

CALL for EBRD to condemn retaliation against civil society

19 December 2018

Dear President Chakrabarti,

We, the undersigned 44 civil society organizations, request the EBRD publicly uphold respect for human rights, and condemn any form of retaliation against civil society and project stakeholders in the Bank's operations.

The International Finance Corporation has recently released a statement expressing intolerance of any action by an IFC client, which amounts to retaliation- including threats, intimidation, harassment, or violence. This is an important step, not only to minimize risk in project implementation, but also to ensure that stakeholders are able to engage freely and safely with the IFC and its clients to ensure positive project outcomes.

The space for civil society is rapidly shrinking across the world. This is especially true in the countries of EBRD operations, where crackdowns on freedom of expression, association, and assembly threaten the very existence of independent civil society. Given the EBRD's unique Article 1 mandate to support democracy and pluralism, we request that you institutionalize the EBRD's intolerance of retaliation against civil society and project stakeholders with a written public statement.

A public statement of intolerance of any form of retaliation, including harassment, threats, violence, or intimidation, would be an important step in raising awareness amongst potential clients. Summary of this statement should also be included in the scope of project related documents and in contracts with clients.

To avoid and mitigate potential risk of retaliation, the EBRD must develop internal guidance on integrating assessment of such risk into its project assessment procedures. This would involve analysis of the political and economic operating context, and awareness raising among Bank and client management. As a key part of such guidance, the Bank should require that the client proactively disclose and advertise the project grievance mechanism and the EBRD Project Compliance Mechanism during all stakeholder engagement activities and in prominent locations at the project site.

Further, the Project Compliance Mechanism of the EBRD should develop its own guidance for avoiding, mitigating, and managing retaliation and reprisals. This involves developing appropriate guidance on handling confidential cases, managing site visits, and a protocol for management's involvement in case of reprisals.

We value the EBRD's commitment to ensure civil society and project stakeholders are able to engage freely with clients and project operators. Developing a statement regarding reprisals will

not only promote respect for human rights and support EBRD's Article 1 commitments, but also lead to more positive project outcomes. We look forward to your response on this issue.

Sincerely,

Accountability Counsel (USA)
Association UMDPL (Ukraine)
Austrian Helsinki Association Sigma (Austria)
Bankwatch CEE (International)
BIC Europe (International)
Both ENDS (International)
Bulgarian Helsinki Committee (Bulgaria)
Center for the Development of Democracy and Human Rights (Russia)
Center for Participation and Development (Georgia)
Center for Civil Liberties (Ukraine)
NGO Committee Against Torture (Russia)
Counter Balance (International)
Crude Accountability(USA)
Freedom Now (International)
Focus Association for Sustainable Development (Slovenia)
Forest Peoples Programme (UK)
Helsinki Committee of Armenia (Armenia)
Helsinki Citizens' Assembly-Vanadzor (Armenia)
HRM Bir Duino (Kyrgyzstan)
Human Rights Center of Azerbaijan (Azerbaijan)
Human Rights Club (Azerbaijan)
Human Rights Matter (Germany)
Human Rights Monitoring Institute (Lithuania)
humanrights.ch (International)
International Accountability Project (International)
International Partnership for Human Rights (International)
Kazakhstan International Bureau for Human Rights and the Rule of Law (Kazakhstan)
KRF Public Alternative (Ukraine)
Legal policy research center (Kazakhstan)
Macedonian Helsinki Committee (Macedonia)
Mirvari Gahramanli (Azerbaijan)
Netherlands Helsinki Committee (Netherlands)
Norwegian Helsinki Committee (Norway)
Phenix Center for Economic and Informatics Studies (Jordan)
Promo LEX (Moldova)
"Protection of rights without borders" (Armenia)
Public Verdict (Russia)
Rivers without Boundaries International Coalition (International)
SOLIDARUS e.V. (Germany)
The Swedish OSCE-network (Sweden)

Urgewald (Germany)

“Women's International League for Peace and Freedom” (Switzerland)

Women of the Don (Ukraine)

ZARA – Zivilcourage und Anti-Rassismus-Arbeit (Austria)