

The Independent Accountability Mechanisms Network:

Criteria for participation and principles for cooperation



September 2016



Introduction

Since the 1992 United Nations Conference on Environment and Development in Rio de Janeiro, commonly known as the Earth Summit, International Financial Institutions (IFIs) have established Independent Accountability Mechanism (IAMs) as part of their governance structures.

The Independent Accountability Mechanisms (IAMs) Network seeks to identify and foster means for collaboration, cooperation and knowledge sharing amongst these institutions. As part of this process, the IAMs Network has set in place basic criteria for participation as well as principles for cooperation which are here presented.

Participation in the IAMs network

During the 10th Annual Meeting of IAMs hosted by The Inspection Panel in Washington D.C (2013), the IAMs agreed the basic criteria and process for participation in the network. As per these criteria, any Mechanism participating in the network is:

- ➔ A citizen-driven complaint and response mechanism, which
- ➔ operates at the international level;
- ➔ for a public institution which finances or supports development-related activities; that is
- ➔ operationally independent; and that,
- ➔ considers social and environmental impacts/concerns.

The concept of a citizen-driven complaint mechanism, and what these mechanisms do, is described in more detail in the publication developed jointly by the IAMs for the Rio + 20 Summit on Sustainable Development in Rio de Janeiro in June, 2012. This publication is entitled: *“Citizen-Driven Accountability for Sustainable Development: Giving Affected People a Voice - 20 Years On.”*

The IAMs that have participated in any of the Annual Meetings of IAMs to date are part of the IAM network. There is also a simple process through which other organizations may be able to join the existing IAM network and participate

in its Annual Meetings, in light of the basic criteria noted above.

For this purpose, a committee consisting of three IAM representatives, two coming from the IAMs which hosted the two most recent IAM Annual Meetings and one from the IAM which will serve as host of the next Annual Meeting shall consider any expression of interest from other organizations to participate in the network, in light of the above-noted criteria. If the committee agrees on participation by a new organization, it shall inform the existing members with an opportunity for any objections. In the absence of objection, the interested organization may join the IAM network and participate in its Annual Meetings. (See Annex 1 for a list of all IAMs participating in the network to date).

Principles for cooperation among Independent Accountability Mechanisms (IAMs)

Independent accountability mechanisms (“IAMs”) at international financial institutions (IFIs) and other public institutions involved in international development work (collectively, “development institutions”) have developed these general principles to advance opportunities for cooperation with each other within their respective mandates. This cooperation is intended to enhance the effectiveness and efficiency of the work of the IAMs and of citizen-driven accountability as a foundation for their work.



All network-participating IAMs recognize that:

- ➔ The IAMs have a mandate to, i.a., respond directly to complaints or requests (“complaints”) of people who believe that they or the environment in which they live has been or may be harmed by project supported by an IFI;
 - ➔ As such, the IAMs are instruments of citizen-driven accountability, and seek to provide affected members of the public with an independent forum to submit complaints and to seek solutions and redress;
 - ➔ The IAMs have different mandates, and their structures and functions vary from one institution to the next; however,
 - ➔ The shared underlying *raison d’être* of the IAMs is to provide voice and recourse for citizens and communities that may be or have been adversely affected by projects supported by the development institutions, particularly in instances where the development institutions are alleged to have failed to follow their own policies and procedures, including social and environmental safeguards policies;
 - ➔ The IAMs share the principle that their functions are based on independence, impartiality, transparency, integrity, professionalism, accessibility and responsiveness;
- ➔ The IAMs aim to create an atmosphere of trust to ensure the co-operation of all relevant stakeholders with IAMs, and to enable a path forward and find sustainable solutions to concerns raised by stakeholders;
 - ➔ The IAMs provide a means of redress for complainants or requesters and institutional lessons for the IFIs, in support of their broader missions to, i.a., fight poverty and promote more sustainable and equitable development. Through their work they can:
 - ➔ Help achieve win-win solutions to safeguard public health, human rights and cultural heritage;
 - ➔ Catalyze actions necessary for development institutions to bring projects into compliance with their own policies and standards;
 - ➔ Help protect unique physical environments from damage;
 - ➔ Provide people and communities that are adversely affected by projects supported by development institutions with redress to restore their livelihoods;
 - ➔ Promote human rights where reflected in the policies of their respective development institutions, and interact with relevant international organizations, and

- Improve the social and environmental sustainability of development projects.

A core group of IAMs has met annually since 2004, and believes that it is in their common interest to further advance their efforts at cooperation. Through such cooperation, the IAMs have opportunities to:

- Foster a better understanding of core principles of citizen-driven accountability across the IAMs;
- Contribute to a regular exchange of ideas and best practices, and a sharing of experiences, lessons learnt and challenges ahead;
- Assist with institutional capacity-building in accountability, as components of corporate governance;
- Exchange views on substantive and technical operationalization of respective mandates and strategies;

- Explore the possibilities of greater harmonization; and
- Reach external stakeholders to build awareness of the availability of the IAMs, including communities who are poor and marginalised.

Part 1: General principle

.....

1. Each IAM operates within the context of its constitutive policy or framework, mandate, institutional structure and development institution. Each IAM also has its own distinct framework of rules and procedures, guidelines and practices, including those on independence, autonomy, applicable standards, decision-making power and confidentiality (the “Framework” of each IAM).



2. The principles of cooperation in this document reflect the aspirations and intentions of the IAMs based on experience to date and shall not be read or interpreted as binding in nature. It is recognized and understood that these principles may evolve over time.

Part 2: Information sharing

3. The IAMs believe that it is helpful to share relevant information with each other through regular exchanges of best practices and experiences, and through other means of dialogue and exchange. In this context, the IAMs will in general seek opportunities to share relevant information and maintain dialogue among each other on matters of mutual interest, and consistent with their respective Frameworks.

Part 3: Complaints relating to co-financed or commonly-supported projects

A. Receipt of Complaint – Information Sharing

4. Where an IAM receives a complaint about a project supported by its respective development institution, and becomes aware that the project is co-financed or otherwise supported by one or more other

development institutions, it is encouraged (consistent with its Framework and consistent with any applicable provisions or procedures for protecting confidentiality) to:

- Inform other IAMs of the relevant development institutions, and provide them with a copy of the complaint(s) received upon their request;
- Share other relevant information and documents regarding the complaint(s) upon request of the other IAM(s), as appropriate;
- Inform the complainant(s) as and when appropriate and after consulting with other IAMs included or involved in the project that the project or operation includes or involves the support of one or more other development institution, and of the existence of the other IAMs of those development institutions.

B. Cooperation among IAMs where more than one complaint is filed

5. In cases where more than one IAM receives a complaint relating to the same project, and where the complaints involve the same or substantially similar issues, the involved IAMs will seek to cooperate to the extent feasible and practicable to promote efficiencies and to achieve consistency of approaches in responding

to each common complaint, while respecting each IAM's independence and Framework.

6. To this end, the IAMs involved may consider developing an exchange of letters or other form for cooperation, which may set out specific means of cooperation. In general, where feasible and helpful, and consistent with their own Framework, the relevant IAMs may:

- Explore opportunities for a common or coordinated process in responding to the common complaint, consistent with each IAM's Framework, which may provide for distinct time frames, operational policies, work programs and budgets;

- Encourage and facilitate those assigned to the case to coordinate efforts and share certain information and documents;
- Consider the development and use of joint work plans, and coordinate the retaining of consultants, experts, roles, and responsibilities;
- Coordinate the use and evaluation of analyses produced by consultants;
- Exchange information and consider jointly planning the timing of the field visits, meetings and travel pertaining to the process;
- Consult with each other with regard to information dissemination and confidentiality and other concerns that may arise;
- With a view to cost savings, consider sharing certain costs, including costs associated with consultants.

Part 4: Outreach and in-reach

7. Recognizing that there are important opportunities for cooperation in efforts to build awareness of the existence of the IAMs for affected communities, the IAMs should explore opportunities to:



- Inform other IAMs when organizing outreach events concerning operations in a region/country of common interest and, to the extent possible, share annual plans for outreach events in advance;
 - Endeavor to organize common outreach events with other IAMs on matters of mutual interest, and consider means for cost sharing on a case by case basis;
 - Invite other IAMs to make available to the public their information materials in outreach activities, and consider cooperation in electronic means of outreach, including through cross-links on respective websites.
- 8.** Where an IAM believes it has valuable experience or suggestions relating to development of relationships or fostering positive relationships within its related development institution, it may wish to share the same with the other IAMs.

Part 5: Broader dialogue opportunities and regular meetings of the IAMs

- 9.** The IAMs will endeavor to meet regularly as a group (the IAM Network), in order to support the aims of cooperation and coordination as set out in this MOU.

- 10.** The IAMs recognize the importance of the IAM Network, and opportunities to build awareness and dialogue about citizen-driven accountability in the context of international development work.
- 11.** Therefore, and consistent with their Frameworks, work needs and budgetary constraints, IAMs will explore opportunities for common participation at major international events on these and related topics and themes.

Part 6: Internet and electronic information

- 12.** The IAMs have explored and may in the future explore new opportunities or technologies for information-sharing with other IAMs and/or stakeholders. This may include the development of a common electronic platform for information exchange among the IAMs as a group, their respective development institutions, and civil society and the public at large, building on past experiences, in support of the basic elements and purposes of these principles.
- 13.** The IAMs support and will foster transparency, dialogue and information sharing as a key principle in this work and effort.

Annex 1: Members of the IAM network

(September 2016)

Name of Independent Accountability Mechanism (IAM)		Name of Financial Institution	Region Eligible to Receive Financing	Website Address and E-mail Contact information
	Independent Review Mechanism	African Development Bank (AfDB)	Africa	http://www.afdb.org/en/about-us/structure/independent-review-mechanism-irm/ email: crmuinfo@afdb.org
	Accountability Mechanism	Asian Development Bank (ADB)E	Asia	http://www.adb.org/site/accountability-mechanism/main email: crp@adb.org
	Complaints Mechanism	Black Sea Trade and Development Bank (BSTDB)	Black Sea Economic Cooperation (BSEC) member countries - 11 countries	http://www.adb.org/site/accountability-mechanism/main email: complaints@bstdb.org
	Audit Compliance and Investigations	Caribbean Development Bank (CDB)	Caribbean Countries	http://www.caribank.org/
	Independent Complaints Mechanism	Entrepreneurial Development Bank	Global	https://www.fmo.nl/page/1115 e-mail: complaintsoffice@fmo.nl
	Project Complaint Mechanism	European Bank for Reconstruction and Development (EBRD)	Central and Eastern Europe, Central Asia and, Turkey	http://www.ebrd.com/pages/project/pcm.shtml email: pcm@ebrd.com
	Complaints Mechanism	European Investment Bank (EIB)	Global	http://www.eib.org/about/accountability/complaints/index.htm email: complaints@eib.org
	European Ombudsman	European Union	Global	http://www.ombudsman.europa.eu/ email: eo@ombudsman.europa.eu
	Complaints Mechanism	German Development Bank	Global	https://www.deginvest.de/International-financing/DEG/Die-DEG/Verantwortung/Beschwerdemanagement/index.html complaintsoffice@deginvest.de

Name of Independent Accountability Mechanism (IAM)	Name of Financial Institution	Region Eligible to Receive Financing	Website Address and E-mail Contact information
	Independent Consultation and Investigation Mechanism	Latin America and the Caribbean	www.iadb.org/mici email: mecanismo@iadb.org
	Office of the Compliance Advisor Ombudsman	Global	www.cao-ombudsman.org email: cao-compliance@worldbankgroup.org
	Examiner for Environmental Guidelines	Global	http://www.jbic.go.jp/en/about
	Examiner Objection Procedures on Environmental Guidelines	Global	http://nexi.go.jp/en/environment
	Office of the Chief Compliance Officer	Nordic & Baltic member countries; Non-member countries globally	http://www.nib.int/contact_us/report_misconduct_and_corruption e-mail: corruption@nib.int
	Social and Environmental Compliance Review and Stakeholder Response Mechanism	Global	http://www.undp.org/content/undp/en/home/operations/accountability/secu-srm/
	Office of Accountability	Global	http://www.opic.gov/who-we-are/office-of-accountability email: accountability@opic.gov
	Inspection Panel	Global	www.inspectionpanel.org inspectionpanel@worldbank.org

