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EIB COMPLAINTS MECHANISM  
ACTIVITY REPORT



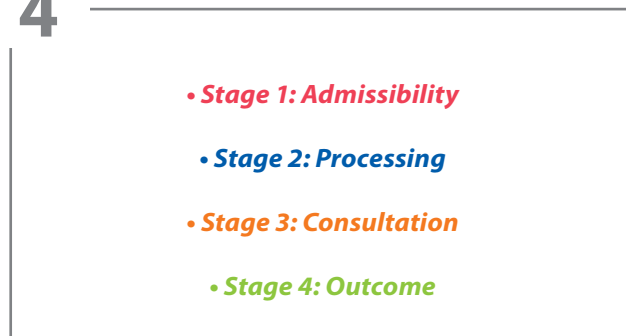
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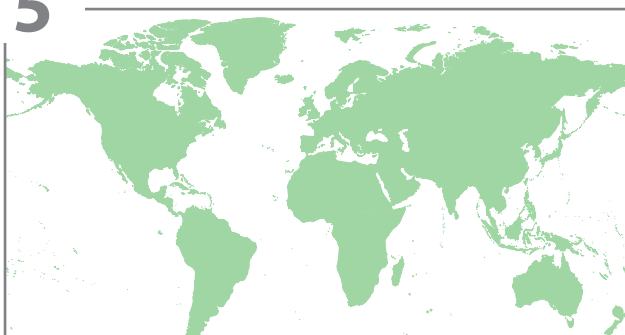
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Institutional cooperation and outreach

# Foreword by the Vice-President

It has been a challenging and interesting year for the EIB Complaints Mechanism (CM). In May 2017 the Bank launched the public consultation process for its Complaints Mechanism Policy as part of the review of the Bank's internal and independent accountability mechanism. I am very pleased to note the interest that the revision of the policy has attracted from members of the public and civil society in general. By the end of September 2017, the EIB had received written contributions from 30 organisations and individuals, providing the Bank with rich and diverse feedback and suggestions for the review. Contributions came from representatives of non-governmental organisations and networks, as well as from individual stakeholders. The review is ongoing, and the Bank is taking into account the contributions received. It is currently expected that the policy review process can be finalised during the third quarter of 2018.

The year 2017 confirmed the continuing trend of an increasing number of admissible complaints received. New admissible cases rose from 84 in 2016 to a new all-time high of 102 in 2017, bringing the total number of cases being handled last year to 173. It is nevertheless worth mentioning that 38 of the complaints received in 2017 relate to only two EIB investment projects: the Trans Adriatic Pipeline (TAP) – the western section of the Southern Gas Corridor, from the Greek-Turkish border to Italy via Albania – and the Mombasa Port Access Road in Kenya.

Complaints on the TAP project concern individual land expropriation claims as well as specific concerns about the environmental and technical risks. Most of these complaints were received at an early stage of the Bank's loan approval procedures and therefore the concerns raised by stakeholders are addressed by the Bank's services during project appraisal under the CM's "Prevention" window. In addition, and after discussion of the project by the Bank's

Management Committee in December 2017, the CM registered six complaints that will be handled by the CM directly.

For the Mombasa Port Access Road, the Bank registered 14 complaints from individuals who had been forcefully evicted in May 2015 and that raised issues with the Bank concerning the compensation process. The review and resolution of complaints concerning forced evictions, which also happened in the case of another project in Cairo (Egypt), require the Bank to take a firm but very careful role, particularly when it involves rebuilding trust between the parties concerned.

In addition to working on the many aspects of the complaints registered, 2017 was a busy year for CM. Significant progress was made to update the public register of cases and to improve the CM webpages on the EIB website. In terms of outreach, events were organised with other Independent Accountability Mechanisms (IAMs) in Amman (Jordan), Montreal (Canada) and Thessaloniki (Greece). CM has also been contributing proactively with the IAMs in the production of an awareness-raising video on the network's activities. Finally, the year also saw the appointment of a new Head of the CM. After nine years in office, I would like to thank Felismino Alcarpe very much for his expertise and vision in setting up the CM, one of the leading public accountability mechanisms of international financial institutions. I am also pleased to welcome the new Head, Sonja Derkum, whose considerable experience in the EIB and internal audit will certainly fit in well with her new role. I am happy to continue supporting the CM in its efforts to address the concerns of the public in a transparent, fair and timely manner.

**Jonathan Taylor**



# How we work

The Complaints Mechanism (CM) gives a voice to external stakeholders and provides the public with a tool enabling pre-emptive resolution of disputes in projects financed by the EIB. Furthermore, the CM assists the EIB Group, for the common sake of promoting good administration, in the identification of possible improvements to the implementation of the Group's activities.

The CM reviews the admissibility of each complaint and decides which procedure to follow. Complaints are admissible if they relate to a decision, action or omission by the EIB<sup>1</sup>.

There is no requirement for stakeholders to be directly affected by an EIB Group decision, action or omission, or for a stakeholder to specifically identify the applicable rule or policy that may have been breached.

The CM takes a view on the potential seriousness of the concerns raised during a preliminary review of the allegations. This includes a review of available information and documentation, meetings with the EIB services concerned and meetings with relevant external stakeholders and site visits, if deemed necessary. This review enables the CM to determine if further work is required to address the issues raised by the complaint. For complex cases, the CM may extend the timelines of the procedure and carry out an **initial assessment** which is the basis on which further investigation work, a compliance review, is decided and/or a mediation process can be agreed. In this case an **Initial Assessment Report** is produced.

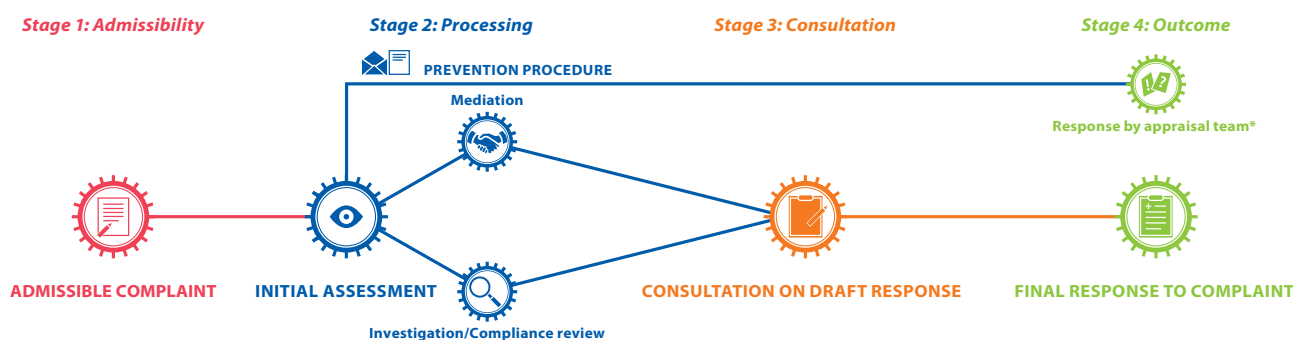
If a **compliance review** takes place, the CM examines whether the financed projects comply with EIB operational policies and standards as well as with the principles and rules of good administration. The compliance review also considers how the EIB has monitored the promoter's compliance with relevant policies and procedures including, but not limited to, policies

and procedures mandated by law. The CM then forms an independent and reasoned opinion regarding the allegations under examination. The CM also assesses general instances of maladministration across all administrative activities of the Bank. This is documented in a **Conclusions Report**.

If there is a clear opportunity for collaborative resolution of the issues, the CM can start a mediation process if all relevant stakeholders agree. Typically, the mediation will take place between the complainants/requestors, on one side, and the EIB and/or project promoters and/or national authorities, on the other side. Any of the parties may interrupt or call off the mediation process at any time. The problem-solving and collaborative resolution process will seek resolution by building understanding and trust. The process may involve the following steps: facilitation of information sharing, dialogue/negotiation, joint fact-finding and/or formal mediation.

The EIB is the only international financial institution with a two-tier recourse mechanism, which includes the European Ombudsman as a possible escalation step if complainants are dissatisfied with the outcome or the handling of the complaint process. Therefore, members of the public have access to a two-level procedure, first the internal CM and subsequently the external European Ombudsman.

<sup>1</sup> For admissibility criteria, see <http://www.eib.org/about/accountability/complaints/admissibility/index.htm>



\* Complaints regarding projects currently under consideration are transferred to EIB Group operational services for a response by the project appraisal team.

# Casework statistics

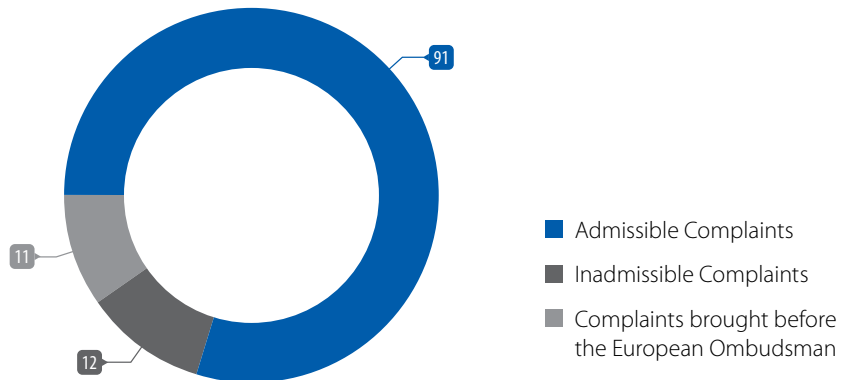
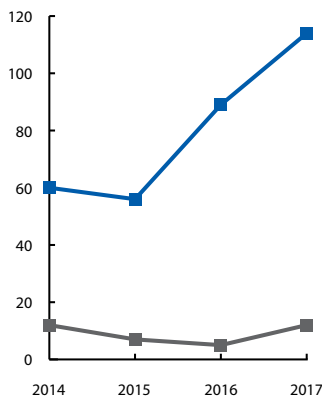
## Incoming complaints

In 2017, the CM handled 173 cases, closing 72 and with 101 outstanding at the end of the year.

The number of admissible complaints received increased by 28% compared with 2016, thus continuing the rising trend. In

2017, the CM received 114 new cases, including 11 complaints which were brought before the European Ombudsman.

	2012	2013	2014	2015	2016	2017
<b>Complaints received</b>	55	63	60	56	89	114
Inadmissible	(3)	(6)	(12)	(7)	(5)	(12)
<b>Admissible</b>	<b>52</b>	<b>57</b>	<b>48</b>	<b>49</b>	<b>84</b>	<b>102</b>
<b>Complaints brought before other institutions</b>						
European Ombudsman	(7)	(2)	(5)	-	(7)	(11)
European Data Protection Officer	(1)	-	-	-	-	-
Aarhus Convention Compliance Committee	0	-	-	-	-	-
<b>Admissible complaints registered by the CM</b>	<b>44</b>	<b>55</b>	<b>43</b>	<b>49</b>	<b>77</b>	<b>91</b>



**Admissible complaints are complaints relating to a decision, action or alleged omission by the EIB – even at early stages when the EIB is only considering providing support.**

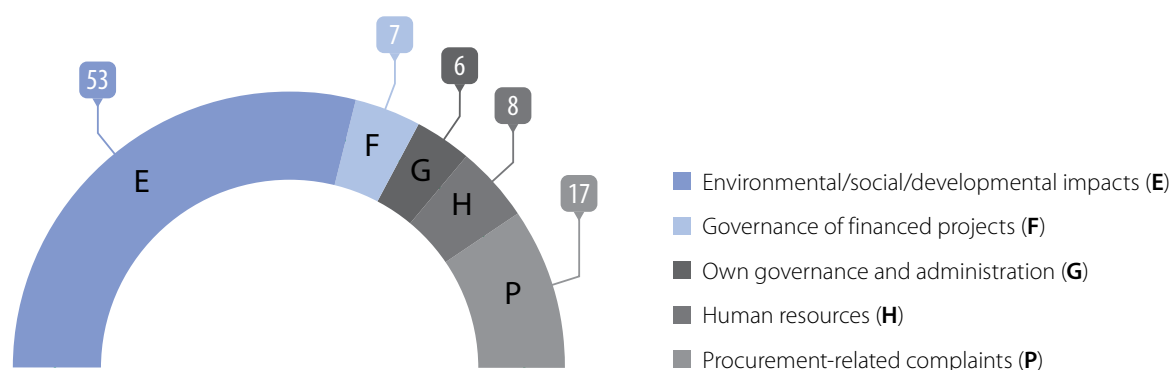
Inadmissible complaints are complaints:

- concerning fraud or corruption (which are dealt with by the Fraud Investigations Division);
- from EIB staff (which are dealt with by Personnel or the Compliance Directorate);
- concerning international organisations, EU bodies, or national and local authorities;
- that have already been brought before, or settled by, other non-judicial or judicial review mechanisms;
- that have been submitted anonymously (confidentiality is assumed, anonymity is inadmissible);
- seeking an unfair competitive economic advantage; and complaints that are excessive, repetitive or clearly frivolous or malicious in nature.

# New admissible complaints

## Complaints by type

Admissible complaints	2014	%	2015	%	2016	%	2017	%
Access to information (A)	2	5	0	-	1	1	0	0
Customer relations (C)	0	-	1	2	2	3	0	0
Environmental/social/developmental impacts (E)	11	25	17	35	29	38	53	58
Governance of financed projects (F)	10	23	6	12	6	8	7 <sup>2</sup>	8
Own governance and administration (G)	5	12	8	16	7	9	6	6
Human resources (H)	3	7	7	14	8	10	8	9
Procurement-related complaints (P)	12	28	10	21	24	31	17	19
<b>Total</b>	<b>43</b>	100	<b>49</b>	100	<b>77</b>	100	<b>91</b>	100



## Complaints by region

88% of the admissible complaints related to projects financed by the EIB and 12% relate to other Bank activities (such as governance and administration). Of the project related complaints, 42% are located in the EU Member States, 22%<sup>3</sup> in Sub-Saharan Africa, 14% in the Western Balkans, 10%<sup>4</sup> in the Facility for Euro-Mediterranean Investment Partnership (FEMIP) area, 10%<sup>5</sup> in Eastern Neighbourhood countries, 1% in Latin America and 1% in Asia. The significant increase in complaints concerning projects in EU Member States is largely due to 15 cases relating to the Italian section of the Trans Adriatic Pipeline (TAP). These complaints, as well as one case relating to the Albanian part of the TAP, were registered under the Prevention<sup>6</sup> window.

The number of complaints in the Western Balkans dropped from 26 in 2016 to 11 in 2017. As in previous years, complaints in this region are predominantly procurement-related. The significant increase in the share of complaints in Sub-Saharan Africa is mostly related to the Regional Mombasa Port Access Road project.

<sup>2</sup> Of which three complaints related to activities financed by the European Investment Fund (EIF)

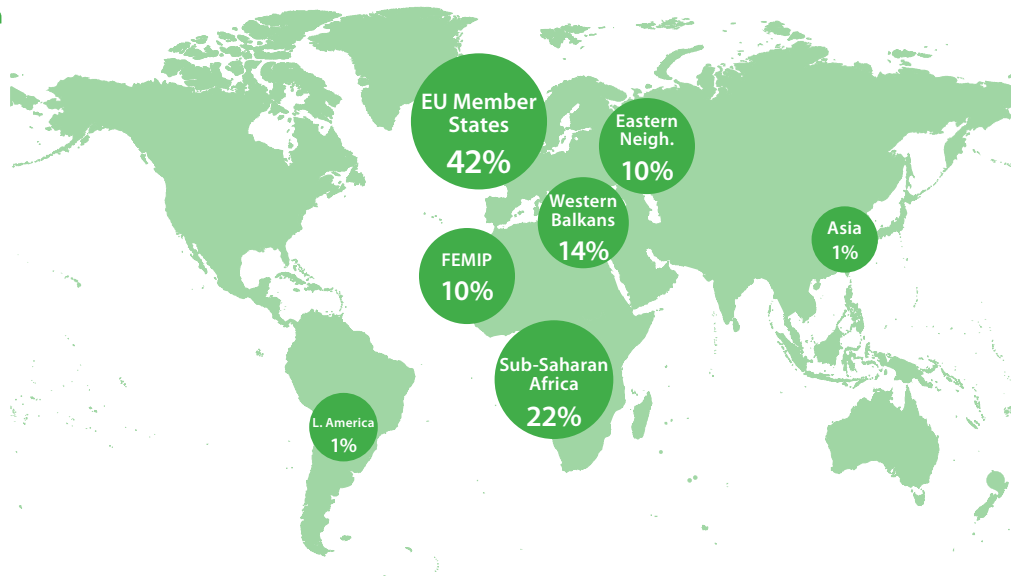
<sup>3</sup> Mainly Kenya

<sup>4</sup> Egypt, Morocco and Tunisia

<sup>5</sup> Georgia

<sup>6</sup> Prevention: these allegations were transferred to the EIB Group's services for further action as they relate to an operation not yet approved by the EIB.





  
Individual  
(60%)

  
Corporate  
(29%)

  
Civil Society  
Organisations (10%)

  
Local administration  
(1%)

	in %	2012	2013	2014	2015	2016	2017
Asia		0	3	2	3	6	1
Eastern Neighbourhood		4	3	7	3	9	10
EU		54	49	56	54	13	42
FEMIP		13	10	7	6	16	10
Latin America		0	0	0	11	6	1
Other		6	8	0	0	0	0
Sub-Saharan Africa		6	7	7	6	4	22
Western Balkans		17	20	21	17	47	14
Total %		100	100	100	100	100	100

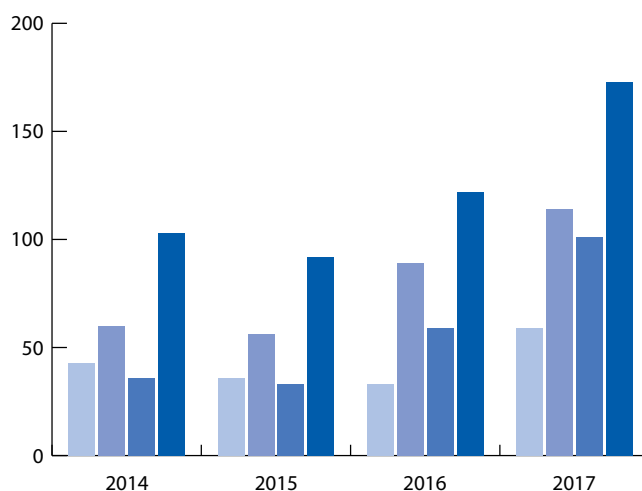
## Complaints by origin

In 2017, 60% of the cases were lodged by individuals. Three quarters of their allegations concerned environmental/social/developmental impacts and 15% human resources. Similar to previous years, Civil Society Organisations' complaints mainly concerned environmental/social/developmental impacts, and most of the cases with a corporate origin concerned procurement.

After handling 173 cases in 2017 (122 in 2016), the number of outstanding cases at the end of 2017 was 101 (59 in 2016). The significant increase of new cases registered in 2017 brought the total number of outstanding cases to the highest level in the CM's history.

# Handled complaints<sup>7</sup>

- Open/ongoing at the start of the year
- Complaints received
- Outstanding at year-end
- Overall complaints dealt with



The number of cases outstanding at year-end increased by 42 (71%) from 2016. At the same time the mix of types of complaint has changed significantly over the years. Environmental/social/

developmental impact complaints are increasing continuously, from 25% in 2015 to 46% in 2017. These are generally more complex and require more resources compared with the other complaints categories.

	2012	2013	2014	2015	2016	2017
Open/ongoing at the start of the year	37	54	43	36	33	59
Complaints received	55	63	60	56	89	114
Outstanding at year-end	54	43	36	33	59	101
Overall complaints dealt with	92	117	103	92	122	173

## Handled complaints by type

	Number of complaints handled in 2017	% of handled complaints
European Ombudsman (EO)	16	9
Access to information (A)	1	1
Customer relations (C)	0	0
Environmental/social (E)	80	46
Governance of financed projects (F)	10 <sup>8</sup>	6
Own governance and administration (G)	11 <sup>9</sup>	6
Human resources (H)	9	5
Procurement-related (P)	34	20
Inadmissible	12	7
<b>Total</b>	<b>173</b>	<b>100</b>

<sup>7</sup>This includes the carry-over of open cases received before 2017 and complaints submitted to the European Ombudsman

<sup>8</sup> Of which four complaints related to activities financed by the EIF  
<sup>9</sup> Of which one complaint related to activities financed by the EIF

# Closure of registered cases

During 2017,  
66 complaint cases were  
closed (60 in 2016)

Conclusion of registered complaints	2015	%	2016	%	2017	%
Admissible cases						
No grounds	15	26	21	35	19	29
Friendly solution and areas for improvement	12	22	9	16	10	15
Prevention* <sup>10</sup>	16	28	23	37	26	39
Dropped by the complainant	7	12	2	3	2	3
<b>Sub-total of admissible complaints</b>	<b>51</b>	<b>88</b>	<b>55</b>	<b>91</b>	<b>57</b>	<b>86</b>
Inadmissible cases	7	12	5	9	9	14
<b>Total</b>	<b>57</b>	<b>100</b>	<b>60</b>	<b>100</b>	<b>66</b>	<b>100</b>

# European Ombudsman (EO) cases

European Ombudsman	2015	2016	2017
Open/ongoing at the start of the year	2	1	5
Received	0	7	11
Closed	1	3	6
Outstanding at year-end	1	5	10

The outcome of European Ombudsman cases closed in 2015, 2016 and 2017:

Conclusion	2015	2016	2017
Inadmissible	0	1	0
No further inquiries justified	0	1	0
Case dropped by the complainant	0	0	0
Settled by the EIB	0	1	3
No maladministration found	0	0	2
Maladministration found (critical remarks)	1	0	1
Further remarks	0	0	0

\* Resolved/handled by the EIB services with support from the CM

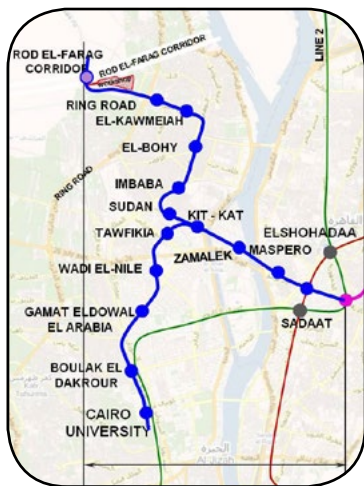
<sup>10</sup> This category included multiple complaints regarding the Trans Adriatic Pipeline project.

# Examples of cases handled in 2017

## Cases submitted to the EIB Complaints Mechanism



### Cairo Metro Line 3 (Phase 3) (Egypt)



Cairo Metro Line 3 Phase 3  
Source: National Authority for Tunnels

The project consists of the design, construction and commissioning of the Greater Cairo Metro Line 3 Phase 3 (17.7 km with 15 stations), as well as the acquisition of rolling stock to be operational on the line. The CM handled three complaints concerning the project during 2017. Two complaints relate to involuntary resettlement and compensation for project-affected people in two different areas of the project, and the third relates to construction works in the residential area of Zamalek.

The Borrower is the Republic of Egypt, and the implementing agency (the promoter) is the National Authority of Tunnels (NAT).

Several traders in the El Bohy market (Imbaba district) of Cairo had jointly lodged a complaint with the CM in June 2016 regarding non-compliance with the EIB's standards on involuntary resettlement. The complainants raised issues with the consultation process – poor communication about the project-induced resettlement conditions, insufficient information on compensation values and arrangements – and disagreement with the livelihood restoration measures proposed by the promoter. In March 2017 the CM carried out an on-site fact-finding visit, and circulated thereafter English and Arabic versions of its Initial Assessment Report to the complainants and the promoter. As a way forward, the CM proposed to establish a dialogue facilitation process between the parties – complainants and the promoter. All parties agreed to this, as well as to the facilitation being led by the CM mediation team. A first round of meetings took place in December 2017. The EIB Mediator noticed that the parties were unable to find significant common ground in the mediation process. This led to a termination of the mediation process in early 2018, triggering the launch of the compliance review process.

CM is reviewing the other two complaints. One complaint was submitted by two business owners in the Maspero district. The complaints relate to unfair livelihood

compensation and irregularities concerning compensation procedures for relocating their businesses. In the second complaint, residents of the Zamalek district raised concerns regarding the environmental impact of construction works. In particular, they alleged that the drilling works may cause structural damage to buildings in the area. The complaint also refers to potential restrictions in terms of access to the residential area once the metro is operational.

### M6 Interstate Road (Armenia)

In 2017, the CM handled two complaints regarding the M6 project. The EIB’s project consists of the rehabilitation and upgrading of a 38 km section of the M6 interstate road between Vanadzor and Alaverdi – from central Armenia to the north-eastern border with Georgia.

The borrower is the Republic of Armenia, and the implementing agency is the Armenian Ministry of Transport and Communications. For procurement purposes the construction works had been divided into three lots.

The CM received a complaint in January 2017 from a hotel owner concerning project-induced income losses allegedly caused by the road construction works. The CM review found that the promoter was in the process of preparing the Land Acquisition and Resettlement Plan (LARP). This process was to set out inter alia conditions/procedures for income restoration in accordance with the EIB Standard on Involuntary Resettlement. The CM recommended that, when the LARP is finalised, the EIB services should review whether the list of project-affected persons includes the complainant and whether his claim of income restoration has been adequately addressed. If not, the EIB should check that the promoter’s decision was supported by a reasoned opinion and is consistent with the EIB’s social standards. The CM will submit a follow-up report to the complainant in 2018.

In 2017, the EIB also closed another complaint which had been received in September 2016 concerning the procurement process for one of the lots for the construction works. The complainant had challenged the awarding authority’s decision to declare the complainant’s bid as “substantially non-responsive”. The CM assessment concluded that the reasons noted in the promoter’s evaluation of the complainant’s bid were considered to be sufficient to consider the complainant’s bid as substantially non-responsive. The CM recommended that the promoter provide the complainant with a detailed summary substantiating its decision because the original communication led to misunderstandings in the process.

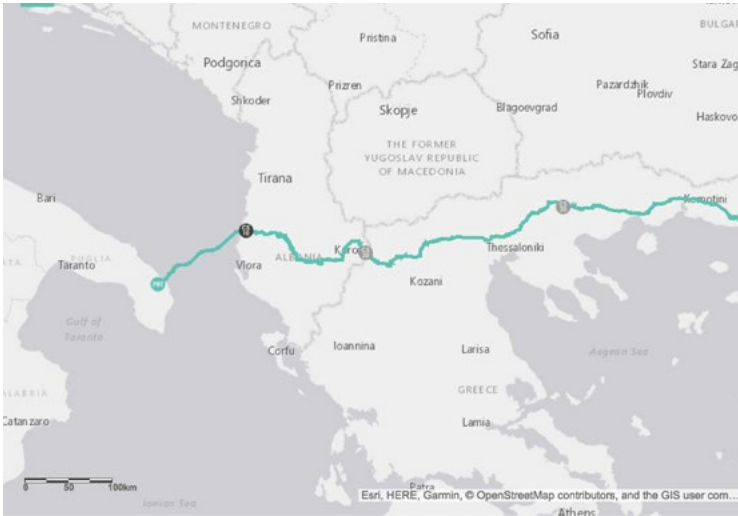
### Trans Adriatic Pipeline (Albania, Greece, Italy)

In 2017, the CM received 22 complaints lodged by individuals and local civil society groups from Italy (21) and Albania (1). The project consists of the construction of the Trans Adriatic Pipeline (TAP), which is the western section of the Southern Gas Corridor. The pipeline is approximately 878 km long, starts at Kipoi on the Greek-Turkish border, crosses northern Greece, Albania and the Adriatic Sea before connecting to the Italian gas transmission network near Lecce in southern Italy.

The complainants’ concerns and allegations mainly referred to impacts on the environment, health and safety, poor public consultation and compensation.

Sixteen complaints were submitted to the CM at the project appraisal stage. Therefore, in line with the EIB Complaints Mechanism Operating Procedures, these complaints were handled under the preventive procedure. Accordingly, the CM acknowledged receipt of the complaints and informed the complainants that the project was under appraisal and that their messages had been transferred to the operational services for consideration as part of the project appraisal.

Six complaints were submitted to the CM in December 2017 after submission of the financing proposal to the EIB Management Committee and prior to the Board of Directors’ decision to finance the project. Therefore, these complaints were registered for handling by the CM.



The Trans Adriatic Pipeline route  
Source: Trans Adriatic Pipeline AG.

# Mediation

## Mombasa Port Access Road (Kenya)

In 2017 the CM received 16 complaints concerning the Mombasa Port Access Road Project in Kenya. The project consists of the rehabilitation and widening of 41 km of existing road between the Mombasa Port and the town of Mariakani in south-east Kenya. The road is the main transport axis to Nairobi and is part of the corridor linking the port of Mombasa with Uganda, Rwanda, Burundi and the Democratic Republic of Congo.

The borrower is the Republic of Kenya, and the implementation agency is the Kenya National Highways Authority (KeNHA). In 14 of the cases, the complainants, all affected persons, were subject to forced evictions that took place before the EIB approved the financing for the project. Their claims relate to insufficient compensation, or exclusion from compensation under the 2016 Corrective Action Plan (CAP) put in place by KeNHA after the forced evictions had taken place. The complainants also raised issues concerning the lack of proper consultation during the valuation and compensation award processes.

During its fact-finding and stakeholder engagement mission in May 2017, the CM met with the complainants and other representatives of the community, as well as with the promoter of the project and the local area administration. The project-related grievance governance structure was also reviewed. The CM finalised its initial assessment of the allegations in September 2017. A report summarising the main preliminary findings and the proposed way forward was circulated to the complainants and the promoter in both English and Swahili. The assessment revealed that some aspects of the CAP implementation were not in line with the standards which had been agreed between the promoter and the EIB. In particular, there were issues with the communication of the compensation process and the consultation with and participation of the project-affected people regarding compensation for the forced evictions. The initial assessment also identified areas needing attention in the grievance mechanism procedures.

The CM proposed dialogue facilitation. Both the complainants and the promoter accepted, and they expressed their commitment to participate in a mediation guided by the CM mediators. The mediation process was scheduled to begin in Mombasa in February 2018.



Map of Kenya  
Source: EIB Graphic Team



Photos taken at the site of demolitions.

## Olkaria Geothermal Expansion (Kenya)<sup>11</sup>: CM and World Bank joint monitoring mission

In May 2017, the CM and the World Bank undertook a joint monitoring mission for the ongoing implementation of the Agreement on Olkaria IV Resettlement Mediation (Mediation Agreement). This Mediation Agreement was signed in May 2016 between the Kenya Electricity Generating Company (KenGen) and the representatives of the Olkaria Maasai Community in relation to the Olkaria project, co-financed by the EIB and the World Bank. The mission included members from the CM, the World Bank Grievance Redress Service and two local mediators used throughout the mediation process.

The main objective of the mission was to verify that the measures implemented had been carried out to the satisfaction of the parties, and discuss the outstanding actions to fulfil the Mediation Agreement.

During the mission, it was brought to the attention of the monitoring parties that while many items had been implemented, there were still delays and challenges to important items which both KenGen and the Community needed to address.

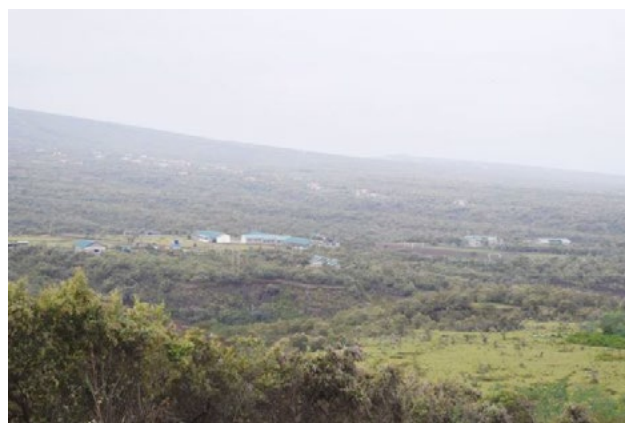
Given that some key items still remain to be implemented according to the Mediation Agreement, both the CM and the World Bank Grievance Redress Service will continue their joint monitoring effort. To further fulfil the agreed monitoring exercise, the two local mediators carried out multiple on-site visits throughout 2017.

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<sup>11</sup> See also the CM's Activity Reports for 2014, 2015 and 2016



KenGen geothermal plant at Olkaria



Resettlement Action Plan land

# European Ombudsman cases

In 2017, the EIB received 11 new complaints that were brought before the European Ombudsman<sup>12</sup>.

Four of these were related to EIB staff while seven cases concerned the EIB's own governance.

Of the 11 cases, **six escalated** from previous complaints to the CM. In particular, three cases concerned delays in receiving the EIB's response to complaints submitted to the CM: (i) Ambatovy Nickel Mining in Madagascar, (ii) Castor Underground Storage in Spain and (iii) alleged failure to issue a decision on an investigation into an alleged conflict of interest.

The **European Ombudsman closed six complaints** against the EIB during 2017.

- Two cases had been communicated to the CM in 2017 and their conclusions were that
  - 1) the matter had been settled by the EIB; and
  - 2) there were insufficient elements to open an inquiry.
- Four cases closed had been communicated to the CM between 2014 and 2016:
  - 1) The European Ombudsman concluded that the matter had been settled by the EIB,
  - 2) & 3) The European Ombudsman concluded that the EIB had not committed maladministration concerning the length of a complaint-handling process.
  - 4) For one case concerning child allowances, the European Ombudsman concluded that the EIB had committed maladministration and recommended that the EIB continue and intensify its efforts to amend its internal rules on child allowances as soon as possible, in order to explicitly provide for situations of shared child custody and related situations. The European Ombudsman requested the EIB to inform the complainant about the implementation of her recommendation in May 2018.

The total number of **outstanding complaints** before the European Ombudsman at the end of the year increased from five (2016) to ten (2017).



<sup>12</sup> The 1992 Maastricht Treaty on the European Union created the EU citizenship, complementary to national citizenship, and strengthened the accountability of EU institutions and bodies through the establishment of the European Ombudsman, appointed by the European Parliament. Any EU citizen or entity as well as non-EU citizen/entities residing in one of EU Member States may appeal to the EO with a request to investigate EU institutions or bodies on the grounds of maladministration: administrative irregularities, unfairness, discrimination, abuse of power, failure to reply, refusal of information or unnecessary delay. The EO may launch "own-initiative" inquiries if these are considered justified in order to clarify any suspected maladministration in the activities of EU institutions, bodies, offices or agencies. Following the solemn proclamation of the Charter of Fundamental Rights of the European Union on 7 December 2000, in 2009 the Lisbon Treaty made the Charter legally binding with the same legal value as the European Union treaties. The Charter lays down the fundamental right to good administration as the right to have one's "affairs handled impartially, fairly and within a reasonable time by the institutions, bodies, offices and agencies of the Union". This right includes the obligation of the administration to give reasons for its decisions



## CM Register and CM Webpage

The CM webpages on the EIB website were reviewed and re-designed in 2017.

Furthermore, the CM made significant progress in 2017 in updating its public register of cases – accessed via the EIB website – to increase public visibility of the CM's work and the transparency of handled cases. As at 31 December 2017, 554 cases had been uploaded to the register, up from 470 cases in 2016. There are now numerous documents available including the CM Conclusions Reports. It should also be noted, however, that this transparency activity is complex and sensitive from an administrative perspective, particularly in relation to CM policy regarding confidentiality and the EIB's commitment to compliance with European data protection regulations.

## Improving the CM procedures – public consultation and CM

The current EIB Complaints Mechanism Policy was approved by its Board of Directors on 2 February 2010 following a prior public consultation. In May 2017 the EIB officially launched the public consultation process to review the existing Complaints Mechanism policy as part of its commitment to periodic reviews. Following internal consultation with the EIB's services and meetings with the European Ombudsman, a public meeting was held in Brussels in June 2017 to explain the key aspects of the review as well as the process.

Written feedback and comments were received up to the end of September 2017. The review attracted significant interest from individuals, associations and civil society organisations (CSOs). The latter submitted a comprehensive joint letter grouping together comments from 25 CSOs. The EIB is currently reviewing all the comments received, both in substance and in form. The review is expected to be finalised in the third quarter of 2018 with a view to be implemented after the Board approves the new proposal.

The screenshot displays the EIB website's 'Complaints mechanism' page. On the left is a vertical navigation menu with categories like 'Who we are', 'Some dates and figures', 'Governance and structure', 'Corporate responsibility', 'Compliance', 'Accountability', 'Complaints mechanism', 'Cases', 'Admissibility', 'Procedure', 'Initial assessment', 'Investigation', 'Mediation', 'Consultation', 'Our response', 'Admissibility timing', 'Procedure summary', 'How to complain', 'FAQ', 'Investigating Prohibited Conduct', 'Part of the EU family', 'European Fund for Strategic Investments', 'Tackling global challenges together', and 'Partners'. The main content area features a video player with the title 'Giving citizens a greater voice in accountability'. To the right of the video are several informational boxes: 'How to complain', 'Public consultation on the EIB Group Complaints Mechanism Policy', 'Complaints Mechanism Activity Report 2016', and 'The EIB Complaints Mechanism - Flyer'. The 'Public consultation' box includes a tweet from May 2017 and a 'Background' section detailing the EIB's commitment to periodic reviews and the public consultation process.

# Institutional cooperation and outreach

## CM and Independent Accountability Mechanisms (IAMs)

The CM continues to be proactive within the IAM network.

Six IAMs, including the CM with the support of the EIB Communication Department, produced a 2-minute video presenting their activities and raising awareness of the different issues that communities and citizens can bring to the attention of Independent Accountability Mechanisms. It is available in English, French and Spanish on the CM webpage: <http://www.eib.org/about/accountability/complaints/index.htm>.

of the French Development Agency. The latter had been introduced to the network by the CM. The CM delegation participated in the different working sessions and made a presentation concerning “Challenges and opportunities when Independent Accountability Mechanisms collaborate in the handling of a complaint: coordination and cooperation in co-financed projects”. An outreach event with CSOs followed on 29 August. More than 40 representatives of 30 organisations joined the discussions with the Independent Accountability Mechanisms on a series of issues. The discussions included accessibility to the accountability mechanisms, the compatibility of the rights of communities affected by projects funded by International Financial Institutions and dispute resolution techniques in the context of a complaint.



Outreach event with CSOs in Thessaloniki  
(Photo: Black Sea Trade and Development Bank)

### Greece: Annual Meeting of the Independent Accountability Mechanisms

The 14<sup>th</sup> Independent Accountability Mechanisms Annual Meeting was organised by the Black Sea Trade and Development Bank (BSTDB) in Thessaloniki from 27-28 August 2017. Some 48 representatives of 20 institutions attended the meetings, including two observers (Asian Infrastructure Investment Bank and Japan International Cooperation Agency). The Independent Accountability Mechanism network welcomed the presence of two new members: the accountability mechanisms of the Green Climate Fund and

### Montreal: Conference of the International Association of Impact Assessments (IAIA)

For the second consecutive year, the Independent Accountability Mechanisms of the International Financial Institutions (IFIs) organised two presentations at the IAIA conference, which took place in Montreal (Canada) in April 2017. The Independent Accountability Mechanism session began with a brief audio-visual presentation about the IAMs and their role to foster the accountability of IFIs. It continued with a panel discussion with representatives of seven Independent Accountability Mechanisms. The panel discussion focused on the work that Independent Accountability Mechanisms do to support the climate change initiatives and projects being put forward by multilateral development banks and other development finance institutions. The discussion was based on lessons learned in the course of reviews carried out by IAMs relating to both compliance and problem-solving.



Interactive session using case scenarios in Amman

## Jordan: Outreach Event for Civil Society Organisations

Independent Accountability Mechanisms periodically co-host outreach events in regions where IFIs have lending portfolios and where local communities may not be aware of the existence and role of grievance mechanisms. With the EBRD Project Complaint Mechanism as lead organiser, the CM co-hosted an outreach event on IFI accountability in Amman, Jordan on 24 May 2017. The event was facilitated by a local Amman partner, the Phenix Center for Economic & Informatics Studies, and the Central and Eastern European (CEE) Bankwatch Network, an international non-governmental organisation (NGO).

Over 30 local CSOs attended the event to learn about how Independent Accountability Mechanisms can enable communities to voice their concerns about projects and facilitate problem-solving initiatives. The CM presented an overview of IFIs and a case study on its problem-solving work concerning a recent energy expansion project in Kenya. A practical session during which civil society representatives worked on case scenarios further clarified the complaints handling process and the scope and role of Independent Accountability Mechanisms.

## Switzerland: Task Force on Access to Justice

On 27-28 February 2017 the CM participated in the 10<sup>th</sup> meeting of the Task Force on Access to Justice under the Aarhus Convention at the United Nations in Geneva. This is a platform for exchanging information on key recent developments concerning the legislation, policy and case law on implementation of the third pillar of the Convention. The meeting was attended by UN officials, delegates of the parties to the Aarhus Convention, including from the European Commission, as well as a broad representation of CSOs. The thematic session of the meeting focused on enabling effective access to justice for all without persecution and harassment. The CM also made public a presentation on **“How to protect complainants against retaliation? The approach of the Independent Accountability Mechanisms of International Financial Institutions”**.

## Complaints handled

Reference	Subject/ Project	Project country	Received	Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up	Outcome	Recommendations	Closed
<b>Access to information</b>												
SG/A/2016/01	ETAP South Tunisian Gas	Tunisia	28/12/15	■	■							

<b>Environmental and social impacts and governance aspects of financed operations</b>												
SG/E/2011/02	TES-Thermal Power Plant Sostanj	Slovenia	28/02/11	■	■							
SG/E/2011/03	Subconcessao Do Pinhal Interior	Portugal	04/03/11	■	■			■				
SG/E/2011/05	Panama Canal Expansion	Panama	28/03/11	■	■		■					
SG/E/2012/04	Ambatovy Nickel Project	Madagascar	09/05/12	■	■		■	■				
SG/E/2013/01	Mariscina County Waste Management	Croatia	06/03/13	■	■		■	■				
SG/E/2013/12	Castor Underground Gas Storage (TEN)	Spain	04/12/13	■	■		■	■				
SG/E/2014/02	Route E420 Frasnies-Bruly RTE	Belgium	22/01/14	■	■							
SG/E/2014/09	EMS Electricity Network Upgrading	Serbia	21/09/14	■	■		■	■				
SG/E/2015/08	Termovalizzatore di Firenze	Italy	21/05/15	■	■		■					
SG/E/2015/10	Sofia Municipal Infrastructure	Bulgaria	18/08/15	■	■		■	■	■	Areas for improvement	■	■
SG/E/2015/12	EGP-Powercrop Biomass Programme	Italy	10/08/15	■	■							
SG/E/2015/13	NER 300 Cyprus	Cyprus	07/09/15	■	■			■		Areas for improvement	■	■
SG/E/2015/14	S7 Expressway	Poland	24/09/15	■	■		■	■	■			
SG/E/2015/16	D4R7 Slovakia PPP	Slovakia	05/11/15	■	■		■	■		No grounds		■
SG/E/2015/17	University di Verona	Italy	01/12/15	■	■			■				
SG/E/2016/02	Rocade Extérieure du Grand Tunis	Tunisia	08/01/16	■	■		■	■		No grounds		■
SG/E/2016/03	Nam Theun 2 Hydroelectric	Laos	06/04/16	■	■			■				
SG/E/2016/04	Réseau Ferroviaire Rapide	Tunisia	06/04/16	■	■							
SG/E/2016/05	Georgia East-West Highway	Georgia	21/04/16	■	■					Dropped by complainant		■
SG/E/2016/07	D4R7 Slovakia PPP	Slovakia	03/06/16	■	■		■	■		No grounds		■
SG/E/2016/08	Cairo Metro Line 3 (Phase 3)	Egypt	19/06/16	■	■	■	■	■				
SG/E/2016/10	Grand Contournement Ouest de Strasbourg	France	26/07/16	■	■		■	■				
SG/E/2016/18	CA CCL Reventazon Hydropower	Costa Rica	28/09/16	■	■		■	■				
SG/E/2016/24	Banja Luka-Doboj Motorway	Bosnia and Herzegovina	12/10/16	■	■							
SG/E/2016/25	JESSICA Initiative	Bulgaria	10/08/2016 and 22/10/2016	■	■							
SG/E/2016/26	Reseau Ferroviaire Rapide	Tunisia	11/11/16	■	■							
SG/E/2016/29	JASPERS - Lecevic Waste Management Centre	Croatia	21/12/16	■	■			■		No grounds		■
SG/E/2017/01	JASPERS - Ljubljana Wastewater Collection & Treatment	Slovenia	06/01/17	■	■			■		No grounds		■
SG/E/2017/02	Georgia East-West Highway	Georgia	09/01/17	■	■							
SG/E/2017/03	Regional Mombasa Port Access Road	Kenya	18/01/17	■	■	■	■	■				
SG/E/2017/04/PR	Nenskra HPP	Georgia	27/01/17	■	■					Prevention		■
SG/E/2017/05	Armenia M6 Interstate Road	Armenia	27/01/17	■	■			■	■	Areas for improvement	■	■
SG/E/2017/06/PR	Autoroute A45 PPP	France	06/02/17	■	■				■	Prevention		■
SG/E/2017/07/PR	Trans Adriatic Pipeline	Italy	08/02/17	■	■				■	Prevention		■
SG/E/2017/08	Regional Mombasa Port Access Road	Kenya	01/03/17	■	■	■	■	■				
SG/E/2017/09	Regional Mombasa Port Access Road	Kenya	02/03/17	■	■	■	■	■				
SG/E/2017/10	Cairo Metro Line 3 (Phase 3)	Egypt	02/03/17	■	■		■					

Reference	Subject/ Project	Project country	Received	Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up	Outcome	Recommendations	Closed
SG/E/2017/11	Regional Mombasa Port Access Road	Kenya	27/03/17	■	■	■	■	■				
SG/E/2017/12	Regional Mombasa Port Access Road	Kenya	29/03/17	■	■	■	■	■				
SG/E/2017/13	Regional Mombasa Port Access Road	Kenya	29/03/17	■	■	■	■	■				
SG/E/2017/14	Regional Mombasa Port Access Road	Kenya	03/04/17	■	■	■	■	■				
SG/E/2017/15	Corridor VC Mostar South	Bosnia and Herzegovina	02/05/17	■								
SG/E/2017/16	Regional Mombasa Port Access Road	Kenya	09/05/17	■	■	■	■	■				
SG/E/2017/17	Centrale Solaire de Ouarzazate	Morocco	15/05/17	■	■							
SG/E/2017/18	Regional Mombasa Port Access Road	Kenya	19/05/17	■	■	■	■	■				
SG/E/2017/19	Regional Mombasa Port Access Road	Kenya	22/05/17	■	■	■	■	■				
SG/E/2017/20	Regional Mombasa Port Access Road	Kenya	25/05/17	■	■	■	■	■				
SG/E/2017/21/PR	Trans Adriatic Pipeline	Albania	01/06/17	■					■	Prevention		■
SG/E/2017/22/PR	Trans Adriatic Pipeline	Italy	26/06/17	■					■	Prevention		■
SG/E/2017/23	Georgia East-West Highway	Georgia	27/06/17	■	■							
SG/E/2017/24/PR	Trans Adriatic Pipeline	Italy	03/07/17	■					■	Prevention		■
SG/E/2017/25/PR	Trans Adriatic Pipeline	Italy	03/07/17	■					■	Prevention		■
SG/E/2017/26/PR	Trans Adriatic Pipeline	Italy	06/07/17	■					■	Prevention		■
SG/E/2017/27	Regional Mombasa Port Access Road	Kenya	30/06/17	■		■	■	■				
SG/E/2017/28	Regional Mombasa Port Access Road	Kenya	04/07/17	■	■	■	■	■				
SG/E/2017/29	Membrane Technology Environmental Conversion	Spain	04/07/17	■	■							
SG/E/2017/30	Regional Mombasa Port Access Road	Kenya	17/07/17	■	■	■	■	■				
SG/E/2017/31/PR	Trans Adriatic Pipeline	Italy	11/07/17	■					■	Prevention		■
SG/E/2017/32/PR	Trans Adriatic Pipeline	Italy	20/07/17	■					■	Prevention		■
SG/E/2017/33/PR	Trans Adriatic Pipeline	Italy	26/07/17	■					■	Prevention		■
SG/E/2017/34	Cairo Metro Line 3 (Phase 3)	Egypt	21/07/17	■	■		■					
SG/E/2017/35/PR	Trans Adriatic Pipeline	Italy	02/08/17	■					■	Prevention		■
SG/E/2017/36/PR	Trans Adriatic Pipeline	Italy	26/09/17	■					■	Prevention		■
SG/E/2017/37/PR	E70 Grigoleti-Kobuleti Bypass	Georgia	12/10/17	■					■	Prevention		■
SG/E/2017/38/PR	Trans Adriatic Pipeline	Italy	15/11/17	■					■			
SG/E/2017/39/PR	Trans Adriatic Pipeline	Italy	15/11/17	■					■			
SG/E/2017/40/PR	Trans Adriatic Pipeline	Italy	15/11/17	■					■			
SG/E/2017/41	Regional Mombasa Port Access Road	Kenya	09/11/17	■								
SG/E/2017/42/PR	Trans Adriatic Pipeline	Italy	19/11/17	■					■			
SG/E/2017/43/PR	Trans Adriatic Pipeline	Italy	21/11/17	■					■			
SG/E/2017/44	Trans Adriatic Pipeline	Italy	30/11/17	■								
SG/E/2017/45	Trans Adriatic Pipeline	Italy	06/12/17									
SG/E/2017/46	Regional Mombasa Port Access Road	Kenya	07/12/17	■								
SG/E/2017/47	Trans Adriatic Pipeline	Italy	07/12/17									
SG/E/2017/48	Trans Adriatic Pipeline	Italy	07/12/17									
SG/E/2017/49	Trans Adriatic Pipeline	Italy	07/12/17									
SG/E/2017/50	Trans Adriatic Pipeline	Italy	13/12/17									
SG/E/2017/51	S7 Expressway (Voidship border and the end of the Radom bypass)	Poland	12/12/17	■								
SG/E/2017/52	Programme National Assainissement PNA II	Morocco	19/12/17	■								
SG/E/2017/53	Cairo Metro Line 3 (Phase 3)	Egypt	21/12/17	■								

Reference	Subject / Project	Project country	Received	Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up	Outcome	Recommendations	Closed
<b>Administrative &amp; governance issues</b>												
EIF/F/2015/01	JEREMIE	Bulgaria	14/07/15	■	■			■		Areas for improvement	■	■
EIF/F/2017/01	InnovFin	Luxembourg	07/02/17	■	■							
EIF/F/2017/02	Call for Expression ESIF FoF 2016/01	Greece	02/06/17	■	■							
EIF/F/2017/03	Call for Expression JER-009/8-07	Bulgaria	06/06/17	■								
SG/F/2014/01	Castor Underground Gas Storage	Spain	16/01/14	■	■		■					
SG/F/2016/06	Intermediary Bank in Burkina Faso	Burkina Faso	17/11/16	■				■		No grounds		■
SG/F/2017/01	Paroseni Power Plant	Romania	04/01/17	■	■			■		no grounds		
SG/F/2017/02	Las Palmas Bus Rapid Transit	Spain	08/05/17	■	■			■				
SG/F/2017/03	Municipal & Regional Infrastruct Loan	Serbia	19/05/17	■	■							
SG/F/2017/04	SME Initiative Romania	Romania	16/10/17	■								
EIF/G/2016/01	Loans to social enterprises	N/A	22/09/16	■						No grounds		■
EIF/G/2017/01/INA	Equi-Fund	Greece	21/11/17	■								
SG/G/2010/04	Africap II	Mozambique	01/12/10	■	■	■		■				
SG/G/2016/01	Transparency Policy	N/A	16/02/16	■	■							
SG/G/2016/02	TA for Social and Affordable Housing Program	N/A (TA for all Africa - this particular complaint about Kenya)	03/02/16	■	■					No grounds		■
SG/G/2016/03	Investigation process	N/A	08/07/16	■	■			■	■	Areas for improvement	■	■
SG/G/2017/01	Loan refusal	N/A	30/01/17	■				■		No grounds		■
SG/G/2017/02	Technical Assistance on WSS & HW project	Zambia	28/02/17	■	■			■		No grounds		■
SG/G/2017/03/INA	InnovFin Fund	Germany	15/03/17	■				■		Inadmissible		■
SG/G/2017/04	Technical Assistance TA2015041	Egypt	02/05/17	■				■		No grounds		■
SG/G/2017/05	Failure to Reply	N/A	03/05/17	■						No grounds		■
SG/G/2017/06/Confirmatory	Technical Assistance	N/A	14/07/17	■	■							
SG/G/2017/07	JASPERS – Railway modernisation 'Elin Pelin – Septemvri'	Bulgaria	30/06/17	■	■							

Reference	Subject / Project	Project country	Received	Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up	Outcome	Recommendations	Closed
<b>Human resources</b>												
SG/H/2016/08	Rejection of application	N/A	30/11/16	■	■			■		No grounds		■
SG/H/2017/01	Selection Process	N/A	15/01/17	■	■			■		No grounds		■
SG/H/2017/02	Failure to reply	N/A	19/01/17	■				■		Friendly solution		■
SG/H/2017/03	Selection Process	N/A	03/02/17	■	■			■	■	No grounds	■	■
SG/H/2017/04	Recruitment Procedures	N/A	14/03/17	■	■			■		No grounds		■
SG/H/2017/05	Lack of feedback and reimbursement of travel costs	N/A	12/09/17	■				■		Friendly Solution		■
SG/H/2017/06	Irregularities in Recruitment Procedure	N/A	05/10/17	■								
SG/H/2017/07	Selection Process	N/A	17/10/17	■	■					Friendly Solution		■
SG/H/2017/08	Application Feedback	N/A	20/12/17	■	■							

Reference	Subject / Project	Project country	Received	Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up	Outcome	Recommendations	Closed
<b>Inadmissible complaints before registration</b>												
SG/INA/2017/01	Trains supervision contract	N/A	08/02/17	■						Inadmissible		■
SG/INA/2017/02	Recruitment Process	N/A	01/08/17	■						Inadmissible		■
SG/INA/2017/03	Loan Application	N/A	08/08/17	■						Inadmissible		■
SG/INA/2017/04	Fund Release Order	N/A	03/09/17	■						Inadmissible		■
SG/INA/2017/05	Sorek Desalination Plant	Israel	15/09/17							Inadmissible		■
SG/INA/2017/06	Outsourced Employment	N/A	25/09/17	■						Inadmissible		■
SG/INA/2017/07	Traineeship Compensation	N/A	12/10/17	■						Inadmissible		■
SG/INA/2017/08	Employment at project under appraisal	N/A	26/10/17	■						Inadmissible		■
SG/INA/2017/09	Belgrad Bypass	Serbia	29/11/17	■						Inadmissible		
SG/INA/2017/10	Protest against a non specified project	N/A	13/12/17	■						Inadmissible		

Reference	Subject / Project	Project country	Received	Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up	Outcome	Recommendations	Closed
<b>Procurement</b>												
SG/P/2014/02	Railways Rehabilitation II	Bosnia and Herzegovina	18/03/14	■	■							
SG/P/2014/08	Water Infrastructure Modernisation II-A	Georgia	21/07/14	■	■							
SG/P/2014/09	Water Infrastructure Modernisation II-B	Georgia	31/07/14	■	■							
SG/P/2015/02	Upgrading of Judiciary Buildings	Serbia	27/03/15	■	■							
SG/P/2015/03	Upgrading of Judiciary Buildings	Serbia	31/03/15	■	■							
SG/P/2016/07	Belgrade City Sava Bridge	Serbia	19/04/16	■	■							
SG/P/2016/09/PR	Modernisation Routière I	Tunisia	03/05/16	■						Prevention		■
SG/P/2016/15/PR	Water and Sanitation RS	Bosnia and Herzegovina	14/09/16	■						Prevention		■
SG/P/2016/16/PR	Water and Sanitation BIH	Bosnia and Herzegovina	12/10/16	■						Prevention		■
SG/P/2016/17/PR	Kesrwan Water and Wastewater Project	Lebanon	13/10/16	■						Prevention		■
SG/P/2016/18	Armenia M6 Interstate Road	Armenia	26/10/16	■	■			■	■	Areas for improvement	■	■
SG/P/2016/19	Public Sector Research and Development	Serbia	11/11/16	■	■			■		No grounds		■
SG/P/2016/20/PR	Water and Sanitation Federation BIH	Bosnia and Herzegovina	15/11/16	■						Prevention		■
SG/P/2016/21/PR	Autoroute Sfax-Gabes	Tunisia	12/12/16	■						Prevention		■
SG/P/2016/22/PR	Lusaka Power Transmission & Distribution Network	Zambia	13/12/16	■						Prevention		■
SG/P/2016/23	Transmission Line Yacyreta	Paraguay	16/12/16	■	■					Areas for improvement		■
SG/P/2016/24	Clinical Centers	Serbia	16/12/16	■	■			■		No grounds		■
SG/P/2017/01	Sao Paulo Rolling Stock	Brazil	12/01/17	■	■			■		No grounds		■
SG/P/2017/02/PR	Water and Sanitation Federation BIH	Bosnia and Herzegovina	03/02/17	■						Prevention		■
SG/P/2017/03/PR	Georgia East-West Highway	Georgia	16/02/17	■								
SG/P/2017/04	Upgrading of Judiciary Buildings	Serbia	27/02/17	■	■							
SG/P/2017/05/PR	Autoroute Sfax-Gabes	Tunisia	13/03/17	■						Prevention		■
SG/P/2017/06/PR	Clinical Centers	Serbia	13/04/17	■						Prevention		■
SG/P/2017/07/PR	Kutaisi Waste Water	Georgia	28/04/17	■						Prevention		■

Reference	Subject / Project	Project country	Received	Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up	Outcome	Recommendations	Closed
SG/P/2017/08	Dubrovnik Airport Development	Croatia	18/04/17	■	■			■		Dropped by complainant		■
SG/P/2017/09	Tanzania Backbone Interconnector	Tanzania	20/04/17	■	■							
SG/P/2017/10	Ecotitanium	France	24/04/17	■	■			■				
SG/P/2017/11	Water and Sanitation Federation BiH	Bosnia and Herzegovina	25/07/17	■	■							
SG/P/2017/12/PR	Water and Sanitation RS	Bosnia and Herzegovina	31/08/17	■								
SG/P/2017/13/PR	Georgia Urban Reconstruction and Development FL	Georgia	06/09/17	■						Prevention		■
SG/P/2017/14	Vientiane Sustainable Urban Transport	Laos	25/09/17	■								
SG/P/2017/15/PR	Road Kijeve to Peja	Kosovo	01/12/17	■								
SG/P/2017/16/PR	Corridor VC Pocitelj - Bijaca	Bosnia and Herzegovina	06/12/17	■								
SG/P/2017/17/PR	BiH Railways II	Serbia	08/12/17	■								

Reference	Subject / Project	Project country	Received	Allegation	Date decision	Outcome	Recommendations	Closed
<b>European Ombudsman</b>								
EO/1089/2016/BKB	Son Dureta	Spain	15/11/16	Handling of a complaint in relation to the "Son Dureta" project				
EO/1159/2017/TM	Recruitment Procedure	N/A	16/11/17	Handling of a recruitment procedure for the post of maritime engineer				
EO/1174/2017/CEC	Failure to Reply	N/A	04/08/17	Failure to reply to the complainant's allegations of fraud and corruption related to an EIB investment project				
EO/1316/2016/AB	Transparency Policy	N/A	27/02/17	Alleged shortcomings in the EIB's Transparency Policy				
EO/146/2017/DR	Ambatovy Nickel Project	Madagascar	26/01/17	Alleged lack of independence of the EIB's monitoring of a project it had financed, and handling of the complainant's complaints by the EIB's Complaints Mechanism				
EO/1597/2017/PL	Recruitment procedure	N/A	05/10/17	Failure to reply and investigate a complaint on irregularities in a recruitment procedure.				
EO/1715/2016/JF	Uncompensated salary	N/A	13/01/17	Uncompensated salary loss following the Bank's 2009 salary reform	13/01/17	No maladministration		■
EO/1739/2016/DR	Failure to reply	N/A	21/12/16	Time taken by the EIB and CM to take a decision on a project	26/04/17	No maladministration		■
EO/366/2017/AMF	Gender	N/A	23/03/17	Alleged violation of the principle of gender equality				
EO/374/2014/PL Confidential	Child Allowance	N/A	25/03/14	Unfair refusal to pay child allowances to non-EIB staff	17/11/17	Maladministration		■
EO/427/2017/JAS	Dignity at Work	N/A	27/03/17	Handling of a staff harassment procedure				
EO/559/2016/PD	Staff Regulations	N/A	29/04/16	Refusal to initiate conciliation procedure	31/10/17	Settled by the EIB		■
EO/610/2017/PL	"Investigation Process/ Conflict of Interest"	N/A	08/05/17	Failure to issue a formal decision in the investigation of the complainant's alleged conflict of interest	31/10/17	Settled by the EIB		■
EO/642/2017/AMF	Pension Adjustment	N/A	10/05/17	Refusal of the EIB to adjust the minimum subsistence rate of pension in accordance with the annual adjustment of pensions				
EO/814/2017/PL	Castor Underground Gas Storage	Spain	01/06/17	EIB's delay in taking a decision on a complaint concerning Castor project				
EO/960/2016/ZA	Failure to reply	Bulgaria	08/07/16	Delay in EIB-CM's reply to a complaint lodged concerning an EIF activity	04/12/17	Settled by the EIB		■



# Definitions

Work Performed	
<b>Assessment:</b>	An initial assessment is conducted to clarify the concerns raised by the complainant(s) and to better understand the complainants' allegations as well as the views of other relevant stakeholders (see <a href="http://www.eib.org/about/accountability/complaints/initial-assessment/index.htm">http://www.eib.org/about/accountability/complaints/initial-assessment/index.htm</a> ).
<b>Investigation:</b>	to determine whether
	the complaint points to a failure to comply with EIB relevant provisions;
	outcomes are consistent with the desired effects of the EIB provisions;
	EIB provisions are adequate to handle the issues raised by the complaint
	The objective of the investigation is to allow the EIB-CM to form an independent and reasoned opinion regarding the issues raised by the complaint (see <a href="http://www.eib.org/about/accountability/complaints/investigation/index.htm">http://www.eib.org/about/accountability/complaints/investigation/index.htm</a> ).
<b>Consultation:</b>	Circulation of the EIB-CM draft Report to the EIB operational services and Management, and to the external stakeholders involved in the complaint process for comments (see <a href="http://www.eib.org/about/accountability/complaints/consultation/index.htm">http://www.eib.org/about/accountability/complaints/consultation/index.htm</a> ).
<b>Mediation:</b>	Seeking a collaborative resolution process between the complainants/requestors, on one side, and the EIB and/or project promoters and/or national authorities, on the other side by building understanding and trust (see <a href="http://www.eib.org/about/accountability/complaints/mediation/index.htm">http://www.eib.org/about/accountability/complaints/mediation/index.htm</a> )
<b>Site visits:</b>	Fact-finding visit(s) or investigation visits to the project location, often in cooperation/collaboration with concerned EIB-Services.
<b>Follow-up:</b>	Follow-up on further developments and implementation of proposed corrective actions and recommendations, accepted by the EIB and regarding the subject under complaint.

Link to these definitions:

<http://www.eib.org/about/accountability/complaints/cases/definition.htm#status>

The below definitions are not on our website but the outcome of each EO case is described in the CM Activity Report 2017.

Maladministration found (critical remarks)	Following an inquiry or the refusal by the EIB to implement a solution proposed by the EO, the EO issues a decision of maladministration
No maladministration found	Following an inquiry, the EO considers that there was no instance of maladministration
Settled by the EIB	Cases where the EIB has accepted to implement a solution proposed by the EO with a view to addressing the complainant's concerns

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EIB COMPLAINTS MECHANISM  
ACTIVITY REPORT

**20  
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