TERMS OF REFERENCE

VICE PRESIDENT, COMPLIANCE ADVISOR OMBUDSMAN

The Opportunity

The World Bank Group has commenced a global search for its next Compliance Advisor Ombudsman at the level of Vice President reporting to the World Bank Group President.

Terms of Reference- Compliance Advisor Ombudsman

Established in 1944 and headquartered in Washington, D.C., the World Bank is one of the world's largest sources of development assistance. With a staff of over 10,000 people, the Bank works in more than 100 developing economies to improve living standards and fight poverty. For each of its clients, the Bank works with government agencies, nongovernmental organizations, and the private sector to formulate assistance strategies. A network of offices worldwide delivers the Bank's programs in countries, liaises with government and civil society, and works to increase understanding of development issues.

The World Bank is owned by 187 member countries whose views and interests are represented by a Board of Governors and a Washington, DC-based Board of Directors, who oversee the World Bank’s business including approving loans and guarantees, country support strategies, and borrowing and financial decisions.

The World Bank Group consists of five institutions that specialize in different aspects of development: the International Bank for Reconstruction and Development (IBRD), the International Development Association (IDA), the International Finance Corporation (IFC), the Multilateral Investment Guarantee Agency (MIGA), and the International Centre for the Settlement of Investment Disputes (ICSID). The IBRD and IDA together are often referred to as “the World Bank.” The total assets of these two institutions amounted to over $300 billion at the end of fiscal year 2012.

The International Finance Corporation (IFC) promotes sustainable private sector investment in developing countries with the objective to reduce poverty and improve people's lives. IFC is a member of the World Bank Group, headquartered in Washington, DC. Established in 1956, IFC is the largest multilateral source of loan and equity financing for private sector projects in the developing world. It promotes sustainable private sector development.

MIGA (Multilateral Investment Guarantee Agency) was created in 1988 as a member of the WBG to promote foreign direct investment (FDI) into developing countries, to support economic growth, reduce poverty and improve people’s lives. To this end, the agency’s vision is to be a multilateral risk mitigator, providing products and services that encourage potential investors into developing countries and provide the necessary comfort to alleviate concerns over political (noncommercial risks).

The Office of the Compliance Advisor Ombudsman (CAO)
The Office of the Compliance Advisor Ombudsman (CAO) is the independent recourse and accountability mechanism of the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA) for social and environmental concerns. The mandate of the CAO is to address complaints by people affected by IFC/MIGA supported projects in a manner that is fair, objective, and constructive, and to enhance the social and environmental outcomes of projects in which those institutions play a role.

The CAO meets its mandate through three outcomes driven roles- professional dispute resolution between affected communities and IFC/MIGA clients, compliance oversight of IFC/MIGA environmental and social performance, and independent advice to the President and senior management. Through these roles, the CAO seeks redress for community grievances and provides public assurance that systemic weaknesses in IFC/MIGA project performance are identified and addressed.

As an independent unit, CAO’s scope covers activities under the IFC Asset Management Company and trust funds where IFC/MIGA are trustees, and advisory services.

The Role and Responsibilities
The CAO responds to complaints from project-affected communities with the goal of enhancing social and environmental outcomes on the ground. The primary role of the CAO is to ensure the following principles are observed:

- CAO is required to be independent and objective
- CAO follows guiding principles to enhance transparency, introduce certainty, and ensure internal consistency.
- CAO manages relationships with affected communities, civil society and the NGO community, as well as with IFC/MIGA staff and clients, and other relevant stakeholders, including government, through its dispute resolution work;
- CAO has the scope to conduct independent compliance appraisals/investigations of IFC/MIGA performance with regard to projects and programs, either triggered by complaints or at the discretion of the Vice President, or at the request of the World Bank Group president or IFC/MIGA senior management;
- CAO is authorized to use its advisory role proactively based on its experience to examine and advise on emerging environmental and social issues in IFC’s and MIGA’s work (e.g. environmental and social policy issues, systemic concerns and trends that may arise from new IFC/MIGA business models, products, or areas of operation);
- The CAO retains the right to consult and confer with NGOs and civil society on activities and core functions;
- The CAO office recognizes and differentiates itself from other oversight functions in the World Bank Group some of whom pre- and post-date the establishment of the CAO function, or where the missions of these functions have altered over time (i.e. IP, IEG, IAD, INT); and
- The CAO office is authorized to have ready and full access to IFC/MIGA staff and documentation in order to fulfill its mandate.
In addition, the CAO is unique among the IAMs in that it has a Strategic Advisors Group (SAG) comprised of advisors from private sector, civil society and dispute resolution practitioners. The SAG is an ad hoc advisory group that meets twice per year to discuss and provide advice on current issues and cases important to the CAO.

CAO’s Dispute Resolution team handles a large caseload, with more than 26 (twenty-six) cases addressed in 2012 in 17 (seventeen) countries. The cases resulted in settlements and important breakthroughs in a number of cases. An additional 15 (fifteen) cases were handled by the CAO’s compliance team in 2012. CAO is carrying out a deeper analysis of its caseload under its Advisory Role. CAO’s caseload consists of over 100 cases in almost 40 countries since 1999. Issues related to project due diligence and supervision, consultation and disclosure, socio-economic benefits, land, water, and community health and safety are dominant concerns cited in a majority of cases.

Candidate Profile

The successful candidate for CAO Vice President will possess a high level of credibility and trust. The Vice President will also be a person of impeccable integrity, strong interpersonal skills, empathy, and sound judgment, and a proven record of respected international leadership. He/she must be a person of stature, a recognized authority, deeply respected for his/her intellectual leadership and able to integrate strategically. With his/her personal drive and integrity, exemplary levels of professionalism, probity and resilience will be someone who leads by example and has excellent judgment of people and situations.

Furthermore, they must demonstrate a set of core competencies which include:

- Experience dealing with a broad range of civil society, including marginalized and vulnerable groups.
- Understanding and experience of dispute resolution practices, including mediation, dialogue, assisted negotiation, and consultative and participatory processes.
- Understanding and experience with environmental and social issues, including compliance with international best practice standards and legal requirements.
- Substantial understanding of, and experience in, the private sector business environment.
- Understanding and experience with international development organizations.
- Understanding of the role and function of institutional oversight and accountability mechanisms, including grievance mechanisms.
- Candidates should have people management experience in multi-cultural environments.
- Candidates should have no prior history of employment with the World Bank Group.

Reporting Relationships

The Vice President, Compliance Advisor Ombudsman supervises a unit of 16 staff in Washington, DC including core staff and operational support functions. In addition, the CAO works with a roster of independent mediators, compliance investigators, and consultants worldwide who support its casework and other activities. CAO’s diverse team includes professionals from the private, public, and nonprofit sectors with experience in dispute resolution, compliance, social and environmental best practice, cross-cultural communication, research, advocacy, and professional administration.
The Vice President, Compliance Advisor Ombudsman reports to the President of the World Bank Group and is not part of the line management structure of either IFC or MIGA. CAO also reports annually to Committee on Development Effectiveness (CODE). The appointment is for one renewable five year term. Upon termination of the appointment, the Vice President, Compliance Advisor Ombudsman is precluded from working for any part of the World Bank Group in the future to protect the independence of the office.

This position is based at the IFC’s headquarters in Washington, D.C.

The World Bank Group is committed to achieving diversity in terms of gender, nationality, culture and educational background. Individuals with disabilities are equally encouraged to apply.