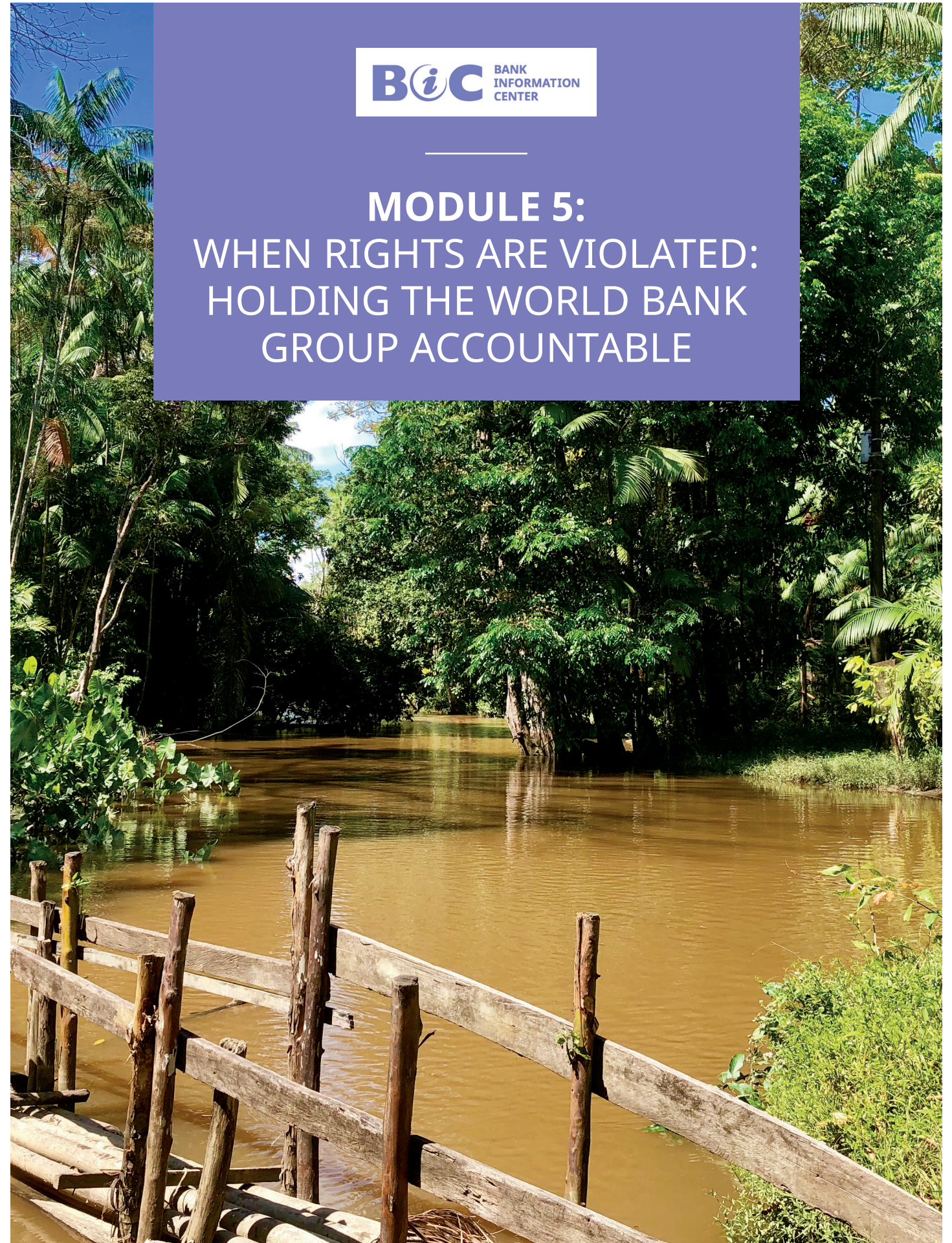




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MODULE 5: WHEN RIGHTS ARE VIOLATED: HOLDING THE WORLD BANK GROUP ACCOUNTABLE



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The World Bank Group's (WBG) projects and policies can have detrimental impacts on people and the environment. When harm occurs, whether because WBG operations fail to comply with their own policies and procedures or in spite of adhering to them, affected individuals and communities must have a forum through which they can seek accountability and redress as well as other tools to do so.

The struggle to hold the WBG accountable for harm caused by its operations is ongoing. Civil society groups have employed a range of strategies to ensure that the WBG and other international financial institutions (IFIs) are held

accountable for their actions. One primary result of these civil society efforts is the creation of independent accountability mechanisms (IAMs) that can receive complaints directly from project-affected people and their representatives and serve as a channel within the institution to enhance accountability and access to redress. In addition to filing complaints to IAMs, civil society groups have employed a variety of other strategies that have brought significant external pressure on the WBG and its peer institutions. These range from negotiation to protest, to outright rejection of Bank projects, policies, and processes. It is critical for civil society organizations (CSOs) to understand some of the strategies and tactics available to people who have experienced harm because of WBG activities.

Independent accountability mechanisms: an introduction

An IAM is a separate office housed within an IFI that handles complaints about the adverse social and environmental impacts of that institution's operations. Although the IAM is linked to an IFI, the IAM's leadership and staff are independent from the IFI's management and typically report directly to the institution's board of directors or president. IAMs generally perform three functions: conduct compliance investigations, offer dispute resolution, and provide institutional advice through an advisory role. Almost all IAMs undertake some form of monitoring of the outcomes of these functions.

An IAM's primary aims are to provide recourse for project-affected people, ensure accountability when the IFI fails to comply with its own social and environmental safeguard policies, and foster institutional learning in order to prevent future harm and improve the IFI's operations. While the form and function of IAMs differ, they share a common foundation in "citizen-driven accountability," which maintains that citizens should have a greater say in the development process and the right to recourse with regard to actions that affect them. Despite their limitations, over the years IAMs have led to significant reforms within IFIs and enabled communities to restore their environments and reclaim their livelihoods.

The World Bank Group has two IAMs: the Inspection Panel and the Compliance Advisor Ombudsman (CAO).

UGANDA ROADS

In early 2014, Joy for Children, a civil society organization working to prevent child marriage in Western Uganda, noticed increased rates of teen pregnancy and HIV/AIDS in the community of Bigodi, located near the construction of a World Bank funded roadway. Further investigation determined that children were being sexually abused and exploited by road construction workers. Efforts to bring the issue to the attention of the roadway contractor, the Ugandan Police, relevant Ugandan government officials, and the World Bank country office were met with a complete absence of response. With the support of BIC, Joy for Children brought a complaint to the World Bank Inspection Panel alleging violations of the World Bank's policies on environmental and social impact assessments, involuntary resettlement, and monitoring and supervision.

The involvement of the Inspection Panel led to large scale change both in Uganda and for the World Bank as an institution. Once the Bank began to take the issue seriously, solely as a result of the Inspection Panel's involvement, senior Bank management recognized that the project had been mismanaged and that their staff's supervision and monitoring were wholly insufficient to ensure safeguards compliance. The Bank thus admitted to virtually all the allegations made by the community and put in place a plan to remediate the harm to the community, suspended lending to Uganda until reforms were made to address the country's lack of capacity to comply with Bank standards, and appointed a high level panel on Gender Based Violence to recommend World Bank reforms. Slowly but surely the Bank is making progress in preventing and responding to GBV and sexual exploitation in the projects it funds.

A FLASH POINT FOR ACCOUNTABILITY: THE SARDAR SAROVAR DAM

One can trace the origin of the Inspection Panel and movement for citizen-driven accountability at the WBG to some of the most high-profile and controversial projects in its history. Among these is the Sardar Sarovar Dam on India's Narmada River, which would result in extensive environmental impacts and displace over 200,000 people. When local groups and international NGOs decried the consequences of the dam, the Bank was forced to commission an independent review in 1992. The review found clear and repeated violations of Bank policies and documented the link between those violations and the severe costs to the affected communities and the environment. With mounting criticism from civil society and intense pressure from member country governments, particularly the US Congress, the Bank's Board of Directors created the Inspection Panel in 1993—a first-of-its-kind mechanism that allowed project-affected people to raise their concerns directly to the highest levels of the Bank and hold it accountable for failing to comply with its own policies.

Ultimately, the Indian government declined further disbursements from the Sardar Sarovar loan, and the Bank withdrew from the project.

The Inspection Panel

In 1993, the World Bank became the first IFI to establish an IAM to respond to complaints from project-affected people and assess the Bank's compliance with its own policies and procedures. This mechanism, known as the Inspection Panel, was put in place by the Bank's Board of Directors as a response to widespread criticism of the institution's failure to comply with its internal policies while funding road projects in tropical rainforests and dams in highly populated areas. These projects led to massive environmental degradation and an incalculable loss of livelihoods.

The Inspection Panel is a three-member body with a permanent secretariat and staff, located at the Bank's headquarters in Washington, D.C. The Panel receives and investigates eligible complaints from people who feel they have been or could be harmed by activities financed by the public sector arms of the World Bank Group (IBRD/IDA) because of a violation of the Bank's own policies or procedures. The Panel also carries out an advisory function through reports and outreach on lessons emerging from its cases. Unlike other IAMs, the Panel currently does not conduct dispute resolution. The Panel cannot carry out monitoring of the outcomes of its cases following their closure without explicit authorization from the World Bank Board of Directors.

The Compliance Advisor/Ombudsman

With growing public concern about the negative impacts of investments supported by its private sector arms, in 1999 the WBG established the Office of Compliance Advisor/Ombudsman (CAO) to address complaints associated with International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA) operations. While the Inspection Panel only investigates whether the Bank has violated its own policies and provides institutional advice based on case lessons, the CAO has a broader mandate. In addition to examining IFC/MIGA compliance with their policies and procedures and performing an advisory role, the CAO also offers dispute resolution to help parties reach mutually agreeable solutions to a complainant's concerns. The CAO can also monitor the outcomes of its compliance, dispute resolution and advisory functions.

Independent from the Institutions

With growing public concern about the negative impacts of Although both the Inspection Panel and CAO are part of the WBG and physically located at the institution's headquarters, they are considered to be independent because they are not connected to WBG Management. The Inspection Panel reports to the World Bank Board of Directors; the CAO reports directly to the World Bank Group President.

Like other IAMs, it is important to note that the Inspection Panel and CAO can only investigate lapses in compliance on the part of the WBG. They have no authority over the actions of the WBG's clients, i.e. borrower governments, financial intermediaries, or private companies, thus limiting them from fully addressing the needs of some complainants.

At the time of this toolkit's publication, the Inspection Panel and CAO are undergoing reviews of their functionality and effectiveness. It is possible that these reviews will result in changes to the Panel's and CAO's structures, functions, and processes.

What to expect when filing a complaint

Complaints can be submitted to IAMs for a variety of reasons. Some complainants file because they have specific problems they want resolved, such as a failure to receive compensation for land lost or damage to livelihoods. Others may file because they wish to elevate the profile of an issue to attract national or international attention so as to get government officials or corporate executives to make serious efforts to resolve their grievances. Regardless of your reasons for filing, you should expect the Inspection Panel and CAO to handle your complaint in a professional, objective, and independent manner.

Usually it is more effective to file a complaint during the early stages of the project preparatory process because it may increase the likelihood that your concerns will be resolved to your satisfaction. However, it is not likely that the Inspection Panel or CAO will recommend a moratorium on project activities due to filing a complaint.

ACCOUNTABILITY AT OTHER IFIs

The creation of the Inspection Panel spurred other International Financial Institutions (IFIs) to create their own IAMs, which are now a common feature within development finance. IAMs have established the International Accountability Mechanism Network (IAMnet) in order to build capacity, share insights on case handling processes, and exchange ideas on best practice in the accountability field. To be an IAMnet member, a mechanism must meet certain criteria and adhere to the principles of citizen-driven accountability. For more information, visit <http://independentaccountabilitymechanism.net/>

GOOD TO KNOW

In some cases, it may be possible to file a complaint at multiple IAMs. When IFIs jointly support a project, project-affected people may have access to the IAMs at their respective institutions. It is important to keep in mind that each IAM has different eligibility requirements and case processes.



Common challenges to filing a complaint

- Groups often find it burdensome to fulfill the requirements of filing a complaint and to understand the WBG’s policies and the IAM’s processes.
- It is difficult to assess the potential advantages and disadvantages of filing a complaint.
- Access to information about a project can be limited, especially in the early stages of a project’s development. Information that is available may be very technical and only in English.
- It is difficult to find out whether the World Bank or IFC/MIGA (or other IFI) is considering or involved in a project, and therefore it is hard to know which IAM can handle your complaint. It is also challenging to obtain information about how much of a loan has been disbursed, repaid, etc., which affects when your complaint can be filed.
- Complaint processes can be long and time and resource intensive, with no guarantee of tangible benefits.
- Access to the Panel and CAO can be difficult, especially for groups in remote locations and/or without modern technology and communication facilities.
- Despite best efforts by the Panel and CAO, complainants may face risks of retaliation for filing a complaint.

Common challenges to filing a complaint

- Groups often find it burdensome to fulfill the requirements of filing a complaint and to understand the WBG’s policies and the IAM’s processes.
- It is difficult to assess the potential advantages and disadvantages of filing a complaint.
- Access to information

Other strategies for holding the WBG accountable

In addition to filing complaints to IAMs, CSOs and project-affected people have sought other avenues outside the WBG to increase accountability and obtain redress. While some have pursued legal challenges to the WBG’s

STRENGTHENING THE WBG ACCOUNTABILITY ECOSYSTEM?

The WBG Board of Directors recently embarked on two separate review processes involving the Inspection Panel and CAO. Each process has varied in its scope and level of interaction with civil society. It remains to be seen whether the WBG’s leadership will heed the calls of civil society and use this opportunity to strengthen citizen-driven accountability at the WBG.

The Inspection Panel process formally began in August 2017 with a goal of examining whether the Panel required any updates to continue to operate effectively under the new Environmental and Social Framework (ESF). In October 2018, the Board approved several reforms to the Panel’s “toolkit,” including the ability of complainants to view the Panel’s investigation report before the Board decides on how Management should respond to the report. However, the Board is still deliberating on whether to approve other much-needed reforms, which would (1) extend the time for complainants to file complaints, (2) enable the Panel to monitor outcomes, and (3) provide the Panel with a dispute resolution function.

The WBG officially released information about the CAO process in October 2019, soon after the historic U.S. Supreme Court decision in the *Budha Ismail Jam, et al. v. IFC* case. The scope of the review not only covers the CAO’s effectiveness, but also IFC/MIGA’s responsiveness and role in the accountability framework. A review team consisting of external experts is leading the review process and is accepting feedback from stakeholders throughout their review. WBG leadership will consider the team’s assessment before approving any reforms.

COMPLAINTS ACROSS IAMs: BUJAGALI HYDROPOWER DAM

The Bujagali Hydropower Dam is one of the most complained-about projects in the history of the IAMs. The dam and its related projects have been the subject of numerous investigations over the years. Project-affected people and civil society filed multiple complaints to the Inspection Panel and CAO, as well as the IAMs at the African Development Bank and European Investment Bank. The government of Uganda, with support from the WBG, African Development Bank, European Investment Bank, and other investors, asserted that the 250 megawatt hydropower dam built on the River Nile would bring more affordable energy to Ugandans. Instead, the dam has resulted in negative environmental and social impacts, including labor violations, lack of compensation for land, and harm to local spiritual values and culture. Furthermore, due to the high cost of producing the electricity, the dam has not eased the financial burden on Ugandan families.

Combined with other strategies, project-affected people and civil society have used IAMs to raise global awareness of the dam’s impacts and seek redress and accountability. The Inspection Panel and CAO completed separate investigations and found several instances of non-compliance on the part of the World Bank and IFC/MIGA, respectively. The communities and civil society groups will remain vigilant throughout the implementation of remedial actions by the WBG.





IN CONTRAST:

A MANAGEMENT-LED GRIEVANCE SERVICE

The World Bank Grievance Redress Service (GRS) is a management-led service where project-affected people can submit complaints if they believe a World Bank-funded (IBRD/IDA) project has or is likely to adversely affect them. Unlike the Inspection Panel (or CAO for IFC/MIGA), the GRS is not independent from the institution. The GRS is a part of and reports to World Bank management. While this service may enable project-affected people to engage directly with Bank management, some complainants pursue other strategies due to this lack of independence.

GOOD TO KNOW

Filing a complaint to the GRS does not prohibit you from filing to the Inspection Panel, or other IAMs if appropriate. In addition, you are not required to first file to the GRS before proceeding to the Panel or other IAMs. However, note that the Panel requires complainants to first raise their issues to World Bank management and attempt to resolve them prior to filing to the Panel. Filing first to the GRS is just one way in which complainants can satisfy this requirement. There is no such requirement for filing to the CAO, which handles complaints related to IFC/MIGA operations.

claim of immunity from both international and national law, it demands a great deal of financial and other resources to file cases against it or its employees in courts with no guarantee of a satisfactory outcome. Given this situation, complainants often consider a combination of strategies and tactics.

One of the most important external tools that civil society can use in the struggle for accountability and redress is the media. Because of the WBG's sensitivity to its reputation, highlighting substantiated grievances in the press and on social media can often help civil society hold the WBG accountable, achieve remedies, and prevent future harm. Other strategies that civil society groups use to pressure the institution include organizing public hearings, conducting tribunals of eminent persons, lobbying parliamentarians and promoting parliamentary oversight of the WBG, advocating for corporate and financial regulatory reform in their countries—particularly in sectors involving WBG clients, committing acts of civil disobedience, holding referenda, and appealing to UN bodies and regional entities, such as the Inter-American Commission on Human Rights. Such actions undoubtedly spotlight an issue and amplify concerns, helping to increase pressure on the WBG.

In Brief

- The World Bank Group (WBG) has two independent accountability mechanisms through which project-affected people can seek accountability and recourse for the adverse impacts of WBG operations: the Inspection Panel and the Compliance Advisor Ombudsman (CAO). The Inspection Panel can investigate claims of harm resulting from World Bank (IBRD/IDA) projects, while the CAO has oversight over IFC/MIGA operations. It is important to understand the advantages and limitations of both mechanisms, as well as other IAMs that may be relevant to your complaint.
- Other strategies, such as using local and international courts, engaging in civil disobedience, advocating parliament for more oversight of the WBG and corporate and financial reforms, and raising your complaint with UN bodies may also create external pressure to hold the WBG accountable for its actions. The media can be an especially powerful tool, given the WBG's sensitivity to its public reputation.

Find out more!

Resources from Civil Society Groups

- “10 Steps to Filing a Complaint,” Centre for Research on Multinational Enterprises (SOMO), <https://www.somo.nl/hrgm/10-step-guide-filing-complaint>.
- “Accountability Console” (an online database of complaints filed at IAMs. Registration is required. Users may request a fee waiver.), Accountability Counsel, <https://accountabilityconsole.com>.
- “Accountability Resource Guide: Tools for Addressing Environmental and Human Rights Abuses in International Finance and Development,” Accountability Counsel, 2015, <https://www.accountabilitycounsel.org/wp-content/uploads/2017/08/ARG-V8.pdf>.
- “Early Warning System” (an online tool that provides information and project documents on development projects around the world), Center for International Environmental Law, Coalition for Human Rights in Development, and the International Accountability Project, <https://ews.rightsindevelopment.org>.
- “Follow the Money to Justice” (an online tool to help communities identify which financial institutions are supporting development projects), Inclusive Development International, <https://www.followingthemoney.org>.
- “Glass Half Full? The State of Accountability in Development Finance,” 2016, Centre for Research on Multinational Enterprises (SOMO) and others, www.glass-half-full.org.
- “Tools for Human Rights Defenders” (online resources to guide and support complainants and other human rights defenders), Coalition for Human Rights and Development, <https://rightsindevelopment.org/our-work/hrd>.

RISK OF REPRISAL

In recent years, we have witnessed the closing of civil society space and a movement against citizen-driven accountability across the globe. The risk of retaliation and the occurrence of reprisals against people who speak out against harmful projects have increased. Risks of reprisal and retaliation have not only affected complainants, but also their families and others associated with them, including IAM consultants, interpreters, expert witnesses, and CSO representatives who support IAM processes. These threats and acts can leave the lives of the individuals concerned in ruin. They can also serve as a deterrent for project-affected people to seek accountability and redress through IAMs and other strategies.

Recognizing this trend, the Inspection Panel and CAO have developed resources for their staff to identify and respond to these risks and retaliatory measures.

- The Inspection Panel’s “Guidelines to Reduce Retaliation Risks and Respond to Retaliation During the Panel Process” can be found here: https://www.inspectionpanel.org/sites/ip-ms8.extcc.com/files/documents/IPN%20Retaliation%20Guidelines_2018.pdf.
- The CAO’s “Approach to Responding to Concerns of Threats and Incidents of Reprisals in CAO Operations” can be found here: <http://www.cao-ombudsman.org/newsroom/documents/CAOApproachtoReprisals.htm>.

In addition, IAMnet has developed a “Guide for Independent Accountability Mechanisms on Measures to Address the Risk of Reprisals in Complaint Management” as a practical toolkit to help IAMs approach the risk of reprisals to project-affected people and others who are associated with the complaint process. It provides suggestions, examples, and tools that can be used to assess and address risks and reprisals more effectively. The toolkit can be found on the IAMnet website at <http://independentaccountability-mechanism.net/>.

LANDMARK LITIGATION: BUDHA ISMAIL JAM, ET AL. v. IFC

Fishing and Farming Communities Successfully Challenge IFC’s Claim of Immunity in Court

On February 27, 2019, the U.S. Supreme Court decided in a landmark case that international organizations like the WBG can be sued in U.S. courts, invalidating the IFC’s claim that it had absolute immunity from lawsuits. The decision comes after fishing and farming communities in Gujarat, India sued the IFC for its role in financing the Tata Mundra Ultra Mega coal-fired power plant project, which devastated the communities and their environment.

Prior to the lawsuit, the communities filed a complaint to the CAO, which validated the community’s concerns and found that the IFC had repeatedly violated its own policies and procedures. Despite the CAO’s findings, the IFC failed to take corrective measures to effectively address its non-compliance and remedy the harm to the communities. As a last resort, the communities turned to litigation, which was the first time that project-affected people have used the courts to hold an IFI accountable for supporting a harmful project. In light of the U.S. Supreme Court’s decision, the case has returned to the lower courts for further deliberations.

Despite this tremendous outcome, litigation will likely remain a very costly and time consuming strategy for many communities.

REPUTATIONAL RISK

The WBG is highly sensitive to its reputation as an international organization with a stated mission of alleviating poverty and promise to “do no harm.” When civil society groups document cases of increased impoverishment and environmental damage caused by WBG projects, groups are in effect challenging the WBG’s *raison d’être*.

Resources from the World Bank Group

- Compliance Advisor Ombudsman (IFC/MIGA): www.cao-ombudsman.org.
- “The work of the Compliance Advisor Ombudsman” (short films), CAO, 2019: https://www.youtube.com/channel/UC7EhYN8wfdupAH4_-B1tGw.
- Inspection Panel (World Bank): <https://www.inspectionpanel.org>.
- “The Inspection Panel at 25: Accountability at the World Bank.” World Bank, 2018, <https://inspectionpanel.org/sites/inspectionpanel.org/files/publications/25th%20Anniversary%20Book-PDF%20Version.pdf>.
- “What is the Inspection Panel” (short video), Inspection Panel, 2016, <https://www.youtube.com/watch?v=9dOQW6gccM>.

QUICK REFERENCE: FACTS ABOUT THE INSPECTION PANEL AND CAO

	INSPECTION PANEL	IFC/MIGA CAO
Basic description	<p>Established in 1993.</p> <p>Three member, full-time panel with a secretariat and staff support, based at the WBG headquarters in Washington, D.C. Can appoint expert consultants when required.</p> <p>Covers complaints about World Bank (IBRD/IDA) operations. Reports to the World Bank Board of Directors.</p> <p>Released its “Guidelines to Reduce Retaliation Risks and Respond to Retaliation During the Panel Process” in 2016.</p> <p>As of February 2020, had processed 146 complaints. For more information, visit www.inspectionpanel.org</p>	<p>Established in 1999.</p> <p>Based in Washington D.C., office is led by the CAO Vice President, who is supported by an Ombudsman (dispute resolution), a Senior Compliance Specialist, a Senior Advisory Specialist, and other staff. Can appoint expert consultants when required. Has a Strategic Advisors group consisting of members from civil society, private industry, academia, and the field of conflict resolution.</p> <p>Covers complaints about IFC/MIGA operations. Reports to the WBG President.</p> <p>Released its “Approach to Responding to Concerns of Threats and Incidents of Reprisals in CAO Operations” in 2018.</p> <p>As of February 2020, the CAO had processed 193 complaints. For more information, visit www.cao-ombudsman.org</p>
Functions	Compliance investigations, advisory services. Can monitor and report on outcomes only with Board authorization.	Compliance investigations, dispute resolution, and advisory services. Can monitor and report on outcomes.

	INSPECTION PANEL	IFC/MIGA CAO
Who can file	<p>Two or more affected persons who are suffering or are likely to suffer harm because of a World Bank-financed operation (or a local NGO or another person that represents affected person/s. If no local representation is available, an international NGO can also represent the complainant. Proof of representation is required). A member of the World Bank Board can also request an inspection.</p> <p>The Panel maintains confidentiality upon request but anonymous complaints are not accepted.</p>	<p>There are three triggers for the CAO’s complaint process:</p> <p>(i) Any individual or community impacted or likely to be impacted by an IFC/MIGA operation can file (or a proven representative of such);</p> <p>(ii) The WBG President or IFC/MIGA senior management can request an investigation or advisory services; and</p> <p>(iii) The CAO Vice President can initiate a case.</p> <p>The CAO maintains confidentiality upon request but anonymous complaints are not accepted.</p>
When to file	At any time in the life of a project, even before the World Bank approves financing, but before 95 percent of the financing has been disbursed.	<p>At any time when the IFC/ MIGA is participating in or actively considering the project associated with the complaint. However, leverage over the client may decrease over time.</p> <p>Complaints cannot be filed when IFC/MIGA is no longer involved in the project, e.g. on past (closed) projects for which loans have been fully repaid, IFC equity has been sold, or MIGA guarantee coverage has ended.</p>

	INSPECTION PANEL	IFC/MIGA CAO
What to file	<p>Complaint should include information about the complainant and/or any appointed representatives; the World Bank operation related to the complaint; the harm experienced (or likely to experience) due to the operation; how the complainant believes the World Bank has failed to follow its policies (the complaint does not need to list specific policies); and the complainant's past attempts to inform Bank management about the harmful impacts and why the complainant is not satisfied with the response. The complaint may include any resolution that the complainant would like to see.</p> <p>Complaint can include a request for confidentiality.</p> <p>It is useful to submit as many details as possible, but complainants can provide additional information and evidence of harm during the course of the complaint process.</p> <p>The Panel's website provides a sample complaint form as guidance.</p>	<p>Complaint should include information about the complainant and/or any appointed representatives; the IFC/MIGA operation related to the complaint; how the complainant is or is likely to be affected by environmental and/or social impacts of the operation. The complaint may also include the resolution that the complainant would like to see.</p> <p>Complaint can include a request for confidentiality.</p> <p>It is useful to submit as many details as possible, but complainants can provide additional information and evidence of impacts during the course of complaint process.</p> <p>The CAO's website provides a sample complaint form as guidance.</p>

	INSPECTION PANEL	IFC/MIGA CAO
Key process milestones (The full process can take anywhere from 6 months to 3 years.)	<p>Panel's registration of the complaint (referred to as a "request") is filed within 15 days of receiving it.</p> <p>The Panel notifies management of the complaint. Management sends response to the Panel within 21 days.</p> <p>Eligibility decision by the Panel (Panel may conduct a site visit to determine eligibility). Within 21 days of Management's response, the Panel decides whether to issue a recommendation to investigate to the Board. The Panel sends its report and recommendation to the Board for a decision (on a no-objection basis).</p> <p>If the Board approves an investigation, the Panel begins the investigation and conducts a site visit. The Panel aims to complete the investigation within 6 months. Complainants have the chance to review the Panel's report before meeting with Management.</p> <p>Management issues its "Report and Recommendations" in response to the Panel's findings within 6 weeks of receiving the Panel report. Management is required to consult with complainants when developing action plans.</p> <p>The Board decides on next steps in light of the Panel's findings and Management's response, including an action plan.</p> <p>Management reports back periodically on its implementation of the action plan.</p>	<p>CAO's registration of the complaint. The CAO determines eligibility within 15 days of registration.</p> <p>The CAO assesses eligible complaints to determine whether dispute resolution is possible or whether the complaint should be handled through the compliance process. The assessment may take up to 120 days.</p> <p>If the parties agree to proceed to dispute resolution, the CAO will help achieve a mutually satisfying resolution. If the parties reach an agreement, the CAO will assist with monitoring its implementation. Timing depends on a variety of factors, including the complexity of the case.</p> <p>If the parties do not agree to proceed to dispute resolution or if the compliance process is triggered (e.g. by the CAO Vice President), the CAO initiates a compliance appraisal to determine whether the complaint warrants a full investigation. This may take up to 45 days.</p> <p>The CAO conducts its investigation. Timing depends on a variety of factors, including the complexity of the case. CAO issues its investigation report to management.</p> <p>Management has 20 days to issue a response.</p> <p>The CAO sends its report and Management's response to the WBG President for clearance. After clearance, the CAO sends the report to the complainant.</p> <p>The CAO monitors the outcome of the investigation until IFC/MIGA has addressed the non-compliance findings.</p>

	INSPECTION PANEL	IFC/MIGA CAO
Transparency of the process	<p>The Panel maintains a case registry that includes complaints and when the Panel received them, notices of registration (and non-registration), eligibility reports, investigation reports, management responses and recommendations/action plans, Board decisions, and management progress reports, as appropriate.</p> <p>Complainants have access to investigation reports in order to participate in the development of Management's action plan. The action plan is sent to the Board to decide on the next steps.</p>	<p>The CAO maintains a case registry that includes complaints and when the CAO received them, assessment reports, dispute resolution agreements and related close-out reports, compliance appraisals, investigation reports, and monitoring reports, as appropriate. IFC/MIGA responses may also be posted on the registry.</p> <p>Information may be limited due to requests for confidentiality.</p> <p>The CAO shares the final investigation report with complainants after it allows IFC/MIGA to review and comment on the factual accuracy of the draft reports and the WBG President clears them.</p>
Current status	Undergoing a Board-led review of its functionality and effectiveness.	Undergoing a Board-led review of its functionality and effectiveness.