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AND INVESTIGATION MECHANISM

MICI-CII-CO-2018-0133

**REQUEST FOR EXTENSION
OF THE TERM OF COMMENTS BY MANAGEMENT AND REQUESTERS TO THE
PRELIMINARY COMPLIANCE REVIEW REPORT**

ITUANGO HYDROELECTRIC PROJECT

(11794-04)

This document was prepared by Andrea Repetto Vargas, MICI Director.

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FROM: Andrea Repetto Vargas, MICI Director

REQUEST: MICI-CII-CO-2018-0133 related to Ituango Hydroelectric Project (11794-04)

DATE: April 6th, 2023

SUBJECT: **Request for extension of the term of comments by Management and Requesters to the Preliminary Compliance Review Report**

Dear Board of Executive Directors,

In accordance with the provisions in paragraphs 44 and 59 of the MICI-IIC Policy (CII/MI-1-4), I hereby submit to the consideration of the Board of Executive Directors, a request to extend until **July 31st, 2023** the term of comments by Management and Requesters to the Preliminary Compliance Review report for the case MICI-CII-CO-2018-0133 regarding the Ituango Hydroelectric Project (11794-04) (hereinafter “the Project”). The background and justification for the extension request are presented below.

Background and Justification

In accordance with paragraph 36 of the MICI-IIC Policy, the objective of the Compliance Review Phase (CRP) is to impartially and objectively investigate allegations by Requesters that the IIC has failed to comply with its Relevant Operational Policies and has caused Harm to the Requesters.

After conducting the Compliance Review MICI writes a preliminary report which includes a review of its main findings of fact and recommendations, and forwards the document to Management and the Requesters for their comments. During this stage, Management and the Requesters, once they have received the Preliminary Report, have a period of up to 21 business days to submit comments on the document.

MICI-CII-CO-2018-0133 request has been in the investigation stage since February 19th, 2020. The disruptions caused by the COVID-19 pandemic delayed the completion of the field mission, which could only be carried out in June 2022. On March 21, 2023, the MICI sent the Preliminary Report to Management and to the Requesters to collect their comments. The 21 business day term expires on April 20, 2023.

On March 29 of this year, Management submitted a request to extend the term as much as possible, to be able to duly address the comments and issue a response commensurate with the complexity of the case and the issues addressed in the Preliminary Report.

On the other hand, on March 31st, 2023, the Requesters submitted their request for a 4-month extension.

The Requesters claim they need to socialize the report among the communities involved and coordinate a consensual response from the 477 Requesters of the case, who are located in remote areas with limited or no access to communication tools. They also state that they need to

take additional measures to avoid security risks, since the areas where the Requesters live are in a context of fragile governance and increased risk of reprisals.

For the foregoing reasons, MICI deems pertinent to extend the term to receive comments from Management and the Requesters to the Preliminary Compliance Review Report based on the justifications cited.

Term Extension Request

For all the above, MICI requests the Board of Executive Directors to approve the 4-month extension of the term to receive comments from Management and the Requesters to the Preliminary Report, which would consequently expire on **July 31st, 2023**. Once the extended term has elapsed, and no later than on the indicated date, MICI expects to have received the comments by Management and the Requesters to the Preliminary Compliance Review report, in accordance with paragraph 44 of the MICI-IIC Policy.