from other stakeholders are responded to and managed appropriately.

IFC PS#1 states that to promote and provide means for adequate engagement with Affected Communities throughout the project cycle on issues that could potentially affect them and to ensure that relevant environmental and social information is disclosed and disseminated.

IFC PS#1-6 states that The client's policy provides a framework for the environmental and social assessment and management process, and specifies that the project will comply with the applicable laws and regulations of the jurisdictions in which it is being undertaken, including those laws implementing host country obligations under international law. The policy should be consistent with the principles of IFC Performance Standards.

IFC PS#1-GN#46 states that Companies should be mindful that agreements they negotiate with host governments, concessions, and similar entities not be drafted in a way that could interfere with the human rights of parties potentially affected by the project and the state's bona fide efforts to meet its human rights obligations. States fulfill their human rights obligations in part by passing and enforcing laws. When negotiating stabilization clauses in these contracts, companies should not propose to impose economic or other penalties on the State in the event that the State introduces laws that are of general application and reflect international good practice in areas such as health, safety, labor, the environment, security, non-discrimination, and other areas that concern business and human rights.

IFC PS#1-3 states that Contractors retained by, or acting on behalf of the client(s) (NEPCO, R.S.S, M.O.Env), are considered to be under direct control of the client and not considered third parties for the purposes of this Performance Standard 1.

IFC PS#1 states that when host country regulations differ from the levels and measures presented in the EHS Guidelines, projects are expected to achieve whichever is more stringent.

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

Yes

If yes, please list when the contact was made, how and with whom

many e-mails were sent since early May/2015. [REDACTED] Director Power & Energy Utilities.
[REDACTED] Principal Banker, Power & Energy Utilities. [REDACTED]

Please also describe any response you may have received

Just copying the client's false justifications without real investigations of the problems. all correspondences are with the

Have you contacted the Project Sponsor to try to resolve the harm caused or expected to be caused by the Project?

Yes

If yes, please list when the contact was made, how and with whom

since May 2015 till 29/07/2015 through e-mails & meeting. [REDACTED]



Please also describe any response you may have received.

As said above

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

We have contacted EBRD & the client many times.

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

EBRD just took the client's false justifications, copied it & sent it to us without investigating the client's severe violations in all aspects. We believe that EBRD will assess & review our complaints & they act transparent & accountable & respect human rights any where in the world.

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).

all complaints are included as shown above & had been sent to EBRD since early May/2015 & we met with your representatives on 29/07/2015 at EBRD offices in Jordan & they asked us to send the complaint via the electronic form.

Are you seeking a Compliance Review where the PCM would determine whether the EBRD has failed to comply with its Relevant Policies?

Yes

Are you seeking a Problem-solving Initiative where the PCM would help you to resolve a dispute or problem with the Project?

Yes

What results do you hope to achieve by submitting this Complaint to the PCM?

The client should implement ESMMP through out the operation phase to comply with IFC standard performance & with involvement of the local affected communities as required by IFC standards & take the required corrective environmental & social measures to solve these impacts.

EBRD SECURITY NOTICE

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