

Redress



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Mechanism

Independent Redress Mechanism

Grievances and Complaints

Eligibility Determination

GCF Project FP039: GCF-EBRD Egypt Renewable Energy Financing Framework

IRM Case C-0009-Egypt

09 December 2022

Eligibility Determination

The Terms of Reference (TOR)¹ and the Procedures and Guidelines (PGs)² of the Independent Redress Mechanism (IRM) set out how the IRM deals with grievances or complaints from a person, group of persons, or community who have been, or may be affected by the adverse impacts of a GCF funded project or programme. Once a grievance or complaint is received and registered by the IRM, the PGs require the IRM to determine if the grievance or complaint meets the eligibility criteria set out in paragraphs 20 – 21 and 23-24 of the PGs of the IRM. It is to be noted that this determination is procedural, and that it does not represent a judgement on the merits or the substance of the case.

SUMMARY OF ELIGIBILITY DETERMINATION

For reasons substantiated in greater detail in this document, the IRM determines that this complaint is **eligible** under the IRM's TOR and PGs.

BACKGROUND

On 8 November 2022, the IRM received a communication via email submitted by a former employee of a company that had been contracted to work in the Benban Solar Park in Egypt. On reviewing the submission, the IRM acknowledged the complaint on 11 November 2022.

The complaint relates to GCF funded project/programme FP039, "GCF-EBRD Egypt Renewable Energy Financing Framework." The Accredited Entity for this programme is the European Bank for Reconstruction and Development (EBRD). The programme is intended to support the construction of 8-12 renewable energy projects with an aggregate capacity of 600MW and to support the planning and integration of renewable energy through technical assistance.

FP039 was approved at the 16th meeting of the GCF Board on 06 April 2017. As of the date of this eligibility determination, the programme is under implementation. FP039 was originally estimated to be completed by September 2022 but as of this report, it is still marked as under implementation.

The complainant alleges arbitrary dismissal, failure to disclose information related to workers' rights and failure to consistently provide social insurance to workers. The complainant also alleges facing retaliation and unfair dismissal as a result of their requests and actions to get their grievances addressed. The complainant was most recently employed by the company, Health and Safety Home, a company contracted as the general co-ordinator for various projects in the BenBan Solar Park. The complainant held the position of community liaison officer and stated that they had worked on various projects in the BenBan Solar Park, including the sub-project, Kom Ombo Solar project, among others.

¹ Available at: <https://irm.greenclimate.fund/document/irm-tor>

² Available at: <https://irm.greenclimate.fund/document/2019-procedures-and-guidelines-irm>

³ For more information on this Project, visit the GCF's website at: <https://www.greenclimate.fund/project/fp039>

During the phase of eligibility determination, the IRM obtained further information from the complainant. Based on the information gathered by the IRM, the IRM *prima facie* concludes that the eligibility criteria, as set out in more detail below, are met.

ELIGIBILITY CRITERIA

The IRM examined the eligibility of the complaint against the eligibility criteria set out in paragraphs 20-21 and 23-24 of the PGs of the IRM. The primary eligibility criteria and the IRM's *prima facie* findings in relation to these criteria are set out in the table below.

Criterion	Does the grievance or complaint meet the criterion?	Reason(s)
Was the grievance or complaint filed by a person, group of persons, community (or any duly authorised representative of the aforementioned groups) who have been or may be affected by the adverse impacts of a GCF funded project or programme?	Yes	The complainant was employed by a company contracted to work on various projects in the BenBan Solar Park, namely the Kom Ombo Solar Project, among others. Based on a review of GCF documentation, the above mentioned sub-project was the recipient of GCF-EBRD blended debt financing.
Was the grievance or complaint submitted to the IRM before whichever	Yes	The complaint was submitted on 08 November 2022.

<p>is the later of the following two dates:</p> <p>(a) Two years from the date the complainant becomes aware of the adverse impacts referred to in paragraph 20 of the PGs; or</p> <p>(b) two years from the closure of the GCF funded project or programme.</p>		<p>At the time of submission, the project was under implementation, and 4 disbursements had been made. The complaint was accordingly submitted to the IRM before the later of the dates mentioned in paragraph 23 of the IRM's PGs.</p>
<p>Does the grievance or complaint fall into any one or more of the exclusions listed in paragraph 24 of the PGs?</p>	<p>No</p>	<p>None of the exclusionary criteria appears to be triggered by this complaint.</p>

ELIGIBILITY DETERMINATION

For the reasons stated above, the IRM determines that this complaint is **eligible** under the IRM's TOR and PGs. The IRM will now engage with the complainant and other stakeholders to further evaluate the issues in the complaint, and to provide further information on the next steps and options available with regard to processing the complaint. For further information on the process that the IRM will follow, please refer to paragraph 36 of the PGs.

[Signed]

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