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CONSULTATION AND INVESTIGATION MECHANISM

**MICI-BID-HA-2017-0114**

**PETITION FOR AN EXTENSION  
OF THE CONSULTATION PHASE MONITORING TIME FRAME**

**PRODUCTIVE INFRASTRUCTURE PROGRAM**

**(HA-L1055, HA-L1076, HA-L1081, HA-L1091)  
(2552/GR-HA, 2779/GR-HA, 3132/GR-HA, 3384/GR-HA, 5390/GR-HA)**

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**FROM:** Andrea Repetto, MICI Director

**REQUEST:** MICI-BID-HA-2017-0114 regarding the Productive Infrastructure Program (HA-L1055, HA-L1076, HA-L1081, HA-1091)

**DATE:** 3 October 2023

**SUBJECT:** **Petition for an extension of the Consultation Phase monitoring time frame – Rationale and new term limit**

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Dear Board of Executive Directors:

Pursuant to paragraphs 35 and 59 of the MICI-IDB Policy (document MI-47-8), I hereby submit to the Board for consideration a **12-month** extension of Consultation Phase monitoring time frame for case MICI-BID-HA-2017-0114, concerning the Productive Infrastructure Program (HA-L1055 and related operations) (hereinafter the Program). The new term would take effect on 8 December 2023. The background and rationale of this petition for an extension is presented below.

**Background and rationale**

Pursuant to paragraph 24 of the MICI-IDB Policy, the objective of the Consultation Phase is to provide an opportunity for the Group of Requesters, IDB Management, and/or the Executing Agency (hereinafter the Parties) to address the issues raised in the Request in a voluntary, flexible, and collaborative manner. The Consultation Phase is comprised of three successive stages: evaluation, Consultation Phase process, and monitoring.

Whenever the Consultation Phase process culminates in an agreement, paragraph 35 of the MICI-IDB Policy provides that the MICI, when applicable, will prepare a plan and time frame for monitoring. According to the above-cited paragraph, the duration of the monitoring plan will not exceed five years from the date the agreement was signed. With respect to Request MICI-BID-HA-2017-0114, the Parties signed the agreement on 8 December 2018.

Regarding the commitments included in that agreement, three of its five main components have been nearly 100% implemented. These results were achieved amid a complex political and security context which, together with the measures resulting from the COVID-19 pandemic, have limited movement and travel, and affected, to different degrees, implementation of the agreement. Accordingly, and considering the complex nature of land tenure in Haiti, implementation of the “access to land” component has fallen short with respect to implementation of the agreement’s other main components. On 15 September 2023, the Executing Agency reported that implementation of that component stood at 49%. As of that date, three additional activities had yet to be implemented: training of 100 persons affected by the Program to facilitate their access to employment at the Caracol Industrial Park; an event to introduce microlending institutions; and an update on social and environmental management at the park, which should be included in the MICI’s monitoring report.

The MICI underscores that a considerable level of implementation has been achieved due to the commitment and flexibility of the Group of Requesters, the Executing Agency, and IDB Management. In view of the highly complex situation and uncertainty in Haiti, the Mechanism lacks the technical criteria to ensure that a potential extension of the MICI's monitoring role will lead to better results in the agreement's implementation. The MICI has made this position clear to the Parties on a number of occasions.

Accordingly, on 21 September 2023, the organization Accountability Counsel, on behalf of the Group of Requesters, forwarded a petition to the Mechanism requesting that the monitoring time frame be extended by an additional year, and asking the MICI to transmit the petition to the Board of Executive Directors. The petition states that the monitoring role should focus on finalizing the implementation of the "access to land" component, as well as the aforementioned additional activities that are unlikely to be implemented before 8 December 2023. The petition is the product of conversations between the Parties, and to date the MICI has not received any objections to that proposal.

Given the unique conditions affecting the country, the Mechanism cannot give assurances that an extension of the monitoring time frame for the agreement will necessarily result in 100% fulfillment of the commitments assumed. That said, the Parties were able to make decisive progress against a backdrop of enormous multidimensional complexity. With these reservations, the MICI has no objection to the petition, and considers it appropriate to submit it to the Board of Executive Directors.

#### **Petition for an extension of the time frame**

In view of the foregoing, the petition is hereby submitted to the Board of Executive Directors to approve an extension of the Consultation Phase process monitoring stage for an additional period of up to 12 months, which would conclude on **8 December 2024**. The objective of this extension is primarily to monitor the "access to land" component and, as necessary, the activity or activities that are not implemented prior to 8 December 2023. Once the requested extension has ended, the MICI will issue the final monitoring report and proceed to close the Consultation Phase. In accordance with paragraph 35 of the MICI-IDB Policy, that report will be distributed to the Board of Executive Directors and published in the MICI's Public Registry.