

COMPLAINTS: Belgrade Public Transport and Traffic Infrastructure Project

REQUEST NUMBERS: 2017/06 and 2017/08

ELIGIBILITY ASSESSMENT REPORT – October 2017

The Project Complaint Mechanism (PCM) is the accountability mechanism of the EBRD. PCM provides an opportunity for an independent review of Complaints from one or more individual(s) or organisation(s) concerning an EBRD Project, which allegedly has caused, or is likely to cause harm. PCM may address Complaints through two functions: Compliance Review, which seeks to determine whether or not the EBRD has complied with its Environmental and Social Policy and/or the Project-specific provisions of the Public Information Policy; and Problem-solving, which has the objective of restoring a dialogue between the Complainant and the Client to resolve the issue(s) underlying a Complaint without attributing blame or fault. Affected parties can request one or both of these functions.

For more information about PCM, contact us or visit www.ebrd.com.

Contact information

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 <http://www.ebrd.com/work-with-us/project-finance/project-complaint-mechanism.html>

How to submit a Complaint to the PCM

Complaints about the environmental and social performance of the EBRD can be submitted by email, telephone or in writing at the above address, or via the online form at:

 <http://www.ebrd.com/work-with-us/project-finance/project-complaint-mechanism/submit-a-complaint.html>

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Unless otherwise indicated capitalised terms used in this report are those as set forth in the PCM Rules of Procedure.

EXECUTIVE SUMMARY

The Project Complaint Mechanism (PCM) received two Complaints raising concerns about the adequacy of public consultations as well as planned design relating to the redevelopment of Slavija Square in Belgrade. The redevelopment of Slavija is connected with the EBRD-financed Belgrade Public Transport and Traffic Infrastructure Project.

The Eligibility Assessors have determined that the Complaints are eligible for a PSI in accordance with the PCM Rules of Procedure (PCM RP), specifically paragraphs 24-26 and 28-29. The Complaint:

- has been filed within prescribed timeframes;
- describes the PCM functions requested;
- describes the outcomes sought;
- provides adequate information relating to communications with the Bank and Client;
- raises issues that are appropriate for a PSI and the Eligibility Assessors consider that a PSI is likely to have a positive effect;
- is not disqualified under any criteria set forth in paragraph 28 of the PCM RP.

In accordance with the PCM RP, the PCM has reviewed the Complaints together, given that the substance of the Complaints is reasonably related.

The PCM Eligibility Assessors find that the two Complaints satisfy the criteria for a Problem-solving Initiative.

I. BACKGROUND

1. On 10 May 2016 the PCM received two Complaints in relation to the EBRD's Belgrade Public Transport and Traffic Infrastructure Project in Serbia.¹ The first Complaint (2017/06) was submitted by Pravo na grad (Right to the city) and the second (2017/08) by Ulice za bicikliste (Streets for cyclists), each a civil society organisation in Belgrade. Both Complaints requested that a Problem-solving Initiative (PSI) be undertaken by the PCM.
2. The Complaints were suspended in order to afford an opportunity for the Bank and Client to address the concerns raised. The Complainants were informed about the PCM Officer's decision to suspend the registration to afford such an opportunity.²
3. At the time the Complaints were first received, PCM understood that implementation of the Project was delayed. In August 2017 PCM was informed by Bank staff that the Client had engaged in discussions with the Complainants in spring/summer 2017. Accordingly, in August 2017, the PCM Officer contacted the Complainants to verify whether they were satisfied with the outcome of their discussions with the Client. They reported that their concerns had not been addressed, and they requested that the PCM register their Complaints.
4. The first Complaint was registered by the PCM Officer on 4 September 2017 and the second on 14 September 2017, in accordance with paragraphs 11-13 of the PCM Rules of Procedure. The two Complaints were subsequently posted in the PCM Register pursuant to paragraph 20 of the PCM RP.
5. Given that the two Complaints raise substantively similar issues and relate to the same Bank Project with the same Client, the PCM decided to review the Complaints together in accordance with paragraph 64 of the PCM RP.
6. On 15 September 2017 Mr Constantin-Adi Gavrilă was appointed as an *ad hoc* PCM Expert to conduct the Eligibility Assessment for the Complaints jointly with the PCM Officer, in accordance with paragraph 22 of the PCM RP.
7. The Belgrade Public Transport and Traffic Infrastructure Project involves a loan of EUR 57 million awarded in November 2011 to the City of Belgrade ("Original Loan") extended by additional EUR 30 million in July 2013 ("First Loan Extension") to co-finance key investments needed to complete the City's transport and traffic management programme.
8. The loan proceeds are used to renovate the tram tracks in central Belgrade to allow for the new trams to operate on the tram lines. The project is also including the City's main roads renewal and extension to secure a better and safer traffic flow in the City of Belgrade, including also the procurement of 30 new trams to be operated on refurbished tram tracks.
9. Through this project, the Bank expects to contribute to the completion of Belgrade's transport and traffic management programme. The new phase of this Project was approved by the

¹ Complaints Number 2017/06 and 2017/08 are available at <http://www.ebrd.com/work-with-us/project-finance/project-complaint-mechanism/pcm-register.html> and annexed to this report.

² Paragraph 15 of the PCM RPs states: "If...the PCM Officer decides not to register a Complaint due to failure of the Complaint to meet one or more of the Registration criteria of Paragraphs 11-13 and if, in the opinion of the PCM Officer, this failure can be remedied, the PCM Officer will so notify the Complainant or its Authorised Representative. The PCM Officer will then suspend the Registration decision and allow the Complainant a reasonable opportunity to correct the failure and resubmit the Complaint."

EBRD Board of Directors on 5 July 2017, as a category B project under the 2014 Environmental and Social Policy.³

II. STEPS TAKEN IN THE ELIGIBILITY ASSESSMENT

10. The Eligibility Assessors have undertaken a general examination of the Complaints, as well as documents and information provided by the Complainants, EBRD Management and the Client, to determine if the eligibility criteria set out in the PCM RP are satisfied.
11. In-country consultations were undertaken by the PCM Officer and the PCM Expert during September and October 2017. The Eligibility Assessors held separate meetings with the Complainants and the Client, and one joint meeting was held with both parties.

III. SUMMARY OF THE RELEVANT PARTIES' VIEWS

1. Complainants

12. The Complainants allege that the redevelopment of Slavija Square would have a negative effect on the city of Belgrade and its citizens in terms of accessibility, mobility and ecological conditions. In summary, the Complainants assert that:
 - The proposed Slavija Square design places pedestrians in a subordinated position while facilitating the use of cars, which is contrary to modern day policies.
 - Although aiming to improve the conditions of Belgrade's infrastructure and resolve traffic problems in the city centre, the Complainants believe that the redevelopment plan would not resolve the traffic congestion issues and would, in fact, worsen the situation.
 - The Complainants assert that the public was not given an appropriate chance to express their opinion on the proposed solution in the official town planning procedure.
 - According to Complainants, the new plan comprises the removal of all pedestrian crossings from Slavija Square, affecting 70 - 80 thousands pedestrians a day.
 - Due to the removal of the pedestrian crossings from the Slavija Square, pedestrians will have to walk a 1km-long detour to cross from one side to the other, and in total some seven times the current distance.
 - The Complainants assert that the removal of pedestrian crossings from Slavija Square was publicly criticized by residents of Belgrade, including by experts in this area who claim that the proposed solution would have a negative effect on pedestrians and would not solve the traffic congestion issues.
 - The public critiques argued that, in contrast to the proposed design of Slavija, that the current positive practice in modern cities is to encourage the expansion of ecological means of transportation.

³ Project Summary Document for Belgrade Public Transport and Traffic Infrastructure Project, available at: <http://www.ebrd.com/work-with-us/projects/psd/belgrade-public-transport-and-traffic-infrastructure.html>

- Complainants believe that by the creation of more favourable driving conditions through Slavija Square, even more drivers would be encouraged to use that route creating even more congestion, noise and pollution.
- Complainants state that they are not against the redevelopment of Slavija Square, but are against the moving of pedestrian crossings and they hope for the EBRD support in mediating this problem.⁴

13. Meetings with the two Complainants were held to:

- Understand the Complainants' general experience with the City of Belgrade activities, including positive impacts as well pending concerns;
- Explore, in general terms, the underlying concerns of the Complainants;
- Clarify what the PCM functions are, and in particular what PSI can and cannot achieve in order to manage expectations;
- Survey Complainants views about whether a PSI might be helpful (or not), and assess interest in pursuing a constructive dialogue; and
- Discuss Complainants' views on the content of an eventual Framework Agreement that would serve as a guide for a constructive dialogue process.

14. Meetings with the Client were held to ensure understanding of the PCM process and to gauge their interest in engaging in dialogue with the Complainants. Client input into a Framework Agreement was also discussed.

15. On 26 October 2017 a joint meeting was held between the Complainants and the Client. In that meeting, the parties agreed to a Framework Agreement and shared their perspectives on the issues raised in the Complaints.

2. Bank Management

16. In a written response to the two Complaints, the EBRD Management indicated that they have no objection to the PCM facilitating a problem-solving initiative to help address the issues raised by the Complainants. The Bank clarified that the refurbishment and reconstruction of Slavija Square in Belgrade is part of a programme of upgrades to the City's public transport network and central boulevards that is being financed by EBRD under a loan originally signed in 2011. This project is helping to renew the tram fleet, improve the safety and accessibility of public transport and enable road traffic to flow more smoothly.

17. In its response to the Complaint, Bank Management stated that the refurbishment of Slavija Square is intended to reduce congestion at a major traffic interchange point and will improve the visual impact of the square.

18. The Bank indicated that the works included repositioning pedestrian crossing points on some of the approach roads to better align with public transport stops. Management agreed that the Slavija Square redesign would result in increased walking distances for some pedestrian routes around the square but the overall layout of the area would remain similar to the current scheme, which also requires pedestrians to walk around the perimeter.

⁴ Please refer to Complaints Number 2017/06 and 2017/08 available at <http://www.ebrd.com/work-with-us/project-finance/project-complaint-mechanism/pcm-register.html> and annexed to this report.

19. Bank Management indicated that the banking team initiated a meeting between the City of Belgrade and the Complainants to discuss the issues raised, and the Bank's understanding was that those discussions were productive.
20. Finally, Bank Management expressed their hope that the problem-solving initiative lead by the PCM would enable an amicable resolution.⁵

3. The Client

21. The PCM Officer informed the Client about the registration of the Complaints and invited them to provide a response. In discussions with the Client in September and October 2017 the Client indicated a willingness to participate in problem-solving under the auspices of the PCM.⁶ The Client further explained that the design of Slavija followed applicable public consultation and professional analysis leading to the decision for an optimum design solution.

IV. DETERMINATION OF ELIGIBILITY FOR A PROBLEM-SOLVING INITIATIVE

22. The Eligibility Assessors have examined the two Complaints to determine whether the relevant eligibility criteria are met under paragraphs 24-26 and 28 of the PCM RP, and considered the response of Bank Management as well as the expressed views of the Client in accordance with paragraph 29 of the PCM RP.
23. PCM has also sought additional information and documentation from the Complainants, Bank staff (in particular, the Banking and Environment and Sustainability Departments) and the Client, and conducted two missions to Serbia in September and October 2017.
24. Pursuant to paragraph 24 of the PCM RP, the Eligibility Assessors do not judge the merits of the allegations in the two Complaints and do not make a judgement regarding the truthfulness or correctness of the Complaints in making their determination on eligibility.
25. The Eligibility Assessors have determined that the eligibility criteria for a Problem-solving Initiative as set out in paragraph 24(a) of the PCM RP are satisfied:
 - The Complainants are resident in Belgrade and are impacted by the EBRD Project;⁷ and
 - The Complaints raise issues covered by the EBRD's 2014 Environmental and Social Policy, namely information disclosure and stakeholder engagement as described in Performance Requirement 10.
26. The Eligibility Assessors have also determined that the criteria outlined in paragraph 25 of the PCM RP have been met:
 - The Complainants have expressed their desire for PCM to undertake a Problem-solving Initiative.

⁵ Bank Management Response dated 19 September 2017 available in annex to this report.

⁶ Meeting with the Client in Belgrade held on 25 September 2017.

⁷ In accordance with paragraph 1 of the PCM RPs: "One or more individual(s) located in an Impacted Area, or who has or have an economic interest, including social and cultural interests, in an Impacted Area, may submit a Complaint seeking a Problem-solving Initiative."

- In regards to the first Complaint, the outcomes sought pursuant to a PCM process are described as follows:

Putting the pedestrian crossings back on the square would be a first step towards the expected positive outcome of the Complaint. In succession, we hope that EBRD will not support this undemocratic and environmentally hostile project and in turn help mediate its course towards more sustainable solutions that will respect the future of the city of Belgrade and all of its citizens. We believe that the Project needs to be revised, this time putting the accent on accessibility and sustainability. The solution for the Slavija square traffic should be found considering wider perspective and should be in accordance with modern city policies hence facilitating the flow of pedestrians, cyclists and public transportation systems. This approach should allow for all the actors to be involved in the decision making process, since many of them have already showed (<http://www.imamoplan.com/projekti/slavija-bez-sina/>).⁸

- And in regards to the second Complaint:

We would like to have pedestrian crossings positioned like now, on the square. Whether it is going to be through direct negotiation with the City supervised by EBRD, or EBRD will present our concerns and demands to the City of Belgrade, it is up to you to decide. Though, we think that is necessary to have you involved in the negotiation from the very start and through all the process, or otherwise we think that initiative doesn't have the chance to be accepted.⁹

- Complainants have submitted copies of their correspondence with the Bank and the Client and other relevant documents related to the Complaint.

27. Pursuant to paragraph 26 of the PCM RP, the Eligibility Assessors must also consider whether a PSI may assist in resolving the dispute, or is likely to have a positive result. The Eligibility Assessors consider that a PSI is appropriate and may lead to effective outcomes for both parties.. Several factors inform this conclusion:

- A Problem-solving Initiative lead by the PCM will not duplicate, interfere with or be impeded by any other process brought by the same Complainants.
- The Relevant Parties have sufficient incentives to engage in dialogue.
- Both parties share mutual interests, for example in ensuring that improvements to Slavija Square and other infrastructure developments achieve the desired outcomes, and that relevant information about infrastructure development in Belgrade is accessible and transparent to the public.

28. Pursuant to paragraph 28 of the PCM RP, the Eligibility Assessors have found that the two Complaints were not filed fraudulently or for a frivolous purpose, and that their primary purpose is not to seek competitive advantage through the disclosure of information or through delaying the Project. Further, the Complaints have not been addressed by the mechanism of another co-financing institution, and they do not relate to the obligations of a third party.

⁸ Refer to the 1st Complaint in annex to this report.

⁹ Refer to the 2nd Complaint in annex to this report.

V. CONCLUSION

29. On the basis of the information set out above, the Eligibility Assessors have found that the Complaints satisfy the eligibility criteria for a Problem-solving Initiative.

TERMS OF REFERENCE FOR A PROBLEM-SOLVING INITIATIVE

Complaints on Belgrade Public Transport and Traffic Infrastructure Project Requests: 2017/06 and 2017/08

Application

1. These Terms of Reference apply to any activity or action undertaken as part of the Problem-solving Initiative (PSI), which includes the promotion of a facilitated dialogue among the parties to discuss the issues raised in the Complaint, without attributing blame or fault.¹⁰
2. Activities carried out as part of the PSI and subject to these Terms of Reference are subject to modifications which the Problem-solving Expert and the PCM Officer may, at any time, expressly agree upon, except modification that may prejudice the interests of any Relevant Party or is inconsistent with accepted dispute-resolution practice.¹¹

Problem-solving Expert

3. The Problem-solving Expert shall conduct the PSI in a neutral, independent and impartial manner and will be guided by principles of objectivity and fairness giving consideration to the needs, concerns and interests of the Relevant Parties.

Time Frame

4. The PSI will commence as soon as practicable following the President's decision to accept the Eligibility Assessors' recommendation to undertake a PSI.
5. Every effort shall be made to ensure that the PSI is conducted as expeditiously as circumstances permit. It is intended that the first stage of the process, including capacity-building and facilitated discussions among the Relevant Parties, will be completed within 45 calendar days. It is understood that the time for subsequent stages will be guided by the requirements of the process. The PSI will be considered completed when the Relevant Parties reach an agreement, if one of the Parties no longer wishes to continue in the process, or when, in the opinion of the Problem-solving Expert, no further progress toward resolution is possible, as per paragraph 37 of the PCM RP.

Procedure: Conduct of the Problem-solving Initiative

6. The Problem-solving Expert may conduct the PSI in such a manner as he/she considers appropriate, according to the work plan that has been discussed and agreed to by the parties, and taking into account the PCM RP, the concerns expressed in the Complaints, and the general circumstances of the Complaints. The Expert will employ such methods as he/she deems necessary including facilitated information-exchange, mediated bilateral and joint discussions and conciliation.

¹⁰ The problem-solving function of the PCM is described in the Rules of Procedure as having "the objective of restoring a dialogue between the Complainant and the Client to resolve the issue(s) underlying a Complaint without attributing blame or fault."

¹¹ European Code of Conduct for Mediators:
http://ec.europa.eu/civiljustice/adr/adr_ec_code_conduct_en.pdf.

7. During the course of the PSI the Problem-solving Expert may:
 - a. Organize the dialogue process;
 - b. Develop an agreed work plan and framework agreement for the process, in consultation with the Complainants and the Client;
 - c. Finalize objectives for the dialogue process and agendas with input from all parties;
 - d. Seek to ensure a productive working environment where parties can explore creative options;
 - e. Facilitate solutions as described by the different stakeholders and initiate and guide the PSI process;
 - f. Document and publish process results and agreements, as appropriate and in consultation with the parties;
 - g. Treat all parties with respect and assure a fair and balanced process where parties can make informed choices.

Note: It is not the role of the Problem-solving Expert to decide whether parties' actions, opinions or perceptions are right or wrong or to arbitrate in favour of one of the parties.

Problem-solving Completion Report

8. In accordance with paragraph 37 of the PCM RP, the Problem-solving Expert shall prepare a Completion Report. The Report will describe the issues raised in the Complaints; the methods used during the PSI; and the results of the PSI including any issues that remain outstanding. The Report will also identify the need for any follow-up monitoring and reporting by the PCM Officer.
9. Prior to publicly releasing the Problem-solving Completion Report, the PCM Officer will verify with all Relevant Parties that they agree to the content as well as public release of the Report and that there are no confidentiality concerns raised.
10. The Completion Report shall be distributed to the Relevant Parties, the President and the Board of Directors for information, and publicly released in accordance with paragraph 38 of the PCM RP.
11. In accordance with paragraph 39 of the PCM RP, the PCM Officer will monitor the implementation of any agreements reached during the PSI. The PCM Officer will submit draft PSI Monitoring Reports to the Relevant Parties who will be given reasonable opportunity to comment on such Reports. If the PCM Officer receives comments from the Relevant Parties, the PCM Officer will have five (5) Business Days from the day the last comments are received to finalise the Report and will send the final Report to the President and to the Board. Within five (5) Business Days thereafter, the PSI Monitoring Report will be publicly released and posted on the PCM website. The PCM Officer will issue PSI Monitoring Reports at least biannually or until the PCM Officer determines that monitoring is no longer needed.

Exclusion of Liability

12. Without prejudice to the privileges and immunities enjoyed by PCM Experts, the Problem-solving Expert shall not be liable to any party for any act or omission in connection with any PSI activities undertaken pursuant to these Terms of Reference.

ANNEX 1:
FIRST COMPLAINT

Project Complaint to PCM

Date/Time

10/05/2016 14:56

Name/Organisation

Udruženje građana "Pravo na grad" (Right to the city - Belgrade)

Address

[REDACTED]

Country

SERBIA

Phone number

[REDACTED]

Email

[REDACTED]

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

No

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

n/a

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.

42809 - Belgrade Public Transport and Traffic Infrastructure

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

Realization of this Project will have a negative effect on the city of Belgrade and its citizens in terms of accessibility, mobility and ecological conditions.

The proposed solution is putting the pedestrians in a highly subordinated position while facilitating the use of cars, which is contrary to modern day policies.

Although it is aiming to improve the conditions of the city infrastructure and resolve the traffic problems in the Belgrade city center, we believe that the Project, implemented in the announced way, will not resolve these issues and will, in fact, worsen the situation.

The public was not given a chance to express the opinion about the proposed solution in the official town planning procedure.

Detailed description:

The plan, approved by the authorities of the City of Belgrade, will allow the complete removal of

any pedestrian crossing from the Slavija Square, ignoring the fact that this Square is being used by 70 - 80 thousands of pedestrians on a daily basis. Pedestrians will in turn be pointed to a 1 km long detour as an only solution for crossing from one side of the Square to another. This distance is almost 7 times longer than present day distance (the Slavija Square radius measures 100m).

The act of removing pedestrian crossings from the Slavija square was publicly criticized by many respectable experts, claiming that the proposed solutions will have an extremely negative effect on pedestrians while not solving the traffic congestion issues. The critiques were also accentuating the fact that the worldwide positive practice sees the cities being reclaimed by pedestrians, with special efforts being invested in the expansion of ecological means of transportation. This Project is offering something completely opposite. Relocating the pedestrian traffic with the aim of allowing the faster motor-traffic flow, as proved by the world wide experience, brings only a temporary solution to the traffic congestion problems. Falsely perceived as a more accessible, it will attract even more cars in the near future.

(<http://www.novosti.rs/vesti/beograd.74.html:597972-Kilometar-peske-oko-Slavije>)

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

No

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

n/a

Please also describe any response you may have received

n/a

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

No

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

n/a

Please also describe any response you may have received.

n/a

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

The approved Project was not part of the public debate as it was product of the decisions made during the closed session of the official town planning procedure. The version put out for public hearing and commenting was proposing to solve the pedestrian circulation through the construction of underground passageways. Previously, underground passageways were the mandatory element of the public architecture competition organized by the City of Belgrade in 2012 (<http://www.superprostor.com/rezultati-konkursa-za-slaviju/3900>). The public saw this solution as non-modern and expensive. As a result, the decision was made to give up on underground passageways, but hold on to all the other elements of the Project. Citizens of Belgrade were informed about these facts through the media reports.

(<http://www.novosti.rs/vesti/beograd.74.html:535598-Slavija-bez-podzemnih-prolaza>) This new solution was not put for public to consultations, although repeating of that process is allowed and

encouraged by Serbian urban planning legislation for all the situations that include the major changes in the previously exhibited plans. In this process, the pedestrians were treated as a collateral damage and not as (at least) an equal partaker of the city life.

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

/

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).

The final form of the Project was not open for the Belgrade citizens to show their opinion and was never part of the public debate. As explained in the step 2 of this form, the version of the Project presented to the citizens through the official town planning procedure was proposing a very different solution for the circulation of pedestrians, than the one that was presented as final. In turn, City of Belgrade officials chose not to repeat the process and ask for its citizens to participate in this Project of great importance, although this possibility is in accordance with Serbian laws and regulations.

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

No

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?

Putting the pedestrian crossings back on the square would be a first step towards the expected positive outcome of the Complaint. In succession, we hope that EBRD will not support this undemocratic and environmentally hostile project and in turn help mediate its course towards more sustainable solutions that will respect the future of the city of Belgrade and all of its citizens. We believe that the Project needs to be revisioned, this time putting the accent on accessibility and sustainability. The solution for the Slavija square traffic should be found considering wider perspective and should be in accordance with modern city policies hence facilitating the flow of pedestrians, cyclists and public transportation systems. This approach should allow for all the actors to be involved in the decision making process, since many of them have already showed (<http://www.imamoplan.com/projekti/slavija-bez-sina/>).

SECOND COMPLAINT

Project Complaint to PCM

Date/Time

10/05/2016 19:16

Name/Organisation

Udruženje građana "Ulice za bicikliste" (Streets for cyclists)

Address

[REDACTED]

Country

SERBIA

Phone number

[REDACTED]

Email

[REDACTED]

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

No

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

n/a

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.

Reconstruction of carriageway and tramway tracks on Slavija Square and Boulevard Oslobođenja 1NR (EBRD)/16

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

As we found out from the media headlines, plan of authorities of City of Belgrade is to totally move all pedestrian crossing from the Slavija square, which would discourage pedestrians from walking on square at all. Planned detour would be several times longer than existing one with pedestrian crossings located on square. Just to pass from Beogradska street to Makenzijeve street you would need 200 meters longer walking distance, and there are five more streets which enter the square, which in worst scenario gives 1 km longer walk to get from one side of square to other. Just to get you real dimension of the problem, radius of square is 100 meters, which gives us longest walking distance of 150 meters if pedestrian crossings stay where they are.

Respectable experts from the field of traffic planning publicly criticized approach with moving of pedestrians from the square and claimed that problem will still exist with the volume of traffic, only the pedestrians will be forced to walk longer distances. They also criticized the idea of moving pedestrians from square, because in worldwide practice we can see totally opposite

approach of pedestrianizing of squares and calming of traffic, like in Paris for example.

Having in mind that average walking distance in vast majority of cities is 2 km, we think that it is sufficient evidence that pedestrians would be discouraged if their route is 1 km longer than it used to be. Change from healthier mode of transport towards one which makes more congestion, stress and pollution is not welcome in the modern society. It is proven that faster flow of traffic will only solve problem temporary, only till more car drivers get the idea to use that route and make more congestion which again brings more noise and pollution.

Expert suggested closing of some streets on Slavija square for private cars and leaving only public transport, cycling and walking. That is only sustainable solution for congestion in city centers around the world. We sincerely hope that EBRD will not support this undemocratic and environment hostile move of authorities of City of Belgrade. We are not against the reconstruction, but against moving of pedestrian crossings and we hope that EBRD will manage to mediate this problem.

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

No

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

n/a

Please also describe any response you may have received

n/a

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

No

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

n/a

Please also describe any response you may have received.

n/a

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

There are two reasons: a) As you probably know, initial project for reconstruction of Slavija square considered underground pedestrian passages instead of ones on surface. After that idea was rejected by the City of Belgrade because the lack of funds or public pressure, we had no public inspection or any other way to participate or complain for the new solution. City government intentions were only announced in the press:

<http://www.novosti.rs/vesti/beograd.74.html:535598-Slavija-bez-podzemnih-prolaza> b)

Respected urbanists, planners and traffic engineers publicly criticized this changes which discriminate pedestrians but City government showed no interest for dialogue. We can provide links to the articles on web <http://www.novosti.rs/vesti/beograd.74.html%3A597972-Kilometar-peske-ok-Slavije>

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

n/a

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).

n/a

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

No

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?

We would like to have pedestrian crossings positioned like now, on the square. Whether it is going to be through direct negotiation with the City supervised by EBRD, or EBRD will present our concerns and demands to the City of Belgrade, it is up to you to decide. Though, we think that is necessary to have you involved in the negotiation from the very start and through all the process, or otherwise we think that initiative doesn't have the chance to be accepted.

ANNEX 2:

BANK MANAGEMENT RESPONSE TO THE COMPLAINTS

EBRD management has no objection to the PCM facilitating a problem solving initiative to help address the issues raised by the complainants. The refurbishment and reconstruction of Slavija Square in Belgrade is part of a programme of upgrades to the City's public transport network and central boulevards that is being financed by EBRD under a loan originally signed in 2011. This project is helping to renew the tram fleet, improve the safety and accessibility of public transport and enable road traffic to flow more smoothly.

The refurbishment of Slavija Square is intended to reduce congestion at a major traffic interchange point and will improve the visual impact of the square. This work includes repositioning pedestrian crossing points on some of the approach roads to better align with public transport stops. This will result in increased walking distances for some pedestrian routes around the square but the overall layout of the area will remain similar to the current scheme, which also requires pedestrians to walk around the perimeter. The EBRD banking team has previously instigated a meeting between the City and the complainants to discuss these issues and we had understood that these discussions were productive. We hope that the problem solving initiative will enable an amicable resolution of this matter.