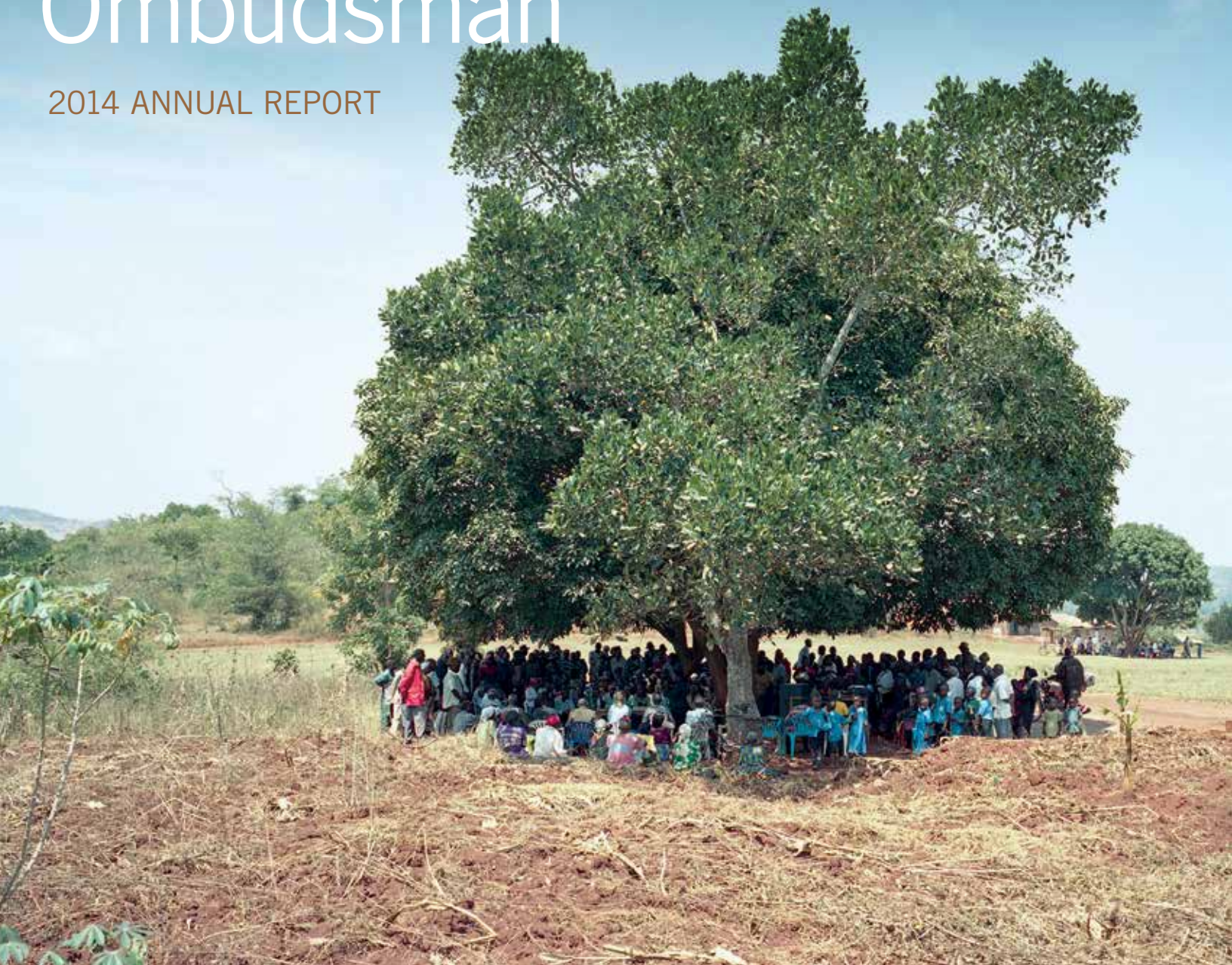


Compliance Advisor Ombudsman

2014 ANNUAL REPORT



About CAO

The Office of the Compliance Advisor Ombudsman (CAO) is the independent accountability and recourse mechanism for the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA), the private sector lending and insurance arms of the World Bank Group. CAO addresses complaints from people affected by IFC and MIGA projects with the goal of improving social and environmental outcomes on the ground and fostering greater public accountability of IFC and MIGA. CAO reports directly to the President of the World Bank Group.

For more information about CAO, please visit www.cao-ombudsman.org

Cover photo: Members of the Kiboga community in Uganda gather under a mango tree to discuss negotiations (Felix Davey/CAO).

Compliance Advisor Ombudsman

2014 ANNUAL REPORT

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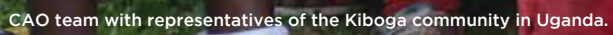
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OUR MISSION

CAO's mission is to serve as a fair, trusted, and effective independent recourse mechanism and to improve the environmental and social accountability of IFC and MIGA.

FOREWORD FROM THE WORLD BANK GROUP PRESIDENT

The World Bank Group works to harness the tremendous potential of the public and private sectors to create opportunities for the poor in developing countries. We have high aspirations for these projects—in creating new jobs, goods, and services; building infrastructure that connects people to markets and powers homes, schools, and businesses; and providing access to finance for local entrepreneurs. These interventions are aligned with our goals of ending extreme poverty by 2030 and boosting shared prosperity.

As we focus on supporting and catalyzing transformative projects to achieve our goals, we must ensure our projects are aligned with our core commitment to sustainable development embedded in our policies and standards. Robust implementation of these standards is the only way we can guarantee that project outcomes are consistent with

our overarching goal, and that those who host our projects—local communities—do not bear an undue burden of risk.

CAO is an essential part of this work and reflects the commitment we make to our shareholders—188 governments around the world—to meet the highest standards of development performance, transparency, and accountability. Our mandate, market influence, and public trust demand nothing less.

For communities that believe they are adversely affected by IFC and MIGA projects, CAO performs the critical role of addressing their concerns. Through this work, CAO has shown that community participation and partnership are not just buzzwords for development: they are essential ingredients if IFC and MIGA are to provide sustainable and credible solutions through the private sector that deliver

World Bank Group President Jim Yong Kim and Peru's First Lady Nadine Heredia meet with women during a festival in Lamay, Peru in July 2013 (Dominic Chavez/World Bank Group).



positive outcomes for people on the ground. In short, getting development right starts at the project site.

CAO's compliance work demands that tough questions are asked of our performance. This year, we have been working to address CAO's findings with regard to an IFC investment in the palm oil sector in Honduras and land conflict. In response, we have committed to unprecedented consultation on the issues with our client, Dinant, and local stakeholders. This is a process that is just beginning. We also continue to work on addressing CAO's findings with regard to IFC's financial sector investments, where we have a challenging task in tracking large volumes of transactions. Our actions will inform our approach to future investments.

In its dispute resolution capacity, CAO successfully mediated landmark agreements in Uganda for two communities displaced by commercial forestry projects supported by IFC through a private equity fund. These cases were brought to my attention early in my tenure as President of the World Bank Group. Through our accountability process, this case has provided redress for the communities and ultimately resulted in land tenure security, which is critical for restoring and building livelihoods. I commend the creative and collaborative solutions found by the Mubende and Kiboga communities, together with New Forests Company, with CAO's help. This case shows that we take these issues seriously, and, through CAO, respond. There is much we can learn from this experience as we strive to do things better.

CAO was the first recourse mechanism for the private sector among multilateral institutions. Since its creation, CAO has helped IFC and MIGA develop their approach to risk management and shape their policies and procedures. I am committed to ensuring that CAO continues to play a leadership role, together with our other independent oversight units, in setting high standards for governance and accountability at the World Bank Group.

In this respect, I would like to thank Meg Taylor, who retired in July 2014 as CAO Vice President, for her service over the past 15 years. With Meg's strong leadership, CAO has built an unmatched body of work, benefitting communities, civil society groups, private sector companies, and governments around the world. I wish Meg every success in her new role as Secretary General of the Pacific Islands Forum. Meg's successor, Osvaldo Gratacós, will carry on CAO's important work and I look forward to working closely with him.

I would lastly like to thank the CAO team and all who work with them for their commitment and contributions this year within our larger mission of development.



Jim Yong Kim
President
October 2014

MESSAGE FROM THE COMPLIANCE ADVISOR OMBUDSMAN

This Annual Report reflects the continued growth in CAO's work. The Office handled 54 cases this year, closing 7, and concluding its work on an additional 9, which are now being monitored.

A significant portion of CAO's caseload is carried over from previous fiscal years. This reflects the complexity of CAO's work. Our cases involve large numbers of complainants—up to 25,000 in one case; fragmented community groups; a multiplicity of stakeholders; complex financing structures; large-scale projects; multilayered disputes; numerous language groups; and in some cases, remote and conflict-affected locations. This can require a significant investment of time and resources on CAO's part. These are not cases that can be resolved in a matter of months.

We believe the increase in our case load is indicative of a healthy, responsive, and trusted accountability structure. Open CAO cases represent just 1 percent of IFC investments, but the caseload should be expected to grow as IFC's and MIGA's portfolios expand and project-affected people become increasingly aware of the work of these institutions. At the same time, CAO is actively working with IFC and MIGA to identify areas of improvement, such as the development of enhanced project-level grievance mechanisms, which should reduce the need for people to reach out to Washington to have their concerns addressed.

We continue to build our dispute resolution capacity in the regions and have trained local mediators in Africa, Asia, and Latin America over the past year. This represents an important effort by CAO to provide cost-effective and decentralized dispute resolution services.

Recent notable outcomes from our dispute resolution work include agreements in Uganda, following complaints from two affected communities concerning evictions from land developed for commercial forestry. As a result of CAO's dispute resolution process, hundreds of households are moving to land to which they have legal title, planting crops, and developing projects with support from the company, including access to water and activities to generate income, such as beekeeping,

biogas, and biomass coal. CAO has documented the case in a supplement, *A Journey to Find a Home: A Story of Community-Company Dispute Resolution in Uganda*.

To ensure the sustainability of outcomes such as this, CAO has identified an area where IFC could add significant value, and enhance its reputation as a leader in sustainable finance. CAO has proposed the creation of a community sustainability fund that would enable IFC to support local development initiatives resulting from CAO dispute resolution processes. CAO welcomes more discussion with IFC on the criteria for such a fund and possible options to make it a reality.

CAO's compliance work has also grown and has provided robust oversight of IFC's environmental and social performance, while garnering increased attention from IFC management over the past year. The action plans that IFC developed in response to CAO's compliance investigations of IFC's financial intermediary investments and the Dinant project in Honduras are especially notable. In particular, the Dinant action plan has been formulated as a consultation draft, to be further developed with inputs from project-affected communities. This represents good practice and should be developed in relation to future CAO compliance processes. With regard to Dinant, CAO also welcomes IFC's announcement that it has engaged a qualified and widely respected conflict resolution professional to facilitate dialogue between communities, the IFC client, and local authorities.

CAO's growing body of work provides fertile ground for institutional learning. CAO has an ongoing engagement with IFC and MIGA on lessons learned through its Advisory role. This year, we completed joint workshops with IFC and MIGA staff on project-level grievance mechanisms and lessons learned from large-scale, transformational projects.

CAO has also been improving the robustness of its monitoring and evaluation (M&E) system, including the Management Action Tracking Record (MATR), which tracks IFC and MIGA responses to CAO's work. In coming years, we expect our M&E system to produce a wealth of data, which can be analyzed and shared to enhance learning within IFC and MIGA, and beyond.

Meg in Uganda with the CAO mediation team and community members, 2014.



At the heart of accountability and access to independent recourse are transparency, accessibility, equity, and predictability of process. I believe that CAO has matured to become a mechanism that holds fast to these principles and is accessible to citizens in countries where IFC and MIGA are parties to an investment.

Looking back on past accomplishments and looking forward to CAO's future, I leave CAO this year after establishing the Office 15 years ago. I commend Jim Wolfensohn, President of the World Bank Group in 1999, and the civil society organizations that urged him to establish an independent recourse mechanism for IFC and MIGA.

I am proud of the body of work we have created over this time. I acknowledge IFC and MIGA for remaining committed to CAO, and appreciate the IFC and MIGA clients that have worked with us. And I am deeply grateful for the support of civil society all over the world for their commitment to those individuals and communities who needed to access CAO.

What will remain a priority is protecting CAO's independence and ensuring it has the necessary resources to do its work at a time of growth. To meet demand, CAO will require an independent budget process that is autonomous from IFC and MIGA. As the volume of work increases, it will also be important that CAO has the autonomy to deliver substantive reports within the framework of relevant policies.

I want to assure those who read this Report that the new CAO Vice President, Osvaldo Gratacós, is committed to an independent CAO and will ensure that the challenges are met.

I wish to thank my colleagues here at CAO for sharing the work with me. I wish to thank the CAO Strategic Advisors for their continued counsel and support. I wish to thank the many peoples I have worked with in Africa, Asia, Latin America, and Central Europe over the past 15 years. I have learned much from my interactions with others rich in knowledge and life experience, who have shared the complexities and challenges of conflict, environmental and social risk, resource management, and land use with us. I thank the private sector companies that took up the challenge of meeting communities at mediation tables and moved forward with solutions for both themselves and affected peoples. I thank IFC and MIGA management for the challenging and constructive interactions with CAO's work. I thank President Jim Kim for his ongoing support for CAO.

I now return to the Pacific.

Meg Taylor
Vice President
July 2014

OVERVIEW



Sugarcane workers arrive for their shift at dawn near Chichigalpa, Nicaragua (Felix Davey/CAO).

WHO WE ARE

CAO is the independent accountability and recourse mechanism for the private sector arms of the World Bank Group, the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA). Established in 1999, CAO addresses complaints from people affected by IFC/MIGA projects with the goal of improving environmental and social outcomes on the ground and fostering greater public accountability of IFC and MIGA. CAO reports directly to the President of the World Bank Group.

The CAO Vice President is appointed through an independent selection process led by civil society, academia, and the private sector. The CAO staff comprises a diverse team of professionals from the public and private sectors (see pp. 77–80). CAO also works with numerous mediators and technical specialists with proven track records in their fields, and meets regularly with a team of international strategic advisors, who provide critical insights to improve CAO's effectiveness (see p. 81).



CAO team meets with Indigenous youth during an assessment trip to Cambodia in May 2014.

HOW WE WORK

CAO strives to respond to people's concerns in a manner that is fair, objective, and constructive, with the goal of delivering tangible outcomes for all involved parties. CAO's three roles—Dispute Resolution, Compliance, and Advisor—together provide a framework to address people's grievances by exploring collaborative solutions, identifying critical performance issues, and sharing findings in a way that improves the performance of IFC and MIGA. These roles and how they interact are outlined in CAO's Operational Guidelines, which are available at www.cao-ombudsman.org.



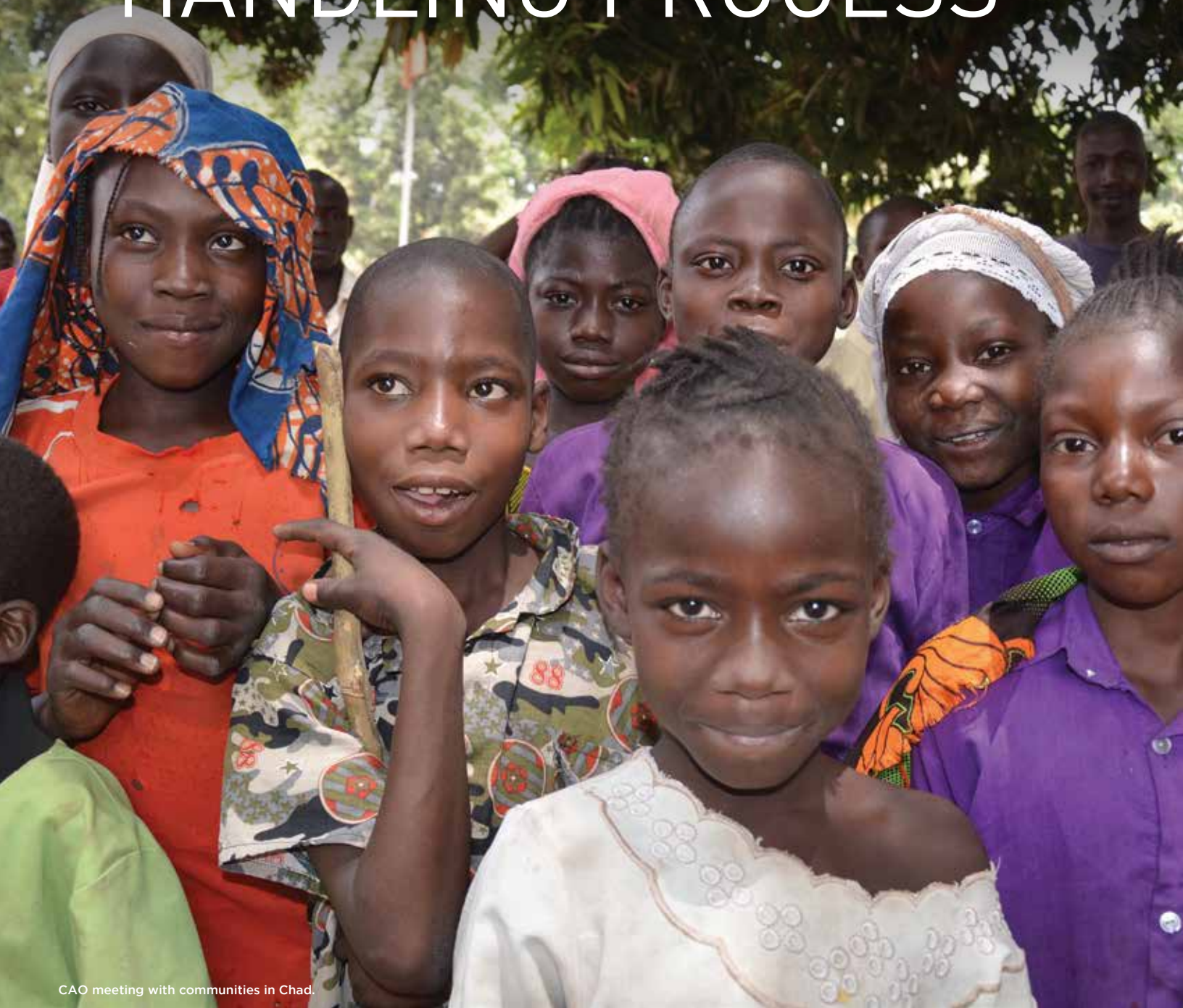
The Djertou community collect materials to support agricultural projects following agreements with the Cameroon Oil Transportation Company (COTCO) in Cameroon.

CAO Dispute Resolution: In its Dispute Resolution work, CAO provides an avenue through which affected communities can engage directly with the IFC/MIGA client (project operator) to address environmental and social concerns related to a project. Dispute resolution is voluntary, and if parties choose this option, CAO helps design a flexible, collaborative process aimed at seeking joint solutions to the issues raised in the complaint. This may involve mediation, assisted dialogue, or joint fact-finding, among other approaches (see pp. 11–15). CAO monitors the implementation of any agreements reached to ensure their long-term success.

CAO Compliance: In its Compliance work, CAO oversees investigations of IFC/MIGA environmental and social performance at the project level. Compliance investigations might be initiated as a result of a complaint, or by the CAO Vice President, or at the request of the World Bank Group President or IFC/MIGA management. CAO has a three-step process involving an appraisal; an investigation for cases that warrant further enquiry; and monitoring IFC/MIGA action in response to findings of noncompliance (see pp. 16–19).

CAO Advisory: In its Advisory capacity, CAO provides guidance to the World Bank Group President and IFC/MIGA on broader environmental and social issues related to policies, guidelines, procedures, strategic issues, trends, and systemic concerns. Advisory work is initiated by the CAO Vice President or at the request of the President or IFC/MIGA management. CAO advice is derived from insights from its dispute resolution and compliance work and aims to improve IFC and MIGA performance systemically (see pp. 20–22).

COMPLAINT HANDLING PROCESS



CAO meeting with communities in Chad.

WHAT COMPLAINTS ARE ELIGIBLE?

When CAO receives a complaint, it is screened for eligibility against a set of three criteria. These criteria are simple and predictable to ensure CAO's accessibility to stakeholders from diverse backgrounds:

1. The complaint relates to a project in which IFC/MIGA is participating, or is actively considering.
2. The issues raised are environmental and social in nature.
3. The complainant is, or may be, affected by the environmental and social issues raised.

When screening a complaint for eligibility, CAO does not make a judgment about the merits of the issues raised, nor prejudge issues according to gravity, level of information (technical or otherwise), or the identity of the complainant. This eligibility process ensures equitable access to potential complainants without placing an onerous burden of proof on them.

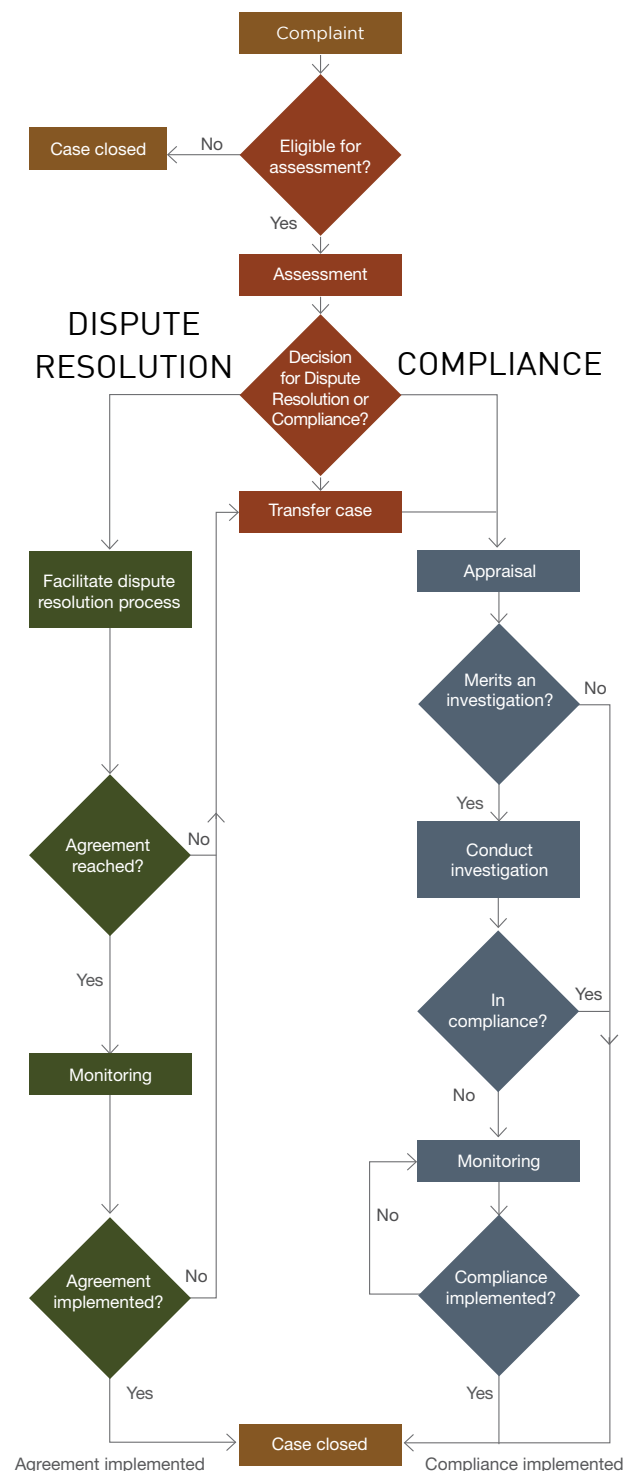
CAO is not mandated to address complaints related to fraud and corruption. These types of complaints are handled by the World Bank Group's Integrity Vice Presidency, www.worldbank.org/investigations. Complaints regarding public sector projects of the World Bank (IBRD/IDA) are handled by the Inspection Panel, www.inspectionpanel.org.

If a case is found eligible, CAO conducts an assessment of the issues raised in the complaint by talking to the relevant stakeholders. This assessment informs which CAO process—Dispute Resolution or Compliance—the case is referred to.

NEW COMPLAINTS, FY2014

Of a total 32 new complaints received this year, CAO accepted 16, and deemed a further 16 ineligible, either because they did not pertain to an IFC or MIGA project or did not raise environmental or social concerns in line with CAO's mandate.

Figure 1. CAO's Process for Handling Complaints





CAO team visits the Amulsar mine site in Armenia In April 2014.

ASSESSMENT

After finding a complaint eligible, CAO conducts an assessment to gain a deeper understanding of the issues and dynamics that lie at the heart of a dispute. An assessment does not entail a judgment on the merits of the complaint. Rather, the aim is to listen to people's concerns, understand the perspectives of different stakeholders, and determine whether the complainant seeks to trigger CAO's dispute resolution or compliance function.

During assessment, CAO maps the main stakeholders and their interests, and reviews relevant documentation related to the project and information submitted by the parties. This ensures that CAO is well informed about the issues, the project, and the context in which the dispute is taking place. In most cases, CAO will conduct a field visit and speak to affected individuals, broader community groups, the project operator, IFC/MIGA staff, and other relevant stakeholders,

including government representatives and civil society organizations. Assessment meetings may range from bilaterals and small group discussions to public consultations. CAO will typically engage translators or local facilitators to help conduct meetings in the local language and in a manner that is sensitive to, and respectful, of local custom. CAO may also engage the services of a local mediator to help with the assessment.

The assessment is a comprehensive exercise for CAO and an essential part of our work before embarking on either a dispute resolution or compliance process. Importantly, it provides parties with an opportunity to reflect on their expectations of CAO, as well as consider issues from the perspective of other stakeholders, often for the first time. The assessment will inform the scope and design of any subsequent dispute resolution process, or compliance process.

DISPUTE RESOLUTION



CAO team attends a meeting at the ASOCHIVIDA office in Chichigalpa, Nicaragua (Felix Davy/CAO).

OVERVIEW

Through its Dispute Resolution role, CAO provides opportunities for affected communities to engage directly with a company that is an IFC/MIGA client to address environmental and social concerns related to a project. Dispute resolution is a voluntary process and at a minimum requires the participation of both the affected community and the company. If these parties agree to work together, dispute resolution provides a robust platform for them to explore opportunities for resolving the issues raised in a complaint.

Dispute resolution is a collaborative, flexible process that utilizes a range of problem-solving approaches, such as mediation, facilitated negotiation, and assisted dialogue. The overall goal is to help the parties work together toward solutions that are practical, effective, and sustainable. As such, CAO does not make a judgment about the merits of a complaint, nor does it find fault or impose solutions as conciliator, arbiter, or judge. The steps involved in a dispute resolution process are outlined in Figure 2 (see page 14).

Many cases that undergo dispute resolution are highly complex, entail numerous issues, involve more than two parties, and take place in an environment where one or more parties may not feel confident in their capacity to engage in the process at the outset. This requires CAO to invest time providing capacity building and training to the parties. In particular, CAO will work with communities before the process begins to help build their capacity to engage effectively, and to ensure that they are able to make informed decisions about issues that directly affect their lives. This may involve helping identify and support representatives elected by the community to represent them, as well as helping them effectively monitor the implementation of any agreements reached after the process has concluded.

Local mediators are an integral part of CAO's dispute resolution teams. These mediators work closely with parties on the ground and provide linguistic and cultural knowledge that is vital to understanding the local context and to designing a process that achieves tangible and sustainable outcomes for all involved (see box 1, this page).

BOX 1. BUILDING CAO'S GLOBAL MEDIATOR NETWORK

In our dispute resolution work, we rely heavily on the competence of local mediators to manage our processes on the ground. Mediations between communities and companies require a unique skill set, and finding mediators with strong experience in this area has been a challenge for CAO in the past. To address this need, CAO has developed a capacity building program and information sharing program to build its global network of mediators. This program has enabled CAO to identify competent professionals and induct them into the work of CAO.

In 2013, we launched the mediator program by providing training workshops to mediators in Africa and Latin America. In 2014, we expanded the program to Asia. To date, we have held workshops in Cambodia, Peru, Senegal, South Africa, and Tanzania. As a result, CAO now has a network of over 50 mediators that it may call upon in these regions when necessary.



CAO mediator workshop, Siem Reap, Cambodia, May 2014.

BOX 2. KEY PRINCIPLES OF DISPUTE RESOLUTION

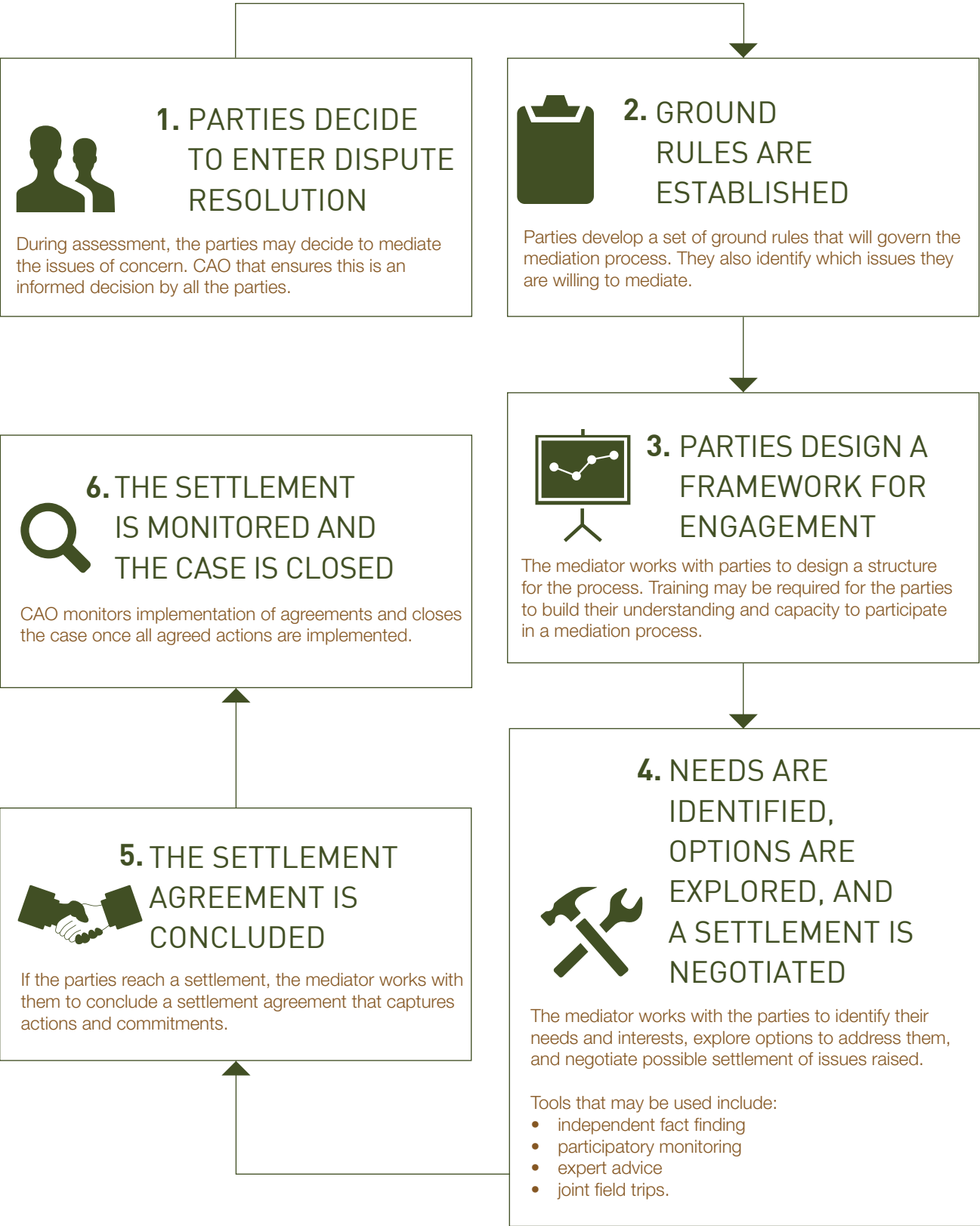
Some fundamental principles underpin CAO's approach to dispute resolution. These include:

- **Local accountability:** We work directly with the project-affected community and receive our mandate for dispute resolution from them. As such, we seek to prioritize those people closest to, and most likely to be affected by, the concerns in question.
- **"Multi-partial," neutral, and equitable engagements:** Dispute resolution provides a nonjudicial and neutral forum. We never take sides in a conflict, but aim to listen to and understand the interests of all parties, who are treated equitably during the process.
- **Inclusiveness:** We strive to be accessible and enable all affected parties to participate in a dispute resolution process.
- **Confidentiality:** We work hard to build trust by providing a predictable process that protects confidentiality, where needed.
- **Voluntary participation and agreement:** Participation in a dispute resolution process is always voluntary for the parties, and can lead to binding agreements that are voluntarily entered.
- **Predictability, consistency, and transparency:** We aim to create predictability in the process through transparent and clear steps, which are proactively communicated to all parties.
- **Outcomes-oriented:** CAO dispute resolution seeks to enable the parties to bring about lasting outcomes.
- **Flexibility and adaptability:** Our dispute resolution processes are structured according to the parties' needs, and can be adapted to changing demands.



Woman from the Kiboga community in Uganda speaks to the CAO (Felix Davy/CAO).

Figure 2. A Typical Dispute Resolution Process



DISPUTE RESOLUTION TOOLS: JOINT FACT FINDING



Joint meeting facilitated by CAO between the Elected Herder Team and Oyu Tolgoi in Khanbogd, Mongolia.

Often disputes arise when communities feel that they have not been adequately consulted, lack information about project impacts, or the information available lacks credibility. Joint fact finding is an approach CAO uses to help address such disputes and enable the different parties—typically the local community and a company—to gain clarity around specific issues. Joint fact finding exercises may involve collecting, or reconciling, scientific project data related to water, air, or soil quality, for example, to help build trust among the parties. This information, in turn, can provide a credible baseline that allows the parties to

move beyond disputing the facts toward greater collaboration. In Mongolia, for instance, local communities, including nomadic herders, impacted by a mining project raised concerns about the effects of a river diversion on local water sources (Oyu Tolgoi-02, p. 38). The parties have been jointly involved in the selection of an Independent Expert Panel, which is assessing the impacts of the project on the Undai River and other local and regional water sources as part of the dispute resolution process.

DISPUTE RESOLUTION OUTCOMES, FY2014

In 2014, CAO Dispute Resolution handled a total of 40 cases in 19 countries.

7 CASES IN ASSESSMENT

in Armenia, Guatemala, India, Mexico, Peru (2), and Ukraine.

11 CASES IN DISPUTE RESOLUTION

in Albania, Cambodia (2), Chad, Cameroon, Colombia, Mongolia (2), Peru, and Uganda (2).

SETTLEMENT AGREEMENTS FOR 5 CASES IN MONITORING

in Cambodia, Nicaragua, Papua New Guinea, and Uganda (2).



2 CASES CLOSED

—one in Honduras (CAMIF-01) following assessment, and one in Indonesia (Wilmar-01) after settlement agreements were fully implemented.



15 CASES TRANSFERRED TO COMPLIANCE FOR APPRAISAL.

COMPLIANCE

A photograph of a man working on a sugarcane production line. He is wearing a light-colored short-sleeved shirt and a dark neckerchief. He is focused on his work, which involves handling a large sugarcane stalk. The background shows industrial machinery and piles of sugarcane stalks. The word "COMPLIANCE" is overlaid in large white letters at the top left.

A sugarcane worker on the production line in Nicaragua (Felix Davey/CAO).

OVERVIEW

In its Compliance role, CAO oversees investigations of IFC's and MIGA's environmental and social performance at the project level to ensure compliance with relevant policies and procedures. This work is focused on the actions of IFC/MIGA, not their client.

CAO Compliance is triggered when parties choose this option following CAO's assessment of a complaint, or when a case is not amenable to dispute resolution and is transferred. A compliance process can also be triggered by the CAO Vice President, or at the request of the World Bank Group President or IFC/MIGA management. These cases typically involve project-specific or systemic concerns, or raise performance issues not likely to be addressed through a complaint (for example, due to safety or security concerns).

CAO has a three-step compliance approach involving appraisal; investigation, where merited; and monitoring. These steps are described below.

APPRAISAL

The first step in the compliance process involves an appraisal, which comprises a desk review to ensure that investigations are initiated only for those projects that raise substantial concerns about environmental and social project outcomes, or issues of systemic importance. Appraisals provide CAO an opportunity to consider the issues raised in the complaint with respect to IFC's/MIGA's environmental and social due diligence. They can also uncover important insights

about project performance and provide an early warning of emerging issues, even in instances where an investigation is not deemed the appropriate course of action.

INVESTIGATION

An investigation focuses on whether environmental and social project outcomes are consistent with, or contrary to, the desired effect of IFC/MIGA policy provisions. Investigations are carried out by CAO's Compliance team and may involve one or more external experts (see box 3, this page). Complainants and other local stakeholders may be interviewed by CAO if relevant, and CAO may conduct project site visits to observe project activities and outcomes. Verification of the evidence is an important part of the process. CAO distills its findings in an investigation report, which is shared with the World Bank Group President for public clearance, together with the official response from IFC/MIGA. The steps of a CAO investigation are shown in figure 3 (see p. 18).

MONITORING

After issuing an investigation report, CAO monitors actions taken by IFC/MIGA to address its findings. In cases where IFC/MIGA release an action plan, CAO assesses the effectiveness of the action plan as part of its monitoring process, but remains focused on how IFC/MIGA are addressing specific gaps and findings of noncompliance identified in the CAO report. CAO releases monitoring reports detailing this progress at least once a year and closes a case only when satisfied that remedial actions by IFC/MIGA have addressed the investigation findings.

BOX 3. THE ROLE OF INDEPENDENT EXPERTS

When needed, CAO will appoint one or more independent experts to assist with an investigation. Investigations, in many cases, require a specific skill set related to an industry sector, environmental or social issue, or country context. Experts are chosen based on relevant expertise and experience, as well as their ability to participate independently and impartially in the process. Working with experts allows CAO to broaden its analysis and perspective of a project in question, building on information already collected during appraisal. With a significant caseload, the use of experts also allows CAO to decentralize its response while maintaining a high level of integrity during the compliance process.



CAO compliance team meet IFC client in India.

Figure 3. A Typical Compliance Process



IDENTIFYING AND MANAGING EMERGING PROJECT RISK



CAO team meets with community members in Lany village, Ukraine.

Some recent compliance cases have raised issues regarding IFC's management of emerging environmental and social risk in its portfolio. Issues include how IFC ensures that it receives adequate information regarding the risk environment of projects, how these projects are supervised, and how IFC responds when environmental and social incidents are reported. From CAO's perspective, the implications of emerging risks for locally affected communities, and how they are managed are especially important.

A case in point is Dinant, an IFC palm oil investment in Honduras (see p. 45). Findings from CAO's audit (investigation) of IFC with regard to Dinant pointed to gaps IFC's identification

of conflict and security risks around the project early in the approval stages. This ultimately meant that communities living near the palm oil plantations were not consulted, specifically with regard to land issues, which have been at the root of conflict in the Aguán region for many years.

IFC's action plan in response to CAO's audit will form the basis for engagement with affected communities. IFC, in its response to the audit, committed to strengthen its approach to the management of environmental and social risks in fragile and conflict-affected situations. CAO is monitoring IFC's actions in response to the Dinant findings, and expects to issue a monitoring report in the coming fiscal year.

COMPLIANCE OUTCOMES, FY2014

12 APPRAISALS IN PROCESS

relating to a port development in India, education services in Mexico, mining in Peru, mining in South Africa, and hydropower in Uganda.



4 APPRAISALS CLOSED

relating to projects in Albania, Cameroon, Mexico, and South Africa.

8 INVESTIGATIONS OF IFC UNDERWAY

relating to airline transportation and mining in Colombia, a financial intermediary project in Honduras, a power project and tea plantations in India, palm oil in Indonesia, and mining in Peru.

1 INVESTIGATION CLOSED AFTER MONITORING

relating to IFC's performance with regard to the Mozal aluminum smelter in Mozambique.

4 INVESTIGATIONS COMPLETED

and IFC's actions are being monitored relating to IFC's financial intermediary portfolio, agribusiness in Honduras, a power project in India, and electricity privatization in Kosovo.



ADVISORY



Local residents of Cajamarca, Peru.

OVERVIEW

In its Advisory role, CAO gathers insights from dispute resolution and compliance cases to provide advice to the World Bank Group President and IFC/MIGA management. CAO advice focuses on broader environmental and social issues related to policy implementation, procedures, and systems, with the overall goal of improving the performance of IFC and MIGA.

Advisory work may be initiated by the CAO Vice President in response to systemic or critical issues arising from CAO's caseload, or at the request of the President or IFC/MIGA management. Advice is not case-specific. Rather, it is derived broadly from CAO's experience across different sectors, projects, and issues. This allows CAO to draw together critical insights on social and environmental aspects of private sector development, such as stakeholder engagement.

Among the Independent Accountability Mechanisms (see p. 82), CAO is unique in having a formal advisory role. Threading the casework together to reveal common themes allows CAO to deepen the impact of its work.

ADVISORY ACTIVITIES, FY2014

CAO Advisory has had a productive year with the development of a dynamic work program. This has involved advancing dedicated and reliable systems to help gather lessons learned and lay the foundations to grow CAO's advisory work.

MONITORING AND EVALUATION

CAO's Monitoring and Evaluation (M&E) system is used as a tool to capture feedback from complainants, IFC/MIGA staff and clients, our mediators, and other stakeholders on how we are doing. The M&E system also gathers case data to enable CAO to identify trends from its casework. It is an important tool to ensure that CAO is learning from its work, sharing robust information, and delivering on its mandate.

In FY2014, CAO conducted a review of its M&E system. This involved assessing and modifying CAO's feedback survey approach, case data collection system, and categorization of thematic issues articulated in complaints. CAO also updated the Management Action Tracking Record (MATR), which documents IFC/MIGA responses to CAO's work. Where there were gaps, CAO has sought to include indicators that will help to ensure that CAO's data remains robust and credible. CAO hopes to finalize the review and pilot this system in FY2015.



Secretary at ASOCHIVIDA's office in Chichigalpa, Nicaragua (Felix Davy/CAO).

LESSONS LEARNED WORKSHOPS

CAO Advisory has also explored new ways of sharing lessons with IFC/MIGA through a learning series. This year, CAO and IFC held two joint workshops on grievance redress mechanisms and on transformational projects (see Highlight, p. 22). CAO, IFC/MIGA, and other World Bank Group staff engaged with one another to identify potential challenges and highlight areas of best practice.

ADVISORY PAPER: LAND CONFLICT, COMMUNITIES, AND PRIVATE SECTOR INVESTMENT

Lessons from CAO engagements are also applicable to wider audiences. This year, CAO participated in the World Bank Group's Annual Land and Poverty Conference, presenting a paper on land and conflict. The paper highlighted some of the challenges CAO is seeing in its cases related to land, communities, and private sector development, and provided examples of a number of effective strategies that have been employed to tackle these challenges in CAO's dispute resolution work.

GRIEVANCE MECHANISMS MASTER TRAINING WORKSHOP



Participants at a CAO Advisory workshop, November 2013.

Together with IFC's Environmental, Social and Governance Department and the World Bank's Dispute Resolution and Prevention Unit, CAO held a workshop in November 2013 designed to help World Bank Group staff broaden and systematize their grievance mechanism expertise, as well as exchange professional experiences.

The event brought together social and environmental specialists, investment officers, and CAO staff to discuss the business case for grievance mechanisms and their role as a risk mitigation tool for both companies and communities.

The discussion was facilitated by two grievance mechanism specialists with extensive experience working with the private

sector, governments, diverse organizations, and public interest groups. The sessions took an in-depth look at the practical aspects of designing and implementing grievance mechanisms that are effective and commensurate with project-associated risks. Topics discussed included public disclosure of grievance mechanisms, safeguarding access for all groups within project-affected communities, cooperating with existing local complaints handling bodies, and using the grievance data to bolster management feedback loops and improve decision-making processes within companies.

CAO is using the feedback it received from this workshop to develop an Advisory Note that will provide practical tools for the design and implementation of grievance redress mechanisms.

OUTREACH



Wife and daughter of a sugarcane worker who died of chronic kidney disease, Nicaragua (Felix Davy/CAO).

CAO has a proactive public outreach program aimed at increasing awareness about CAO's mandate and work among key constituencies, with a particular focus on improving access for project-affected communities. CAO's outreach extends to civil society organizations, IFC/MIGA staff and clients, as well as the broader private sector, international development institutions, and other interested stakeholders.

During the year, CAO conducted outreach to stakeholders in Asia, Europe, and Africa, including hosting sessions at the World Bank Group Annual and Spring Meetings, which were attended by civil society from around the world.

CAO is increasing its efforts to reach out to civil society through easily accessible channels, such as social media, and conducting virtual outreach via Skype. CAO partnered with the international NGO, Global Rights, to conduct outreach to local civil society organizations from West and Central Africa. CAO also participated in an outreach workshop hosted by Centre for Research on Multinational Corporations (SOMO) for civil society organizations from the Middle East region.

As part of its ongoing strategy to grow a network of mediators, CAO hosted a workshop in Dakar, Senegal in December 2013 for mediators from ten African countries, and in May 2014 hosted a workshop in Siem Reap, Cambodia for mediators from the East Asia and Pacific region (see p. 12).

To ensure a common understanding of CAO's mandate among IFC and MIGA staff, CAO hosted a series of refresher sessions on its dispute resolution, compliance, and advisory functions. CAO also engaged IFC and MIGA staff through two advisory workshops on project-level grievance mechanisms and learning from transformational projects (see p. 22). CAO actively participates in staff induction and training, and participated in the Annual World Bank Conference on Land and Poverty.

CAO co-hosted Conflict Resolution Day this year, an event that is celebrated internationally every October to promote awareness about the importance of different forms of



CAO outreach to international law students, June 2014.

alternative dispute resolution. The event, which was held for the first time at IFC, drew attention to the pockets of expertise and the practical application of conflict resolution within the World Bank Group, and brought together staff and other interested stakeholders to talk about the importance of conflict prevention and resolution in the development arena.

CAO engages its counterpart independent accountability mechanisms (IAMS) from other multilateral and bilateral agencies, participating each year in annual meetings. The meeting for FY14 was hosted by the World Bank Inspection Panel in Washington, D.C. and included a civil society roundtable. CAO also participated with its counterpart mechanism at the African Development Bank (AfDB) in a panel on independent accountability and transparency at the AfDB's Annual Meeting in Kigali, May 2014.

CAO also supports requests to participate in industry events, academic symposia, and regional civil society events where possible. Among other events this year, CAO was a speaker at Mining Indaba in South Africa in February 2014 and at the Georgetown University Human Rights Institute Samuel Dash Conference in April 2014.

CAO CASES, FY2014



Kananam community members perform a traditional dance in Madang, Papua New Guinea.

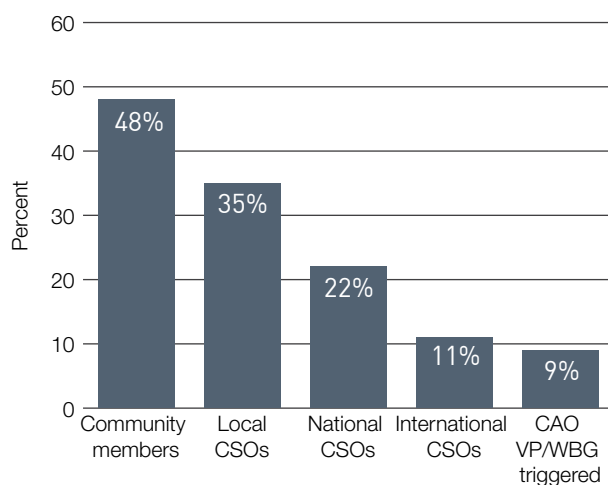
CASELOAD SNAPSHOT

In FY2014, CAO addressed a total of 54 cases, of which 38 were carried over from 2013, and 16 were new in 2014, including one case triggered by the CAO Vice President. All 16 new cases relate to IFC projects. Sixteen complaints received in 2014 were deemed ineligible. These cases are summarized on pp. 29–53 and in Appendix B.

Complainants: Forty-eight percent of cases handled in 2014 were filed solely by local community members, with the remainder filed with the assistance of local, national, and international civil society organizations. Nine percent were compliance cases initiated by the CAO Vice President (see figure 4).

Regions: In terms of regional distribution, the majority of cases related to projects in Latin America and the Caribbean (39 percent), followed by Sub-Saharan Africa (20 percent), East Asia and the Pacific and South Asia (both 15 percent), and Europe and Central Asia (9 percent). Two percent of cases are multiregional (see figure 5).

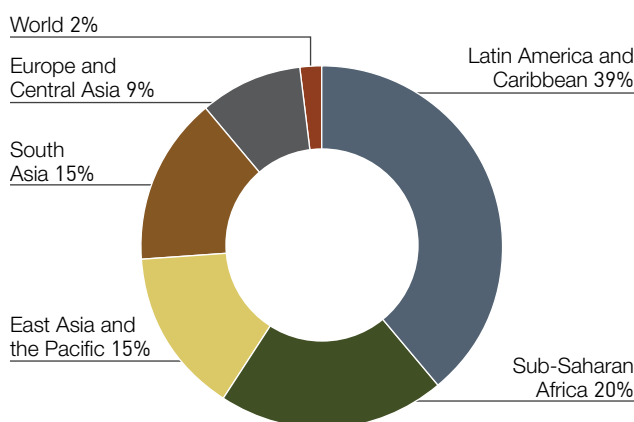
Figure 4. Signatories to Complaints, FY2014



CSOs=civil society organizations. CAO VP=CAO Vice President. WBG=World Bank Group.

Note: All complaints to CAO involve local community signatories, but the 48% depicted in the graph are those complaints filed solely by community members without representation from another organization. In some cases, international, national, and/or local civil society organizations (CSOs) file the complaint on behalf of local community members. Percentages add up to more than 100 percent because some complaints are filed by more than one type of signatory.

Figure 5. Cases by Region, FY2014



Note: The “World” category relates to compliance casework that spans two or more regions.

Sectors: The cases were in a variety of sectors, including extractive industries (26 percent), infrastructure (19 percent), and agribusiness (18 percent)—sectors that are typically resource intensive, with large physical footprints. Fifteen percent of cases in the education sector reflect several complaints filed regarding one project in Mexico. Other cases related to IFC Advisory Services to governments (11 percent), the manufacturing sector (4 percent) and IFC investments in financial intermediaries (7 percent) (see figure 6).

Environmental and social issues: In over half of FY2014 cases, complainants raised concerns related to IFC/MIGA due diligence and supervision; socioeconomic benefits, including loss of livelihoods; and inadequate consultation and information disclosure. Complaints related to land, including land appropriation, resettlement and compensation, accounted for 44 percent of cases. CAO has seen a significant rise in labor complaints (41 percent), with some IFC projects giving rise to multiple worker claims. Other issues raised by complainants include pollution; water access, quality, and quantity; community health, safety and security; biodiversity; Indigenous Peoples; and cultural heritage (see figure 7).

Figure 6. Cases by Sector, FY2014

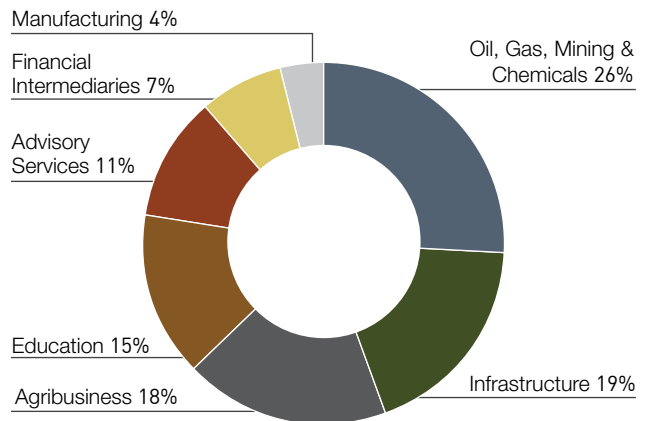
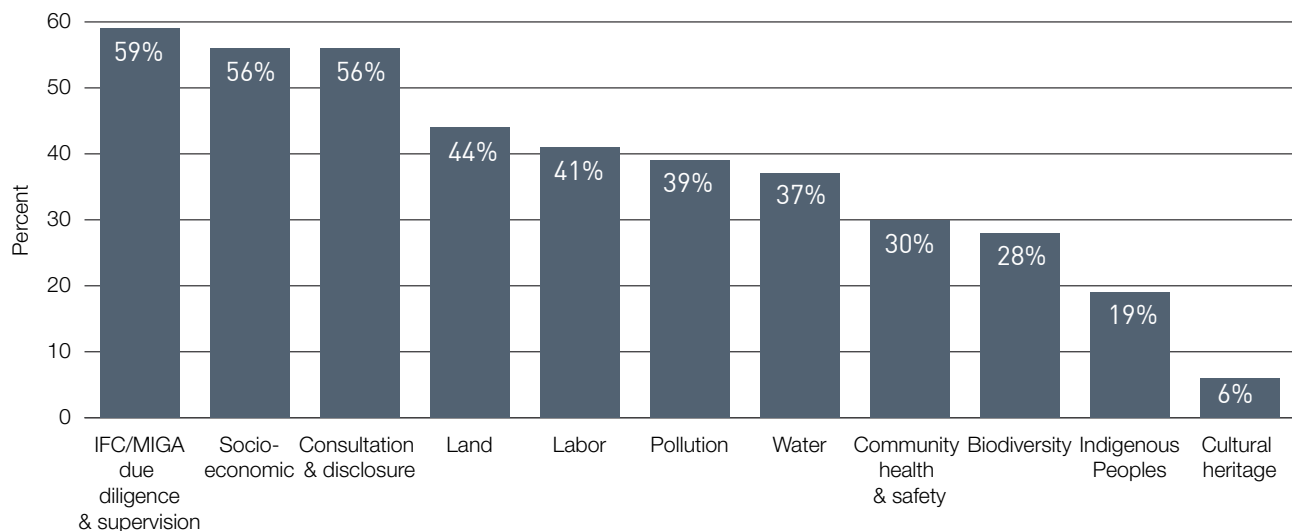


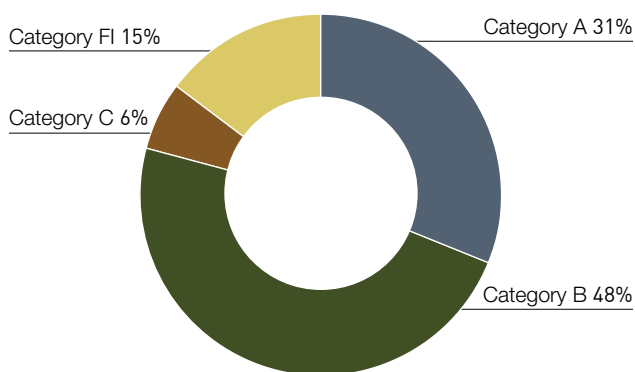
Figure 7. Issues Cited in Complaints, FY2014



Note: Percentages add up to more than 100 percent because most complaints raise more than one type of issue.

IFC project categorization: IFC projects are assigned a category of A, B, or C in descending order of environmental and social sensitivity, or FI in the case of financial intermediary investments. In FY2014, Category A projects (significant impacts) accounted for 31 percent of cases. Just under half of all cases—48 percent—related to Category B projects (limited impacts). Fifteen percent of cases related to financial intermediary projects with potential impacts in the subproject portfolio. Six percent related to Category C projects with limited impacts (see figure 8).

Figure 8. Cases by Environmental Category, FY2014



Note: Six cases are unlisted or not applicable (IFC Advisory Services projects and MIGA projects).

Category A: Projects expected to have significant adverse environmental and/or social impacts that are diverse, irreversible, or unprecedented.

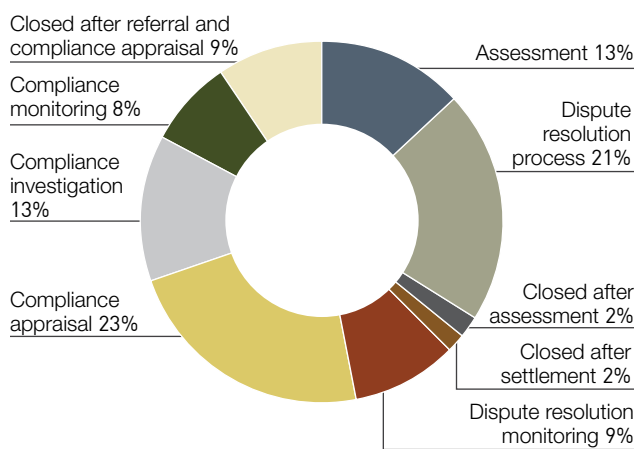
Category B: Projects expected to have limited adverse impacts that can be readily addressed through mitigation measures.

Category C: Projects expected to have minimal or no adverse impacts, including certain financial intermediary projects.

Category FI: Investments in financial intermediaries (FI) that themselves have no adverse environmental and/or social impacts, but may finance subprojects with potential impacts.

Status of cases: The 54 cases handled during the year are in different phases of CAO's case handling process, including assessment, dispute resolution, post-settlement monitoring, compliance appraisal, investigation, and post-investigation monitoring. Figure 9 shows the status of these cases at the end of FY2014 (June 30, 2014).

Figure 9. Status of Cases, End-FY2014



SUMMARY OF CASES, FY2014



CAO meets with complainants in Sivka-Voiynylivska, Ukraine.

KEY

The CAO case names consist of:

- The country where the project is located
- The IFC/MIGA project name, along with the cumulative number of cases CAO has handled on that project
- The location of the complainant(s), if their identity is not confidential.



IFC/MIGA due diligence
and supervision



Pollution



Water



Land



Biodiversity



Consultation and disclosure



Socioeconomic impacts



Labor



Community health and safety



Indigenous Peoples



Cultural heritage

Note: Under CAO's 2013 Operational Guidelines, CAO's Ombudsman function is called Dispute Resolution, and a compliance audit is called an investigation.

AFRICA

CAMEROON

Chad-Cameroon Pipeline-02/Cameroon

IFC, Oil, Gas, Mining, & Chemicals; Received May 2011; Dispute resolution process ongoing; Open.



In 2002, the Cameroon Oil Transportation Company (COTCO) began construction of the Chad-Cameroon oil pipeline, a pipeline that delivers oil from Chad to a marine facility off the coast of Cameroon. In May 2011, CAO received a complaint from four individuals and several community representatives on the Cameroon side of the project concerning impacts related to the construction of the pipeline. These issues include displacement of Indigenous communities; poor management of pipeline waste; loss of livelihood among local fishermen; health concerns, especially the rise in HIV/AIDS; and inadequate compensation for injuries sustained during work on the pipeline.

A CAO dispute resolution process was started in January 2012, and agreements have been reached on all four of the individual cases filed, three of which are now fully implemented. Since January 2013, a dialogue process has been ongoing between COTCO and fishermen from Kribi, with interim agreements reached, as well as between the company and Ebaka community members concerning issues related to waste management. The Tripartite Platform, a forum

made up of NGOs, the company, and the government, has reconstituted itself as the Tripartite Forum with a new set of guidelines, and benefiting from capacity building and support from CAO. Finally, a dialogue process is starting between the company and representatives of the Bagyeli Indigenous communities. CAO is addressing a second complaint regarding the pipeline in Chad (Chad-Cameroon Pipeline-03/Chad, p. 31).

AES Sonel-02/Douala

IFC, Infrastructure; Received February 2013; Transferred from Dispute Resolution January 2014; Closed after compliance appraisal June 2014.



In 2001, Cameroon's national electricity utility was privatized and AES Corporation acquired majority shares in the newly formed energy supplier, AES Sonel. In February 2013, CAO received a complaint from a Cameroonian national and employee of AES Sonel regarding claims of unfair treatment by the company, including discrimination and harassment, demotion during employment, and deprivation of benefits that the complainant believes are due.

After assessing the complaint, the parties agreed to address the concerns through collaborative dialogue. Between June and December 2013, CAO facilitated a dispute resolution process between the parties. However, the parties were unable to reach agreement regarding the existing claims and the case was transferred to CAO Compliance in January 2014 for appraisal of IFC's environmental and social performance. The appraisal found that an investigation of IFC was not warranted and CAO closed the case in June 2014.



A COTCO employee and CAO complainant shake hands after the implementation of agreements through which COTCO provided him with funding and seeds to develop his palm oil plantation in Cameroon.

CHAD

Chad-Cameroon Pipeline-03/Chad

IFC, Oil, Gas, Mining, & Chemicals; Received October 2011; Dispute resolution process ongoing; Open.



In October 2011, shortly after CAO received a complaint from affected individuals in Cameroon regarding the Chad-Cameroon Oil Pipeline project (p. 30), a complaint was filed on behalf of an alleged 25,000 people on the Chadian side of the border. The complaint raises concerns about the rise in poverty since the construction of the pipeline, pressure on land and livelihoods, water pollution, inadequate compensation, and inadequate monitoring and assessment mechanisms related to the project. The complaint specifically concerns IFC's client, the Tchad Oil Transportation Company (TOTCO).

Following an assessment of the complaint, the parties chose to address the issues through dispute resolution, which has been underway since October 2011. As part of this process, CAO has conducted capacity building sessions with communities and company representatives to prepare them for engagement in dialogue. Since 2013, the parties have drawn up an agenda of issues for negotiation and a tentative itinerary within which to complete the work, and several joint meetings have been held between communities and EEPIC (Esso Exploration and Production Chad Inc.). Between July 2013 and March 2014, the dispute resolution process gained traction, as plenary sessions were held to discuss identified issues, with each of the parties having the opportunity to put forward its concerns and future plans. Field visits have been carried out to consult with the affected communities and for the parties to see first-hand the issues being discussed in the plenary sessions. Additional field visits are being planned, along with the recruitment of a number of experts to advise on how best to address the identified issues.

Subcommittees on compensation and the environment have been formed to look into past work in the field, and in an effort to draw up consensual means of addressing concerns. In May 2013, CAO completed an extensive awareness program to inform the broader community about the dispute resolution process. Since completing this program, a CAO mediation team has worked extensively with the parties, particularly the representatives of the affected communities, to ensure they have the requisite capacity to participate in the mediation process. In addition, a moral observers group consisting of senior clerics representing the main faiths of the region was established to help monitor and inform the dispute resolution process, which is ongoing.

MOZAMBIQUE

Mozal-01/Matola and Maputo

IFC, Oil, Gas, Mining, & Chemicals; Received October 2010; Transferred from Dispute Resolution December 2011; Closed after compliance audit June 2014.



Mozal, an IFC client, is one of the largest aluminum smelting facilities in the world and was the first major foreign direct investment project in Mozambique. In October 2010, CAO received a complaint from a coalition of local and national NGOs representing affected communities raising concerns about Mozal's environmental and social due diligence in relation to a six-month bypass program. The complainants believed the program was releasing harmful emissions into the air without passing through the plant's treatment centers. The complaint was also filed with the European Investment Bank (EIB) Complaints Mechanism and the United Kingdom OECD National Contact Point, with whom CAO coordinated throughout its handling of the case.

After a brief engagement in dispute resolution, the parties were unable to reach a final agreement, and the case was transferred to CAO Compliance for appraisal of IFC's environmental and social performance in December 2011. A full investigation was deemed necessary to determine whether IFC had been sufficiently proactive in anticipating, supervising, and monitoring harmful emissions associated with the fume treatment centers (FTCs). The investigation found that there were shortcomings in the way that IFC worked with Mozal to address changing risks associated with the project, and that more effective consultation could have been carried out with affected communities. In response to these findings, IFC committed to consider changes to its annual reporting requirements to deal with such identified risks. After monitoring actions taken by IFC in response to this investigation, CAO closed the case in June 2014.

SOUTH AFRICA

Lonmin-01/South Africa

IFC, Mining; Vice President initiated August 2012; Closed after compliance appraisal August 2013.



Lonmin plc is a producer of platinum group metals operating in the Bushveld Complex of South Africa. IFC approved an investment and Advisory Services project in 2006 to support Lonmin's multiyear expansion program at its platinum operations. Following reports of serious violence in August 2012, which resulted in the deaths of Lonmin workers and members of the South African police, the CAO Vice President initiated a compliance appraisal of IFC's investment in the mine.

CAO's appraisal sought to look at how IFC reviewed, interacted, and advised its client on matters related to the work force, labor conflicts, labor unions, and the broader social impacts of unattended labor unrest and latent conflict, as well as how IFC has assured itself of implementation of relevant IFC policy provisions. The appraisal raised concerns as to the adequacy of IFC's environmental and social (E&S) performance in relation to this investment, and identified potentially systemic issues regarding the way in which IFC's Sustainability Framework was applied to an equity investment in a publically listed company. However, in the absence of a direct complaint from affected workers, CAO found that the nexus between the E&S performance issues outlined in the appraisal and the tragic outcomes of the August 2012 dispute were insufficiently established. CAO closed the case after appraisal in August 2013.

Tsodilo-01/Badplaas

IFC, Mining; Received April 2013; Compliance appraisal ongoing; Open.



In April 2013, CAO received a complaint from the Director of the Cradle of Life Initiative, a privately owned bio-park and nature reserve in South Africa hosting a variety of conservation and ecotourism initiatives. The complaint raises concerns about mining exploration licences being granted to Tsodilo Resources Ltd., a Toronto-based exploration company, over the area immediately adjacent to, and potentially overlapping with, land owned and protected by the Cradle of Life Project and the Nkomazi Game Reserve. The complainants believe that the proposed exploration activities will have adverse environmental impacts on the biodiversity and cultural heritage of the protected area, as well as impacts on livelihoods and local employment opportunities.

CAO conducted an assessment of the complaint in July 2013. While the complainant was interested in addressing the issues directly with Tsodilo through dispute resolution, the company was of the view that such an engagement would be premature given that no prospecting license had yet been granted. The case was referred to CAO Compliance in October 2013 for appraisal of IFC's environmental and social performance. The appraisal was in process at the end of FY14.

UGANDA

Agri-Vie Fund-01 & 02/Kiboga & Mubende

IFC, Financial Markets (Agribusiness); Received December 2011; Dispute resolution process concluded; Settlements in monitoring; Open.



In 2011, CAO received two complaints from affected communities living in the Kiboga and Mubende districts of Uganda, with support from Oxfam and Uganda Land Alliance. The complaints raised concerns about displacement of people in the area of commercial timber plantations being developed by the New Forest Company (NFC). NFC received funding from the Agri-Vie Agribusiness Fund, an equity fund supported by IFC with investments in Southern and Eastern Africa.

Following CAO's assessment of the complaints in 2012, two separate mediation processes were initiated in recognition that the issues raised by each community were somewhat different. CAO conducted extensive bilateral, plenary, and caucus sessions with the parties, as well as with Oxfam and Uganda Land Alliance, who served as advisors to the affected communities, and legal representatives. CAO also worked extensively with the parties, particularly affected community representatives, to ensure they had the requisite capacity to participate effectively in the mediation.

The CAO process culminated in a signed agreement between NFC and the Mubende community in July 2013,

followed by a second agreement between NFC and the Kiboga community in June 2014.

The agreements commit the parties to a joint program of sustainable development and to building more solid, mutually beneficial relations. NFC will expand its social responsibility programs and is providing support to two community cooperatives that have been set up to implement joint projects. Both affected communities have agreed to respect NFC's legal rights to operate within the boundaries of the Ugandan government's forest reserves.

While agreement for the Kiboga community is still recent, two parcels of land have been acquired and the community is considering options regarding resettlement and income generating activities. The Mubende community has acquired 500 acres of land in the vicinity of the Namwasa Central Forest Reserve, with 100 acres earmarked for resettlement of households and 400 acres for agricultural projects. Homes are being built and agricultural projects have started, with the planting of bananas, coffee, maize, cassava and beans. The Joint Development Forum is considering immediate community needs, including access to water and income generation projects, including beekeeping, biogas, and biomass coal. CAO has appointed a community development coordinator to assist with these activities.

The agreements represent full and final settlement of both complaints to CAO. CAO is now monitoring implementation of the agreements to ensure their long-term success. See CAO's supplement, *A Journey to Find a Home: A Story of Community-Company Dispute Resolution in Uganda*, for more information.

William Bakeshisha, Chairman of the Mubende community co-op and negotiating committee, outside his future home on the new land in Uganda (Felix Davy/CAO).



Bujagali Energy-04/Bujagali (Workers)

IFC and MIGA, Infrastructure; Received March 2011; Transferred from Dispute Resolution December 2013; Compliance appraisal ongoing; Open.



In March 2011, CAO received a complaint regarding the Bujagali Energy project, a 250MW run-of-river hydropower project on the River Nile in Uganda. This was the fourth complaint that CAO had received in relation to the project. The complaint was filed with CAO by former employees of Bujagali Energy Limited regarding inadequate compensation by the plant's subcontractor for work-related injuries, intimidation of workers requesting their benefits, and the transparency of the compensation process.

After CAO assessed the complaint, the complainants and the company agreed to address the issues through a dispute resolution process, which has led to several significant outcomes for the parties. These included the resolution of 86 out of 93 individual workers cases; the establishment of a new community-based organization by the complainants to create and sustain livelihood activities for themselves and other disabled workers; the resuscitation and strengthening of the Medical Arbitration Board, one of the mechanisms available for resolution of individual worker compensation cases under Ugandan law; and a grievance mechanism workshop convened by CAO to inform both IFC and Bujagali in planning effectively to reduce and manage grievances in relation to other projects in Uganda and elsewhere in the world.

Of the seven cases that remained unresolved, one worker could not be found and the other six cases were transferred to CAO Compliance in December 2013 for an appraisal of IFC's performance, which is currently in process.



A complainant in Njewa market near Bujagali Hydro Power Project explains her claim for compensation to a CAO mediator.

Bujagali Energy-05/Bujagali (Community)

IFC and MIGA, Infrastructure; Received May 2011; Dispute resolution ongoing; Open.



In May 2011, while CAO was conducting an assessment of the complaint filed by former workers of Bujagali Energy Limited (BEL), another complaint was filed by affected community members living in the vicinity of the project. Of primary concern to local communities were impacts to health and damage to houses related to blasting that took place during construction of the dam, as well as inadequate compensation for land and loss of livelihoods.

CAO has been facilitating a dispute resolution process between the complainants and Bujagali since December 2011. Agreements were reached between BEL and informal tourism operators, which resolved the complaint issues related to impacts on their livelihood. Mediation processes regarding impacts related to construction blasting and the acquisition of land for transmission lines are underway. CAO continues to cooperate with the European Investment Bank (EIB) Complaints Mechanism, which also has active complaints on the Bujagali project around similar issues.

Bujagali Energy-06/Bujagali

IFC and MIGA, Infrastructure; Received April 2013; Dispute resolution process ongoing; Open.



In April 2013, CAO received its sixth complaint regarding the Bujagali Energy project from the chairman of an informal association of former employees of a sub-contractor to the Bujagali project, Boshcon Civil and Electrical Construction Limited, on behalf of himself and over 300 other former employees. The complaint concerns unpaid wages, as well as claims for nonpayment of allowances and underpaid overtime; leave not granted or accounted for; unpaid national social security contributions; and unpaid repatriation and termination benefits.

Boschcon was contracted by the EPC Contractor, Salini Costruttori, to carry out some of the initial work on the dam site and the Salini camp as well as other basic facilities such as stores and the staff clinic. The contract was terminated by Salini and was the subject of a court case in Uganda, judgement of which was delivered in November 2012.

Following CAO's assessment of the complaint in November 2013, the complainants, Boschcon, and the Ministry of Gender and Labor agreed to work together to address the issues raised in the complaint.

EAST ASIA AND THE PACIFIC

CAMBODIA

Cambodia Airport II-01/Preah Sihanouk

IFC, Infrastructure; Received December 2009; Dispute resolution process concluded; Settlement in monitoring; Open.



In December 2009, CAO received a complaint from a Cambodian NGO on behalf of 79 families living in the vicinity of Sihanoukville International Airport, which is operated by Société Concessionnaire de l'Aéroport (SCA). The complaint concerns the impacts of an airport development project on communities living within the proposed expansion zone, including improper land acquisition, inadequate compensation, loss of livelihoods, noise pollution, environmental impacts to a national park, incorrect categorization of the project, and lack of community consultation and disclosure.

While the parties agreed to try to resolve the complaint issues through a CAO dispute resolution process, they were unable to meet in person in a multistakeholder forum. Thus, CAO employed a combination of separate meetings and “shuttle diplomacy” to assist the parties in resolving the issues. The parties in this case included the complainants and other affected community members, NGOs and civil

society organizations, various local and national government representatives, SCA, and IFC. The process resulted in the resettlement of 34 households, as well as compensation for many more individuals and families. CAO continues to monitor the outcomes of the dispute resolution process, including verifying that resettlement and compensation agreements have been implemented to the satisfaction of all parties concerned.

Cambodia Airport-01/Phnom Penh

IFC, Infrastructure; Received June 2013; Dispute resolution process ongoing; Open.



In June 2013, 59 households from Thmor Korl and Prey Chisak villages in Cambodia submitted a complaint to CAO regarding impacts associated with the development of Phnom Penh International Airport. Phnom Penh is operated by Société Concessionnaire de l'Aéroport (SCA), a special purpose company that operates other airports in the country, including of Sihanoukville International Airport (SIA) (Cambodia Airports II-01/Preah Sihanouk; see this page). Local villagers raise several issues, including the threat of forced eviction, land acquisition, and inadequate community consultation, as well as IFC's due diligence in relation to the project.

During CAO's assessment of the complaint, the complainants, the company, and the Cambodian government agreed to address community concerns through collaborative dialogue. CAO is working with the parties to explore solutions through a dispute resolution process.



The CAO team meets with elected representative of the new resettled Teuksap Meanchey Community in Cambodia.

VEIL II-01/Ratanakiri Province

IFC, Financial Markets (Agribusiness); Received February 2014; Dispute resolution process ongoing; Open.



In February 2014, CAO received a complaint on behalf of 17 villages in Cambodia's Ratanakiri province, with support from local and national NGOs. The complaint raises concerns about the activities of Hoang Anh Gia Lai (HAGL) and its subsidiaries, which hold several economic land concessions (ELCs) in Ratanakiri province, primarily for rubber plantations. HAGL is an investee of Dragon Capital Group Ltd (DCG), an IFC client that invests in HAGL through Vietnamese Enterprise Investments Ltd (VEIL), in which IFC has also invested.

The complaint raises a range of concerns about the impacts of HAGL's operations on local Indigenous communities, both at the communal and household level. These include extensive loss of land and livelihoods; increased food insecurity; impacts on water sources and fish resources; lack of compensation; lack of information disclosure and community engagement; and threat to spiritual, cultural, and Indigenous practices; as well as the use of child labor. The complaint also cites noncompliance with IFC policies and procedures, and with Cambodian laws.

Following CAO's assessment of the complaint in February 2014, the parties agreed to address the issues collaboratively through dialogue. CAO is currently working with HAGL, local communities, and other relevant stakeholders to design a framework for the dispute resolution process.



CAO Dispute Resolution Specialist and mediator attend a meeting with Indigenous youth in Cambodia, May 2013.

INDONESIA

Wilmar Group-01/West Kalimantan

IFC, Agribusiness; Received July 2007; Compliance audit closed after monitoring April 2013; Dispute resolution process closed after monitoring June 2014.



CAO's engagement in this case started in July 2007, when a complaint was submitted by a consortium of community members, local, national and international NGOs concerning the activities of Wilmar Group subsidiaries' palm oil plantations in West Kalimantan, Indonesia. Major issues raised included land clearance without appropriate community approvals, legally required permits, or environmental impact assessments; violations of national regulations and laws, including the Principles and Criteria of the Roundtable on Sustainable Palm Oil (RSPO); and lack of compliance with IFC policies and procedures.

Between 2007 and 2008, CAO facilitated a dispute resolution process between affected communities and Wilmar. As part of this process, over 1,000 community members entered into agreements with the company to settle disputes concerning over 3,000 hectares of land. The agreements also included provisions for compensation for appropriated lands, for community access and use of land not already converted to plantations, an increase in lands allocated as smallholdings, and the return of land that the communities did not want cleared. CAO monitored implementation of the agreements for several years until determining that the case could be closed in June 2014.

In a separate process, issues related to IFC's due diligence were addressed by CAO Compliance. CAO's subsequent audit, released in August 2009, found that IFC had failed to adequately apply its own standards. CAO found that IFC applied a de minimis approach toward assessing supply chain issues, and that commercial pressures were allowed to prevail and overly influence the categorization of the project, as well as the scope and scale of IFC's environmental and social due diligence. CAO's findings led the World Bank Group President to a temporarily suspend new palm oil investments until a strategy was developed to inform investments in the global sector. The World Bank Group released a framework and strategy for the sector in 2011 following a global consultation with stakeholders and experts. CAO concluded its monitoring of IFC's actions in response to its compliance findings in April 2013.

Wilmar Group-03/Jambi

IFC, Agribusiness; Received November 2011; Transferred from Dispute Resolution December 2013; Compliance appraisal ongoing; Open.



In November 2011, CAO received a complaint from community groups, supported by local and international NGOs, regarding Wilmar Group activities in Jambi, Sumatra. The complaint raised unresolved land disputes between community groups and a majority-owned subsidiary of Wilmar, PT Asiatic Persada (PT AP), which communities claimed violated terms of previous agreements by calling upon government forces to dismantle settlements on disputed lands.

Beginning in March 2012, with the agreement of the parties, CAO convened a dialogue process between PT AP and five local community groups. Separate dispute resolution processes were initiated for each of the five communities, focusing primarily on competing land claims and issues related to community livelihoods. These processes were led by a Joint Mediation team composed of CAO consultants and local government officials. Mediation made significant progress during 2012 and 2013 for three of the five communities, and led to several interim agreements, particularly for one community and PT AP. However, Wilmar sold PT AP in April 2013, and the new owners of the subsidiary chose not to continue the company's engagement in the CAO dispute resolution process, opting to engage in a government-led process instead. Though CAO encouraged the parties to continue the dialogue and to honor the agreements that had already been reached, the company's withdrawal signified the end of the CAO process. The case was transferred to CAO Compliance for appraisal of IFC in December 2013. The appraisal is ongoing.

MONGOLIA

Oyu Tolgoi-01/Khanbogd

IFC, Mining; Received October 2012; Dispute resolution process ongoing; Open.



In October 2012, CAO received a complaint from nomadic herders in Mongolia regarding Oyu Tolgoi (OT), a large copper and gold mine in Mongolia's southern Gobi Desert. The complaint raises concerns about the impacts of the project on traditional nomadic culture and livelihoods, on land, and on water resources—particularly the sustainability of the project's water use in an arid area—as well as questions about the adequacy and implementation of the company's resettlement and compensation programs, and of IFC's due diligence in relation to the project.

During its assessment of the complaint in 2012, CAO met with local herders, IFC and MIGA project teams, as well as local government representatives, Oyu Tolgoi project staff, and other affected community members. Based on discussions conducted during the assessment, the parties have decided to address the issues through collaborative dialogue. A CAO-facilitated dispute resolution process is underway. Several interim agreements have been reached on topics such as access to information, tours/inspections of the mine site for herders, and access to grazing land inside the OT project site.

Oyu Tolgoi-02/Khanbogd

IFC, Mining; Received February 2013; Dispute resolution process ongoing; Open.



In February 2013, CAO received a second complaint regarding the Oyu Tolgoi mining project. The complaint relates specifically to the diversion of the Undai River for the purposes of the project, and was submitted by seven local herders, with support from local and national NGOs. Local herders consider the river to be culturally significant, as well as critical to herder livelihoods in the region.

Following an assessment of the complaint in March 2013, the parties agreed to work together through dispute resolution to address the impacts of the river diversion on critical water sources and local herders' pasture. In an effort to coordinate with the company and other stakeholders to resolve both complaints, local herders elected a team to represent them in a single dispute resolution process. As part of the process to address the second complaint, the parties jointly selected an Independent Expert Panel (EIP) to assess the impacts of the project on the Undai River and other local and regional water sources.



CAO team and Independent Expert Panel tour Undai River diversion area with company representatives in Mongolia.

PAPUA NEW GUINEA

PNG SEZ-01/Madang Province

IFC, Advisory Services; Received July 2011; Dispute resolution process in monitoring and expected to transfer to Compliance; Open.



In July 2011, CAO received a complaint regarding the environmental and social impacts of the Pacific Marine Industrial Zone (PMIZ) in Madang Province, Papua New Guinea. The PMIZ in Madang is part of wider development plan that incorporates the concept of Special Economic Zones (SEZs) into the country's overall economic development strategy. IFC provided Advisory Services to the government of Papua New Guinea to develop the legislative framework that would allow SEZs to be established in the country.

Filed on behalf of 105 local signatories by a local NGO, the complaint raised concerns about the lack of environmental planning and consultation with landowners, as well as impacts on fish populations, reefs, and lagoons. The complaint also questioned IFC's overall role in assisting the government with the implementation of SEZs.

The parties, including the government, agreed to address the issues through a CAO dispute resolution process. The first multistakeholder dialogue sessions were convened by CAO in October 2012. The process covered key issues such as securing project benefits for local communities, minimizing environmental impacts, respecting traditional and cultural rights, and increasing transparency about the project's development. The parties reached agreements around a number of issues, and a Memorandum of Understanding and Action Plan document were signed. However, implementation of these agreements stalled, meaning that the parties were unable to continue moving forward through the dispute resolution framework. The case was transferred to CAO Compliance for appraisal early in FY2015.



Kananam community representative meets with CAO Dispute Resolution Specialist in Papua New Guinea.

EUROPE AND CENTRAL ASIA

ALBANIA

Hydros-01/Tirana

IFC, Agribusiness; Received January 2013; Closed after compliance appraisal March 2014.



In January 2013, CAO received a complaint from the Environmental Center for Development Education and Networking (EDEN) in Albania regarding the impacts of a hydropower privatization project. IFC had been appointed by the government to provide Advisory Services on the privatization of a series of hydropower plants. Major concerns raised in the complaint relate to the impacts of the privatization on energy consumers, specifically a potential reduction in the pool of energy available to the national electricity utility, a rise in tariffs, continued energy shortages, and power blackouts. Broader concerns about IFC's due diligence and the transparency of the project, as well as the privatization processes as a whole, were also raised.

Following CAO's assessment, the complainants decided that the issues would best be addressed through CAO's Compliance function, as their primary concerns relate to IFC's due diligence. CAO released its compliance appraisal of IFC in March 2014. While noting challenges in the structure of IFC's Advisory Services business line and, in this instance, IFC's assessment of risk before commitment, CAO's appraisal found no evidence to suggest that IFC's advice was not consistent with the Performance Standards. Further, CAO noted instances of good practice in the management of environmental and social risk in this project. CAO concluded that further investigation of IFC's performance in relation to the project was not warranted and the case was closed in March 2014.

Bankers Petroleum-01/Patos

IFC, Oil & Gas; Received March 2013; Dispute resolution process ongoing; Open.



In March 2013, CAO received a complaint regarding Bankers Petroleum Ltd., a Canadian-based company and IFC client focused on oil exploration and production in Albania. The complaint, submitted by an Albanian environmentalist on behalf of residents of the towns of Patos and Zharrëza, alleges that extraction techniques used by the company at the Patos Marinëz heavy oil field are negatively impacting local communities, and questions the company's compliance with IFC's Performance Standards. The complaint also alleges that the drilling techniques may be responsible for earthquakes and other earth movements, causing cracks to buildings and impacting local irrigation networks.

Based on results of an initial assessment, CAO learned that the earthquake issue, and a lack of credible and trusted information about what causes them, is a primary concern for the complainant and local residents. Key stakeholders—including residents of four communities adjacent to the oilfield, government officials, company representatives, and the complainant—agreed that better technical and scientific information is necessary to determine the true cause of the earthquakes. They further agreed that a dialogue-based effort to establish a technical inquiry and address other environmental concerns was in the best interest of all stakeholders, and will help inform longer-term collaborative planning efforts in the region.

The CAO team is now working with public sector and company representatives to finalize a Seismometer Installation Agreement, and with community members on the design and launch of a community-company roundtable process in four towns adjacent to the oilfield. The roundtables will focus on several priority issues, as identified by residents, including the company's environmental impacts, community development, and employment opportunities. The dispute resolution process is ongoing.

ARMENIA

Lydian Intl 3-01/Gndevaz & Jermuk

IFC, Mining; Received April 2014; Assessment ongoing; Open.



In April 2014, a complaint was submitted to CAO by two residents of the Gndevaz and Jermuk villages in Armenia with support from nine NGOs with regard to IFC's investment in Lydian International Limited, a junior mining company sponsoring the exploration of the Amulsar gold project. According to IFC, the project is at an advanced feasibility stage.

The complainants raise concerns about project impacts, including soil contamination and local water sources, red-listed species, and a local tourism center. The complainants also claim that the Environmental and Social Impact Assessments (ESIA) are inadequate, and allege that the project violates IFC's Performance Standards, national regulations, and citizens' rights to good health and a safe environment. CAO is currently in communication with the parties as part of its assessment of the complaint. A CAO team travelled to Armenia to meet with stakeholders in May 2014. The assessment was ongoing at the time of writing.



CAO team visits Kechut Reservoir in Armenia in May 2014.

REPUBLIC OF KOSOVO

KEK-01/Prishtina

IFC, Advisory Services; Received August 2011; Transferred to Compliance January 2012; Audit of IFC completed April 2013; In monitoring; Open.



IFC has been providing Advisory Services to the government of Kosovo since 2009 on the privatization of its publicly owned energy utility, the Kosovo Energy Corporation (KEK). In August 2011, CAO received a complaint from local stakeholders regarding the privatization process. The complaint claims that information disclosure and community consultation around the project was inadequate, and raises concerns about the impact to local workers and communities caused by the removal of government subsidies in the energy sector, which complainants believe may lead to tariff increases and job losses.

In January 2012, CAO began an appraisal of the case following a decision by the complainants that the issues raised would be best addressed through a compliance process. An audit of IFC's role was subsequently conducted by CAO. CAO's audit report, which was released in April 2013, raised concerns about the scope of IFC's due diligence and the limits of IFC's leverage in requiring Advisory Services clients to abide by its Sustainability Framework. More specifically, CAO found that IFC did not have any structured approach to assessing the commitment or capacity of its client to implement IFC's sustainability agenda, that no formal conditions were applied to enforce its adoption, and that IFC had no way of assessing the likelihood that the informal leverage would be sufficient to ensure the adoption of IFC's Performance Standards. In response to CAO's findings, IFC highlighted areas for improvement in its 2012 Sustainability Framework. The case remains open while CAO monitors actions taken by IFC in response to the audit findings.

UKRAINE

Axzon-01/Halych and Kalush

IFC, Agribusiness; Received February 2014; Assessment ongoing; Open.



In February 2014, communities from the Deliyev, Sivka-Voynylivska, and Lany villages of Halych and Kalush districts of Ukraine filed a complaint with CAO, with support from a national NGO. The complaint relates to Axzon, a pig farming and meat processing group with operations in the Ivano-Frankivsk region of Western Ukraine through its subsidiary, Danosha. The complainants raise concerns about the social and environmental impacts of Axzon's operations in the region, including land and water pollution, impacts to parks and other natural areas, impacts to local infrastructure, odor, improper land use and compensation, and information disclosure and consultation, as well as violation of national laws and IFC Performance Standards more broadly. A CAO team travelled to Ukraine in April 2014 to meet with parties and to begin an assessment of the complaint, which is ongoing.



CAO team meets with local complainants in Ukraine in April 2014.

LATIN AMERICA AND THE CARIBBEAN

COLOMBIA

Avianca-01/Bogota

IFC, Infrastructure; Received November 2011; Compliance investigation ongoing; Open.



In November 2011, CAO received a complaint from three national labor unions representing employees of Avianca, the national airline of Colombia and an IFC client. The complaint raises concerns regarding freedom of association and anti-union discrimination, IFC's assessment and supervision of labor-related risks, as well as IFC's supervision of disclosure and consultation requirements with regard to Performance Standard 2 on Labor and Working Conditions.

After CAO conducted an initial assessment of the complaint in 2011, the parties opted not to address the issues through a dispute resolution process. The case was referred to CAO Compliance for appraisal of IFC's role in June 2012. CAO's appraisal concluded that questions remained with respect to IFC's determination that this project would meet Performance Standard 2, the extent to which IFC assured itself of its client's disclosure obligation, and IFC's assessment and supervision of labor-related risks. Accordingly, CAO determined that an investigation of IFC's environmental and social performance in relation to the project was merited. A compliance investigation was ongoing at the time of writing.

Alqueria-01/Cajica

IFC, Agribusiness; Received April 2013; Dispute resolution process ongoing; Open.



In April 2013, CAO received a complaint regarding Alqueria, an IFC client and the third largest dairy producer in Colombia. The complaint was filed by a family association that owns a farm in the vicinity of Alqueria's plant in Cajica, which processes milk and byproducts into dairy products. The complaint raises concerns about the environmental impacts of the plant on their and other farms surrounding the plant, particularly industrial

discharges to rivers and other local water sources, inadequate disposal of toxic residues, and air, noise, and soil pollution.

Following CAO's assessment of the complaint, the complainants and Alqueria agreed to address the issues through a dispute resolution process. CAO has been facilitating this process since July 2013, and has reached several interim agreements. The dispute resolution process is ongoing.

Eco Oro-01/Bucaramanga

IFC, Mining; Received June 2012; Compliance investigation ongoing; Open.



In June 2012, CAO received a complaint from local civil society, with the support of several international NGOs, regarding the Angostura gold and silver exploration project near Bucaramanga, Colombia. The project is owned by Eco Oro Minerals Corp (formerly Greystar Resources Ltd), a publically listed junior mining company. IFC is supporting the feasibility study, environmental and social impact assessment (ESIA), and other needed ground works to prepare for the project development stage.

The complainants are concerned about the impacts of the project on the biodiversity of a critical ecosystem, the Santurban Paramo, which generates water resources for two million people in the region, and believe the mine will impact the quality and quantity of drinking water downstream and around the Paramo. The complainants also raise concerns about the socioeconomic impacts of the project on surrounding communities, and question the quality of the ESIA. Furthermore, the complainants are of the opinion that the project is in violation of IFC's policies, and should not have received project approval.

Following CAO's assessment of the complaint, the parties chose not to address the issues through dispute resolution, and the case was referred to CAO Compliance for appraisal of IFC's role in November 2012. CAO's appraisal concluded that questions remained as to the adequacy of IFC's review and supervision of this project, specifically, whether IFC's approach to the definition of the project and the assessment of environmental and social impacts was sufficient. A compliance investigation is ongoing.

GUATEMALA

TCQ-01/Puerto Quetzal

IFC, Infrastructure; Received March 2014; Assessment ongoing; Open.



In March 2014, CAO received a complaint from a labor union at Empresa Portuaria Quetzal, a state-owned company that operates Puerto Quetzal, Guatemala's largest Pacific Ocean port. The complaint concerns the construction and operation of new dedicated container terminal within Puerto Quetzal, a project that is being carried out by Terminal de Contenedores Quetzal (TCQ), an investee of IFC.

The union claims that the project violates collective bargaining agreements and will impact the economic well-being of workers, their families, and communities by jeopardizing the economic subsidy workers currently receive from the port. The complainants also claim that the project was approved without the appropriate Environmental Impact Assessment (EIA), and without adequate consultation with civil society. A CAO team traveled to Guatemala in May 2014 to meet with the parties and to begin its assessment of the complaint, which was ongoing at the time of writing.

HONDURAS

CAMIF-01/Intibucá

IFC, Infrastructure; Received October 2013; Closed after assessment January 2014.



In October 2013, CAO received a complaint from a Honduran Indigenous movement on behalf of local communities regarding the Agua Zarca hydroelectric project, a subproject of the Central American Mezzanine Infrastructure Fund (CAMIF) in Honduras, which is also an investee of IFC. The complaint focused primarily on issues relating to land and Indigenous communities, including the seizure of ancestral lands for the construction of the dam, lack of consultation and disclosure, and the forceful persecution and suppression of the Lenca communities and their leaders by security forces in response to community opposition to the project.

During assessment of the complaint, CAO learned that, as of December 2013, CAMIF was no longer actively considering an investment in Agua Zarca. Since IFC was also no longer involved in the project, the case no longer fell within CAO's mandate, and CAO has concluded its involvement in January 2014.

Dinant Investment-01/CAO Vice President Request

IFC, Agribusiness; CAO Vice President initiated April 2012; Compliance audit of IFC released January 2014; In monitoring; Open.



Corporación Dinant is an integrated palm oil and food company in Honduras and an IFC client. In 2012, allegations were made regarding the project, including forced evictions of farmers in the lower Aguán Valley, and violence against farmers on and around Dinant plantations by private and public security forces. In response to these allegations, the CAO Vice President triggered a compliance appraisal of IFC's investment in the project in April 2012.

The appraisal concluded that IFC's social and environmental performance merited further inquiry, and CAO undertook a compliance audit. The audit, released January 2014, found IFC to be out of compliance with its policies and procedures

in a range of respects, including a failure of preproject due diligence to identify conflict and security risks that should have been evident; a failure to ensure effective consultation with affected communities, including Indigenous communities living in the immediate vicinity of the company's plantations; and a failure to conduct the required due diligence in relation to the project. Had these measures been taken as required, CAO found that the project would have been properly categorized as high risk. This in turn would have required the development of deeper analysis, as well as a mitigation plan to adequately address and respond to environmental and social risks in the context of intensifying social and political conflict surrounding the project. In response to the investigation, IFC is developing its action plan to address CAO's findings. CAO will continue to monitor IFC in line with its report findings.

Ficohsa-01/CAO Vice President Request

IFC, Financial Markets; CAO Vice President initiated August 2013; Compliance investigation finalized June 2014 (pending disclosure); Open



In the course of CAO's compliance audit of IFC's investment in Dinant (see above), CAO became aware that Dinant was a major borrower from an IFC banking client, Ficohsa. As a result, IFC had a significant exposure to Dinant through its equity stake in Ficohsa. Accordingly, the CAO Vice President initiated a compliance appraisal of IFC's investment in Ficohsa in August 2013.

In the context of environmental and social risks attached to projects in Honduras, and of Ficohsa's significant exposure to Dinant and other potentially high risk sectors and projects, CAO's appraisal concluded that further investigation into IFC's performance with regard to Ficohsa was merited. The investigation seeks to establish whether IFC gave proper consideration to the adequacy of Ficohsa's environmental and social management system (ESMS) to implement IFC's requirements, whether an action plan was established that was commensurate to the level of environmental and social risk present in Ficohsa's portfolio, and whether IFC's supervision of the project was adequate. CAO's investigation was finalized in June 2014 and was pending publication at

the end of FY14.

Harmon Hall-01/Mexico

IFC, Health & Education; Received November 2011; Closed following dispute resolution and Compliance appraisal August 2013; Closed.



Harmon Hall is a chain of English language schools in Mexico and IFC client, with a network of over 100 schools in 43 cities across the country. CAO has received eight separate complaints regarding Harmon Hall. The first complaint was filed in December 2011 by a former teacher concerning employment rights, benefits, compensation, and respectful treatment for workers employed by the company. As part of the first complaint, an additional 16 complainants, both current and former employees, came forward with similar concerns.

The parties agreed to address the issues through a dispute resolution process facilitated by CAO, and reached agreements in June 2012 on a framework for remedial actions. The company made a number of systemic changes, including targeted training of staff; development of job descriptions; class assignment methodologies; dissemination of information materials; and strengthening the company's complaints service. A few cases were addressed through direct mediation or by the company's internal grievance mechanism. Fifteen out of the seventeen individual cases filed to CAO were resolved through the process, and two unresolved cases were transferred to CAO Compliance for appraisal of IFC in July 2013. The appraisal did not identify substantial environmental or social issues of the type that would warrant a compliance investigation of IFC, and the case was closed in August 2013.

MEXICO

Harmon Hall 02, 03, 04, 05, 06, 08/Puerto Vallarta and Campestra

IFC, Health & Education; Transferred to Compliance for appraisal; Open.



Between December 2013 and March 2014, CAO received six more complaints regarding labor issues at Harmon Hall. The complaints were filed by current and former teachers and employees of the company raising a range of labor concerns, including employment rights, compensation, and unfair treatment of workers. Concerns were also raised regarding the implementation of remedial actions agreed upon in CAO's first Harmon Hall case. In all these cases, the company expressed its preference for handling the complaints through its internal grievance mechanism. Because the parties did not reach an agreement to participate in a CAO-facilitated dispute resolution process, the cases were transferred to CAO Compliance for appraisal of IFC. The appraisal is ongoing.

Harmon Hall-07/San Luis Potosi

IFC, Health & Education; Received March 2014; Assessment ongoing; Open.



In March 2014, CAO received a complaint from an employee of Harmon Hall regarding unfair treatment, unjust dismissal, and withheld benefits. During the course of the assessment, the company expressed a preference for handling this complaint through its internal grievance mechanism, which the complainant was willing to try. The parties came to an agreement through this process to their mutual satisfaction, and at the time of writing, CAO expected to close the case.

NICARAGUA

Nicaragua Sugar Estates Limited-01/León and Chinandega

IFC, Agribusiness; Received March 2008; Dispute resolution settlement being monitored; Open.



Since March 2008, CAO has been working with ASOCHIVIDA, an association of 2,000 former sugarcane workers and their families, and Nicaragua Sugar Estates Limited (NSEL) to address concerns related to the health, environmental, and livelihood impacts of sugarcane production on NSEL's workforce and on local communities. Of particular concern to the local residents and former NSEL workers involved in filing the complaint was a potential linkage between the companies' sugarcane production activities and a high incidence of Chronic Kidney Disease (CKD) in its workforce.

Following CAO's assessment of the complaint, the parties agreed to work together to address the issues, and a CAO-

facilitated dialogue process commenced in 2009. After three years, a settlement agreement was reached in 2012 between ASOCHIVIDA and NSEL. The agreement includes provisions relating to improvements in direct medical care and medical facilities for sufferers of CKD; the development of income-generating projects for households impacted by the disease; and continued support for independent research into the cause of the disease and its link to the sugarcane industry carried out by Boston University. The team of experts from Boston University was jointly chosen by the parties as part of the dispute resolution process.

CAO continues its monitoring role of agreements reached. Efforts are ongoing to improve access and quality of healthcare at the local level for those suffering of CKD and to expand the scientific study on the causality of the disease into a regional initiative. Under a new institutional framework, Boston University is collaborating with the U.S. Centers for Disease Control and Prevention (CDC) for the purpose of conducting new research with a broader geographic scope.



A nurse and pharmacist make an inventory of medicine for CKD patients at the Asochivida office in Chichigalpa, Nicaragua (Felix Davy/CAO).

PERU

Quellaveco-01/Moquegua

IFC, Mining; Received November 2011; Compliance investigation finalized May 2014 (pending disclosure); Open.



In November 2011, CAO received a complaint from an environmental NGO on behalf of local communities in southeastern Peru raising concerns about of Quellaveco, a copper mining concession in the preconstruction stage in the Department of Moquegua. IFC took equity in 1993 for the acquisition and feasibility work of the company, selling its stake in February 2012. The complaint raised impacts to the quality and quantity of water sources, the handling of toxic wastes and potential health impacts to communities, the adequacy of the Environmental and Social Impact Assessment (ESIA), and lack of community consultation and disclosure, as well as IFC's due diligence in relation to the project.

In light of IFC's exit from the project, and the existence of an ongoing dialogue process convened by local government, the company expressed its preference to continue working through the existing dialogue framework to address the issues rather than engaging with the complainants through a CAO dispute resolution process. The case was therefore referred to CAO Compliance in August 2012 for appraisal of IFC. The appraisal found that although efforts were made by IFC to supervise Quellaveco's compliance with evolving environmental and social standards, the lack of clarity around the company's obligations made it difficult to deal with issues that emerged during IFC's supervision of the project. CAO's investigation was finalized in May 2014 and was pending publication at the end of FY14.

Yanacocha-04/Cajamarca

IFC, Mining; Received November 2012; Transferred from Dispute Resolution February 2014; Compliance appraisal ongoing; Open.



In November 2012, CAO received a complaint from a family in Cajamarca, Peru regarding Minera Yanacocha, an IFC client that operates a large open-pit gold mine. The family claims that the company never compensated them for land they owned and has tried to deny them due compensation by initiating legal proceedings against the family's 19 heirs, leaving the family in a situation of economic hardship.

The company and the family agreed to address the issues through dispute resolution, and Yanacocha agreed temporarily to suspend its lawsuits against members of the family in the interest of promoting constructive dialogue. As part of this process, a working group comprised of family and company representatives was convened to discuss technical aspects related to disputed lands. CAO facilitated dialogue between the parties for six months, but ultimately the process did not lead to agreements around the issues of concern. The process was concluded in February 2014, and the case was transferred to CAO Compliance of IFC. The appraisal is ongoing at the time of writing.



The city of Cajamarca in the vicinity of the Yanacocha gold mine in Peru.

Yanacocha-05/Cajamarca

IFC, Mining; Received May 2013; Dispute resolution process ongoing; Open.



In May 2013, CAO received another complaint concerning Yanacocha's land acquisition process related to the company's Minas Conga mine site. The complaint was submitted by several members of a family in Cajamarca and relates to disputed land on two estates purchased by the family in 1946. According to the complaint, the family and the company have different understandings about whether the family estates overlap with the lands that have been acquired and are currently being held by the company for its Conga project.

At the choice of the parties, CAO convened a dispute resolution process. After capacity building by CAO, and jointly establishing ground rules and agreeing to a process, the parties engaged in several information exchange meetings. They shared their different perspectives and their supporting documents. The parties set up a smaller working group, which included representatives of the family and the company, as well as legal advisors on both sides. The working group met from January 2014 to May 2014 on a monthly basis, facilitated by CAO. In May 2014, the working group reached an impasse, and the dialogue process was brought to an end. At the time of writing, CAO was concluding the dispute resolution process in anticipation of transferring the case for compliance appraisal of IFC's performance related to the project.

Yanacocha-06/Cajamarca

IFC, Mining; Received February 2014; Assessment ongoing; Open.



CAO received a complaint regarding Minera Yanacocha in February 2014 from a former company employee raising labor issues, including the termination of employment and lack of due process. During CAO's assessment of the case, the company expressed its preference to address the concerns through an ongoing legal process that the complainant had previously initiated in Peru. At the time of writing, CAO anticipated commencing an appraisal of IFC's performance with regard to the project.

Yanacocha-07/Cajamarca

IFC, Mining; Received March 2014; Assessment ongoing; Open.



In March 2014, CAO received a complaint from a local community member and his family living in the vicinity of Yanacocha's Conga mine in Cajamarca. The complaint raises concerns about Yanacocha's land acquisition and compensation process. The family claims it sold its land during the exploration stages of the project in 1985 on the understanding that when the mine was developed, a dialogue process would be established with former landowners to recalculate the price agreed upon at earlier stages of the mine's development, and to revisit other environmental commitments. During assessment, the complainants expressed their interest to participate in a dispute resolution process with the company, while Yanacocha preferred that the case be referred to CAO Compliance. At the time of writing, CAO anticipated commencing an appraisal of IFC's performance with regard to the project.

SOUTH ASIA

INDIA

India Infrastructure Fund-01/Dhenkanal District

IFC, Global Financial Markets; Received April 2011; Transferred from Dispute Resolution April 2013; Compliance investigation ongoing; Open.



In April 2011, CAO received its first complaint relating to an IFC financial intermediary subproject. The complaint was filed by local and national NGOs on behalf of local communities living in the vicinity of the Kamalanga Energy Project in Dhenkanal, India. The project is a coal-fired power plant and a portfolio investment of the IFC-supported India Infrastructure Fund (IIF). The complaint raises concerns about the lack of transparency around potential environmental and social impacts associated with the project, lack of disclosure of project information, and general concerns about IFC's investments in financial intermediaries.

Though the company and complainants were initially interested in working together to address the issues through dispute resolution, they were unable to agree on the parameters for dialogue when CAO convened the first joint meeting in January 2013. Consequently, the case was transferred to CAO Compliance in April 2013 for an appraisal of IFC's environmental performance in relation to the project. The appraisal concluded that although positive steps were taken by IFC to assess and address environmental and social risks and impacts around its investment in the Fund, there were outstanding questions regarding the adequacy of risk management and supervision that warranted further investigation. A compliance investigation is ongoing.

Lafarge Suma Cement-01/Sheila

IFC, Manufacturing; Received January 2014; Assessment ongoing; Open.



Lafarge Surma Cement is an IFC client operating a cement plant in the Sunamganj district of Bangladesh. The plant sources raw materials from limestone quarries in the Meghalaya district of northeastern India, which are transported back to the processing plant by an overland conveyor belt system. In January 2014, CAO received a complaint from several

individuals living in the vicinity of Lafarge's limestone quarry sites in India concerning the legitimacy of the company's land use and acquisition process around the villages of Sheila and Tynger in Meghalaya. According to the complainants, the company began its mining operations, including the construction of the conveyor belt system, without the knowledge or consent of local landowners. The complainants contend that the company has failed to consider or respect the customary land rights of the Khasi Indigenous people, leading to deprivation of land, alienation, and livelihood impacts for local Indigenous communities.

CAO is assessing the complaint and is in communication with key stakeholders in order to gain a clearer understanding of the issues raised, as well as to help parties consider the options for addressing them through either a CAO dispute resolution or compliance process. The assessment is ongoing.

Tata Mega Ultra-01/Mundra and Anjar

IFC, Infrastructure; Received May 2011; Transferred from Dispute Resolution February 2012; Compliance audit completed October 2013; Monitoring; Open.



In May 2011, CAO received a complaint regarding Coastal Gujarat Power Limited (CGPL), a subsidiary of Tata Power, which has developed a 4,150-MW coal-fired power plant near the port town of Mundra in Gujarat, India. The complaint was filed by an organization representing the migrant fisherfolk who reside seasonally in the vicinity of the project and raises concerns regarding the impact of the plant particularly the marine environment, and on the livelihoods of local fisherfolk. The complainants also question the project's compliance with national regulations in relation to certain aspects of the plant's design, as well as the adequacy of IFC's supervision of environmental and social risks associated with the project.

After exploring their options during CAO's assessment, the complainants expressed their preference to deal with the case through CAO's Compliance function, where the complaint was referred in February 2012. An audit of IFC's performance was released in October 2013. CAO found that IFC did not assure itself that migrant fisherfolk were adequately considered and consulted during project due diligence; did not ensure that the client properly applied the World Bank Thermal Power Guidelines in relation to stack emissions; did not demonstrate that the client monitoring is commensurate to the risk of the

project; nor properly supervise the project with regard to IFC's requirements on resettlement, marine impact assessment, or cumulative impact assessment.

In November 2013, IFC released an action plan in response to CAO's report. CAO continues to monitor the steps taken by IFC to address the audit findings.

Tata Tea-01/CAO Vice President Request

IFC, Agribusiness; Vice President initiated May 2012; Compliance investigation ongoing; Open.



This case relates to labor related aspects of IFC's investment in Amalgamated Plantations Private Limited (APPL), a company that manages 24 tea plantations in Assam and West Bengal, in the Northeast India. APPL was previously owned by Tata Tea Limited (TTL).

In 2009 and 2010, violent incidents on two of APPL's plantations sparked disputes between the company and unions representing workers. In response to concerns about labor-related aspects of the project submitted to IFC's Communication Portal for Performance Standard 2 (PS2) on Labor and Working Conditions (PS2) by the International Union of Food Workers, CAO's Vice President initiated a compliance appraisal of IFC's investment in APPL in May 2012.

CAO's appraisal raised questions with respect to IFC's assessment and supervision of PS2 risks emerging from the relationship between APPL, its workers, and the unions representing them. A compliance investigation was initiated to look at questions relating to IFC's due diligence in its review and supervision of PS2 risks associated with the project; the adequacy of IFC's policies, procedures, and staffing structures in providing a robust framework to advance the objectives of PS2 with IFC clients; and whether IFC policies and procedures provide sufficient guidance to staff on how to respond effectively to complaints related to their clients' environmental and social performance. The compliance investigation is ongoing.

Tata Tea-02/Assam

IFC, Agribusiness; Received February 2013; Compliance investigation ongoing; Open.



In February 2013, a complaint was filed to CAO by local NGOs on behalf of workers from APPL's tea plantations in Assam, India. The complaint raises concerns about working and living conditions on APPL plantations in Nahorani, Majuli, and Hattigor, citing in particular, long working hours, inadequate compensation, poor hygiene and health conditions, and restricted freedom of association among plantation workers. The complainants further question an employee share ownership program, claiming that workers have been pressured into buying shares, often without being properly consulted or informed about the risks of such an investment. This complaint was filed while a compliance investigation of IFC's investment in APPL was ongoing (see case, opposite).

Though the parties agreed that there was a need for improved communication and improvement with regard to grievance procedures, they were unable to agree on a framework for collaborative dialogue. The case was transferred to CAO Compliance in November 2013. In addition to questions raised in CAO's early appraisal of IFC's investment in APPL, this appraisal also raised questions with respect to IFC's assurance of the application of consultation and disclosure requirements of its Sustainability Policy and Performance Standard 1 regarding the employee share ownership program. A compliance investigation is ongoing.

Vizhinjam-01/Kerala

IFC, Advisory Services; Received August 2012; Compliance appraisal ongoing; Open.



In August 2012, CAO received a complaint regarding the impacts of the proposed Vizhinjam Port Project on tourism and fishing communities situated along the coast near the project site. The complaint was filed by local tourism workers, businesses, and other residents raising concerns about the impact of the project on local tourism and fishing communities, including water scarcity, loss of livelihood, loss of land, and inadequate compensation. The complainants also question IFC's due diligence and review of the project's Environmental and Social Impact Assessment (ESIA).

Following CAO's assessment of the complaint in 2012, the complainants, company, and government of Kerala were unable to reach an agreement to engage in a CAO-facilitated dispute resolution process, as the company felt that the complainants' concerns would be best addressed through the domestic Indian regulatory system. The complaint was referred to CAO Compliance in August 2013 for appraisal of IFC's performance with regard to the project.

Vizhinjam-02/Kerala

IFC, Advisory Services; Received September 2012; Compliance appraisal ongoing; Open.



In September 2012, CAO received a second complaint regarding the Vizhinjam Port Project filed by a local fishing group, the Kerala Independent Fish Workers Federation. The complaint raises concerns about the impact of the activities of Vizhinjam International Seaport Limited (VISL) on local fishing communities, particularly possible displacement,



CAO meets with company representatives in Thiruvananthapuram, Kerala, India.

loss of livelihoods resulting from impaired access to fishing grounds and damage to marine biodiversity caused by port operations, as well as a lack of consultation and clarity about project benefits and employment opportunities for local communities.

During CAO's assessment of the complaint, CAO came to understand from VISL and other parties that the company was beginning to address some concerns raised by fisherfolk, such as integrating new fishing boat landings into the port design. After further discussions and consultations, the company expressed its preference not to engage in dispute resolution with the complainants, stating that it was fully aware of the needs of fisherfolk and was undertaking efforts to address these through its own channels. The complaint was therefore referred to CAO Compliance in May 2013 for appraisal of IFC's performance with regard to the project.

Vizhinjam-03/Mulloor

IFC, Advisory Services; Received April 2013; Compliance appraisal ongoing; Open.



In April 2013, CAO received a complaint from residents of Mulloor, one of 11 coastal villages in close proximity to the Vizhinjam Port Project in Kerala. The complaint concerns the impacts of a newly constructed port access road on local farmland and groundwater sources. Local residents claim that the road, which runs through Mulloor, was built on farmland that is vital to rainwater retention in the region. They contend that drainage channels built for the access road are redirecting rainwater directly into the ocean, which is impeding rainwater retention for farming areas and preventing water from flowing to and recharging local aquifers.

During CAO's assessment in 2013, while the complainants expressed their willingness to address concerns through collaborative dialogue with VISL, the company believed that the issues should be addressed through the domestic regulatory framework instead. Without consensus from both parties to engage in dispute resolution, the case was referred to CAO Compliance in October 2013 for appraisal of IFC's performance with regard to the project.

MULTIREGIONAL

Financial Intermediaries-01/CAO Vice President request

IFC, Global Financial Markets; CAO Vice President initiated April 2011; Compliance audit completed February 2013; In monitoring; Open.



The CAO Vice President initiated a compliance appraisal of IFC's financial intermediary (FI) investments in April 2011 in response to growing public scrutiny of the financial sector and a number of reports outside the World Bank Group questioning how IFC monitors the application of environmental and social standards in its financial sector investments. Financial intermediaries (FIs)—such as banks, insurance companies, leasing companies, microfinance institutions, and private equity funds—make up a large and growing portion of IFC financing to private sector projects in developing countries and emerging markets.

In the course of its audit, CAO undertook a detailed desk review of 188 investments relating to 63 FI clients, and a CAO team travelled to 54 locations in 25 countries to conduct face-to-face interviews with IFC clients, staff, and a number of subclients. Released in February 2013, CAO's audit report found that IFC does not have a methodology for determining whether its principle requirement on clients—the implementation of an environmental and social management system—achieves the core objective of “doing no harm” or improving environmental and social outcomes at the subclient level. Further, CAO found that IFC procedures are not designed to support the broader outcomes that are commensurate with IFC's prominent leadership role as a promoter of environmental and social responsibility.

In response to CAO's audit, IFC released an Action Plan in September 2013 focused on a Continual Improvement Framework for managing the environmental and social performance of its FI business; strengthening IFC's Advisory Services to raise the standard of E&S risk management in the FI sector in emerging markets; and establishing a formal process of outreach and consultation with key stakeholders on IFC's FI business. CAO is currently monitoring the implementation of IFC's actions in response to its findings.

APPENDIX A. WORLD MAP OF CAO CASES, FY2000–14

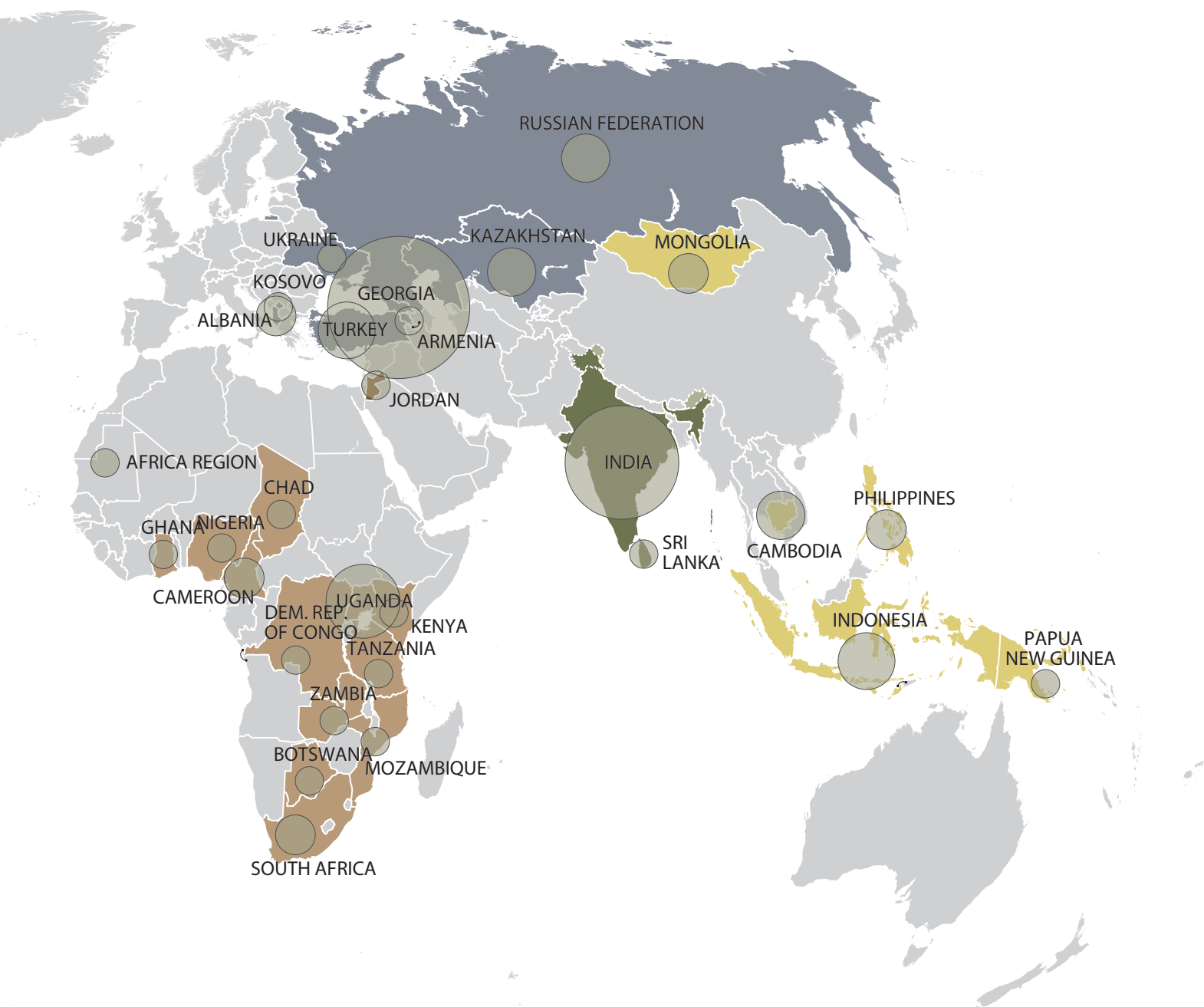
MAP A1. CAO CASES BY COUNTRY, FY2000–14



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APPENDIX B. COMPLAINT LOG, FY2000–14

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
FY 2000							
No complaints							
FY 2001							
Chile: Empresa Electrica Pangué S.A.-01/Upper Bio-Bio Watershed	Aug 2000	Yes	Settled	--	--	--	Jan 2005
Peru: Compañía Minera Antamina S.A.-01/Huarmey	Sep 2000	Yes	Assessed and transferred to Compliance	Sep 2000	Yes	Review	Jan 2005
Uganda: Bujagali-01/Bujagali Falls	Nov 2000	No	--	--	--	--	Dec 2000
Jordan: Jordan Gateway Projects Co.-01/Bet Shean Valley	Dec 2000	No	--	--	--	--	Dec 2000
Peru: Yanacocha-01/Cajamarca	Dec 2000	Yes	Settled	--	--	--	Nov 2003
Jordan: Jordan Gateway Projects Co.-02/Bet Shean Valley	Jan 2001	Yes	Settled	--	--	--	Jan 2005
Peru: Yanacocha-02/Cajamarca	Mar 2001	Yes	Settled	--	--	--	Mar 2006
Nigeria: Niger Delta Contractor Revolving Credit Facility-01/Niger Delta	Jun 2001	Yes	Settled	--	--	--	Jan 2005
Uganda: Bujagali-02/Bujagali Falls	Jun 2001	Yes ^a	Settled	--	--	--	Jan 2005
FY 2002							
Uganda: Bujagali-03/Canada	Jul 2001	Yes	Settled	--	--	--	Jan 2005
Tanzania: Bulyanhulu Project-01/Kankola	Jan 2002	Yes	Settled	--	--	--	Jan 2005
India: Chemplast-01/Cuddalore District	Jun 2002	Yes	Settled	--	--	--	Jan 2005
FY 2003							
Chile: Empresa Electrica Pangué S.A.-02/Upper Bio-Bio Watershed	Jul 2002	Yes	Settled	--	--	--	Feb 2006

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
Bolivia: Comsur V-01/ Bosque Chiquitano	Jun 2003	Yes	Assessed and transferred to Compliance	Nov 2003	Yes	Review	Jul 2004
FY 2004							
Zambia: Konkola Copper Mines Plc (KCM)-01/ Ming'omba and Kawama	Jul 2003	Yes	Settled	--	--	--	Jan 2005
Georgia: BTC Pipeline-01/Switzerland	Dec 2003	No	--	--	--	--	Dec 2003
Georgia: BTC Pipeline-02/Rustavi	Mar 2004	Yes	Settled	--	--	--	Apr 2004
Georgia: BTC Pipeline-03/Switzerland	Mar 2004	No	--	--	--	--	Apr 2004
Georgia: BTC Pipeline-04/Switzerland	May 2004	No	--	--	--	--	May 2004
Georgia: BTC Pipeline-05/Rustavi City	May 2004	No	--	--	--	--	Jun 2004
Georgia: BTC Pipeline-06/Bashkovi	May 2004	Yes	Settled	--	--	--	Feb 2005
Georgia: BTC Pipeline-07/Dgvari	May 2004	Yes	Settled	--	--	--	Feb 2005
Georgia: BTC Pipeline-08/Sagrasheni	May 2004	Yes	Settled	--	--	--	Feb 2006
Georgia: BTC Pipeline-09/Tetritskaro	May 2004	Yes	Settled	--	--	--	Feb 2005
Georgia: BTC Pipeline-10/Tetritskaro	May 2004	Yes	Settled	--	--	--	Jan 2007
Georgia: BTC Pipeline-11/Tsikisjvari	May 2004	Yes	Settled	--	--	--	Jun 2006
Georgia: BTC Pipeline-12/Tba, Tsemi, Sadgeri	May 2004	Yes	Settled	--	--	--	Jan 2005
FY 2005							
Georgia: BTC Pipeline-13/Tsalka	Jul 2004	Yes	Settled	--	--	--	May 2005
Georgia: BTC Pipeline-14/Vale	Aug 2004	Yes	Settled	--	--	--	Dec 2005
Kazakhstan: Lukoil Overseas-01/Berezovka	Sep 2004	Yes	Assessed and transferred to Compliance	Aug 2006	Yes	Audit	Apr 2009
India: AD Hydro Power Limited-01/Himachal Pradesh	Oct 2004	Yes	Settled	--	--	--	Mar 2008
Brazil: Amaggi Expansion-01/IFC Executive Vice President Request	--	--	--	Nov 2004	Yes	Audit	Jun 2005

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
Botswana: Kalahari Diamond-01/Kalahari	Nov 2004	Yes	Settled	--	--	--	Jun 2006
Georgia: BTC Pipeline-15/Tetritskaro	Dec 2004	Yes	Settled	--	--	--	Feb 2006
Georgia: BTC Pipeline-16/Tetritskaro	Dec 2004	Yes	Settled	--	--	--	Feb 2006
Georgia: BTC Pipeline-17/Tadzrisi	Dec 2004	Yes	Settled	--	--	--	Jan 2007
Georgia: BTC Pipeline-18/Tetritskaro	Dec 2004	Yes	Settled	--	--	--	Feb 2006
Indonesia: Megaplast	Jan 2005	No ^a	--	--	--	--	Feb 2005
Guatemala: Marlin-01/Sipacapa	Jan 2005	Yes	Settled	--	--	--	May 2006
Argentina: Holding Intergas S.A.	Mar 2005	No ^a	--	--	--	--	Mar 2005
Georgia: BTC Pipeline-19/Atskuri	Apr 2005	Yes	Settled	--	--	--	Feb 2006
Georgia: BTC Pipeline-20/Atskuri	Apr 2005	Yes	Settled	--	--	--	Feb 2006
Romania: BCR	May 2005	No ^a	--	--	--	--	May 2005
Turkey: BTC Pipeline-21/Posof	Jun 2005	Complaint withdrawn	--	--	--	--	Jul 2005
Georgia: BTC Pipeline-22/Tsemi	Jun 2005	Yes	Settled	--	--	--	Jan 2007
Georgia: BTC Pipeline-23/Tsemi	Jun 2005	Yes	Settled	--	--	--	Aug 2006
Peru: Compañía Minera Antamina S.A.-02/Huarmey	Jun 2005	Yes	Settled	--	--	--	May 2006
FY 2006							
Democratic Republic of Congo: Anvil Mining Congo, SARL-01/World Bank President Request	--	--	--	Jul 2005	Yes	Audit	Feb 2006
Yemen: Aden Free Zone Development	Jul 2005	No ^a	--	--	--	--	Jul 2005
Georgia: BTC Pipeline-24/Vale	Aug 2005	No	--	--	--	--	Sep 2005
Georgia: BTC Pipeline-25/Vale	Aug 2005	No	--	--	--	--	Sep 2005
India: AD Hydro Power Limited-02/Jagat Sukh	Aug 2005	No	--	--	--	--	Sep 2005
India: Ramky-01/Gummidipoondi	Aug 2005	No	--	--	--	--	Oct 2005

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
India: Ramky-02/Mumbai	Sep 2005	No	--	--	--	--	Oct 2005
Uruguay: Celulosas de M'Bopicia (CMB) & Orion-01/Argentina and Uruguay	Sep 2005	Yes	Assessed and transferred to Compliance	Nov 2005	Yes	Audit	Mar 2006
Russian Federation: DeltaCredit Bank	Oct 2005	No ^a	--	--	--	--	Oct 2005
Georgia: BTC Pipeline-26/Krtsanisi	Dec 2005	Yes	Assessed and transferred to Compliance	Jun 2006	No	Appraisal	Apr 2007
Pakistan: DG Khan-01/Kahoon	Dec 2005	No	--	--	--	--	Jan 2006
South Africa: African Bank	Dec 2005	No ^a	--	--	--	--	Jan 2006
Belize: NOVA Companies (Belize) Ltd. and Ambergris Aquaculture Ltd.-01/Ladyville	Jan 2006	No	--	--	--	--	Jan 2006
Peru: Yanacocha-03/Cajamarca Dept.	Mar 2006	Yes	Settled	--	--	--	Aug 2006
Kenya: AEF Lesiolo Grain Handlers Limited-01/Nakuru	Apr 2006	No	--	--	--	--	Apr 2006
South East Asia: Gender Discrimination	May 2006	No ^a	--	--	--	--	May 2006
Georgia: BTC Pipeline-27/Tbilisi	Jun 2006	Yes	Assessed and transferred to Compliance	Sep 2006	No	Appraisal	Apr 2007
India: Atul Ltd.-01/Gujarat	Jun 2006	Yes	Settled	--	--	--	Jun 2007
Argentina: Cencosud	Jun 2006	No ^a	--	--	--	--	Jul 2006
FY 2007							
Argentina: Los Gigantes-Dioxitek	Jul 2006	No ^a	--	--	--	--	Aug 2006
Turkey: BTC Pipeline-28/Adana & Ceyhan	Jul 2006	Yes	Settled	--	--	--	Feb 2007
Argentina: GEF Streetlight	Jul 2006	No ^a	--	--	--	--	Aug 2006
Georgia: BTC Pipeline-29/Tsalka	Jul 2006	Yes	Settled	--	--	--	Jul 2007
United States: Microfinance Investment Vehicles	Oct 2006	No ^a	--	--	--	--	Oct 2006
India: Mahindra Farm Services-01/Confidential	Oct 2006	Yes	Assessed and transferred to Compliance	Mar 2008	No	Appraisal	Jun 2008

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
India: Mahindra Farm Services-02/Confidential	Oct 2006	Yes	Assessed and transferred to Compliance	Mar 2008	No	Appraisal	Jun 2008
Ghana: Kayogbo Youth Club	Oct 2006	No ^a	--	--	--	--	Nov 2006
Peru: Tecnosul-01/Ica	Nov 2006	No	--	--	--	--	Jan 2007
Netherlands: ABCI Investments	Jan 2007	No ^a	--	--	--	--	Jan 2007
Ethiopia: National Land Claims	Feb 2007	No ^a	--	--	--	--	Feb 2007
India: Mahindra Farm Services-03/Confidential	Feb 2007	Yes	Assessed and transferred to Compliance	Mar 2008	No	Appraisal	Jun 2008
India: Mahindra Farm Services-04/Confidential	Mar 2007	Yes	Assessed and transferred to Compliance	Mar 2008	No	Appraisal	Jun 2008
Kazakhstan: Lukoil Overseas-02/Berezovka	Apr 2007	Yes	Assessed and transferred to Compliance	Nov 2007	No	Appraisal	Jan 2008
Middle East: GAL	May 2007	No ^a	--	--	--	--	Jul 2007
FY 2008							
Indonesia: Wilmar Group-01/West Kalimantan	Jul 2007	Yes	Settled. Partly transferred to Compliance	Mar 2008	Yes	Closed after audit/ investigation	Jun 2014
Brazil: Globalbix	Aug 2007	No ^a	--	--	--	--	Sep 2007
Georgia: BTC Pipeline-30/Vale	Aug 2007	Yes	Settled	--	--	--	Oct 2009
South Asia: Pakistan Banking	Sep 2007	No ^a	--	--	--	--	Oct 2007
India: Ramky-03/Gummidipoondi	Oct 2007	Yes	Assessed and transferred to Compliance	Mar 2008	No	Appraisal	Jun 2008
Russian Federation: Russkiy Mir II-01/Taman	Oct 2007	Yes	Assessed and transferred to Compliance	Jun 2008	No	Appraisal	Oct 2009
Bangladesh: IFC/BICF Employment	Dec 2007	No ^a	--	--	--	--	Feb 2008
Ecuador: Interagua-01/Guayaquil	Jan 2008	Yes	Settled	--	--	--	Jan 2011
Papua New Guinea: Digicel	Jan 2008	No ^a	--	--	--	--	Jan 2008
Russian Federation: Russkiy Mir II-02/Taman	Feb 2008	Yes	Assessed and transferred to Compliance	Aug 2008	No	Appraisal	Oct 2009
Kenya: Pan African Paper-01/Webuye	Feb 2008	Yes	Settled	--	--	--	Dec 2009

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
Georgia: BTC Pipeline-31/Naokhrebi	Feb 2008	Yes	Assessed and transferred to Compliance	Jun 2008	No	Appraisal	Nov 2008
Bolivia: Sinchi Wayra (formerly COMSUR)	Mar 2008	No ^a	--	--	--	--	May 2008
Nicaragua: Nicaragua Sugar Estate Limited-01/ León and Chinandega	Mar 2008	Yes	Settlement being monitored	--	--	--	Open
Costa Rica: Alterra	May 2008	No ^a	--	--	--	--	May 2008
Kazakhstan: Lukoil Overseas-03/Berezovka	May 2008	Yes	Assessed and transferred to Compliance	Apr 2009	No	Appraisal	Oct 2009
Peru: Compañía Minera Antamina S.A.-03/ Huarmey	Jun 2008	--	--	Jun 2008	No	Appraisal	Sep 2008
Zambia: Konkola Copper Mines Plc (KCM)-02/ Kawama	Jun 2008	No	--	--	--	--	Jun 2008
Philippines: Ambuklao-Binga Hydroelectric Power-01/Binga	Jun 2008	Yes	Settled	--	--	--	Jun 2010
FY 2009							
Bangladesh: RAK Ceramics	Aug 2008	No ^a	--	--	--	--	Sep 2008
Turkey: Standard Profil II-01/Duzce	Sep 2008	Yes	Settled	--	--	--	Jun 2012
Georgia: BTC Pipeline-32/Vale	Sep 2008	Yes	Settled	--	--	--	Oct 2009
Russian Federation: Russkiy Mir II-03/Taman	Sep 2008	Yes	Settled	--	--	Audit/ investigation closed after monitoring	Nov 2009
Turkey: Assan Aluminium-01/Dilovasi	Sep 2008	Yes	Settled	--	--	--	Aug 2010
Chile: Empresa Electrica Pangue S.A.-03/Mulchen	Oct 2008	No	--	--	--	--	Oct 2008
Indonesia: Wilmar-02/ Sumatra	Dec 2008	Yes	Settled	--	--	--	Jun 2012
World: SN Power-01/ CAO Vice President Request	--	--	--	Dec 2008	No	Appraisal	Jun 2010
Egypt: Makka Leasing	Mar 2009	No	--	--	--	--	Mar 2009
Serbia: Gemax & Lemna	Mar 2009	No ^a	--	--	--	--	Mar 2009
India: Crompton	May 2009	No	--	--	--	--	May 2009

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
Peru: Agrokasa-01/Ica	Jun 2009	Yes	Settled	Mar 2010	Yes	Closed after audit/ investigation	Jun 2013
FY 2010							
Uruguay: Orion-02/ Gualaguaychu	Aug 2009	Yes	Assessed and transferred to Compliance	Jan 2010	No	Appraisal	Mar 2010
Sri Lanka: Rainforest Ecolodge Linkages-01/ Deniyaya	Aug 2009	Yes	Settled	--	--	--	Jun 2011
Chad-Cameroon: Chad-Cameroon Pipeline-01	Oct 2009	No ^a	--	--	--	--	Oct 2009
Pakistan: Twin City Centrum	Oct 2009	No	--	--	--	--	Oct 2009
United States: DTT	Oct 2009	No	--	--	--	--	Oct 2009
Chile: Aconcagua-01/ Santa Barbara	Nov 2009	Yes	Settled	--	--	--	Jun 2010
Colombia: TCBuen-01/ Buenaventura	Dec 2009	Yes	Settled	--	--	--	Nov 2010
Cambodia: Cambodia Airports II-01/Preah Shihanouk	Dec 2009	Yes	Settlement being monitored	--	--	--	Open
Panama: Pando Montelirio-01/Chiriqui	Jan 2010	Yes	Assessed and transferred to Compliance	Apr 2011	No	Appraisal	Feb 2012
Malaysia: Reges	Feb 2010	No ^a	--	--	--	--	Feb 2010
Togo: Heidelberg Cement	Feb 2010	No	--	--	--	--	Feb 2010
United States: TD Bank	Feb 2010	No	--	--	--	--	Feb 2010
Russian Federation: Quadriga Capital	Mar 2010	No ^a	--	--	--	--	Mar 2010
Peru: Maple Energy-01/ Nuevo Sucre and Canaan	Apr 2010	Yes	Assessed and transferred to Compliance	Nov 2011	No	Appraisal	May 2012
Ethiopia: Coca-Cola Sabco	Apr 2010	No ^a	--	--	--	--	Jun 2010
FY 2011							
Turkey: Public Energy & Energy Efficiency Project	Jul 2010	No ^a	--	--	--	--	Jul 2010
Indonesia: PT Weda Bay Nickel-01/Weda Bay	Jul 2010	Yes	Assessed and transferred to Compliance	Jun 2011	No	Appraisal	Oct 2011
Tajikistan: Giavoni	Jul 2010	No	--	--	--	--	Sep 2010

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
Ghana: Tullow Oil, Kosmos Energy & Jubilee FPSO-01/CAO Vice President Request	Aug 2010	--	--	Aug 2010	No	Appraisal	Jun 2011
Mozambique: Mozal-01/ Matola and Maputo	Oct 2010	Yes	Assessed and transferred to Compliance	Dec 2011	Yes	Audit/ investigation closed after monitoring	Jun 2014
Bangladesh: AK Khan WaterHealth-01/Dhaka	Nov 2010	No	--	--	--	--	Dec 2010
Mozambique: Africap Investment Fund	Dec 2010	No ^a	--	--	--	--	Dec 2010
Ecuador: Pronaca Expansion-01/Santo Domingo	Dec 2010	Yes	Assessed and transferred to Compliance	Jun 2011	No	Appraisal	Nov 2011
Uganda: Bujagali Energy-04/Bujagali (Workers)	Mar 2011	Yes	Assessed and transferred to Compliance	Dec 2013	TBD	Appraisal. Ongoing case	Open
Brazil: Anima Educacao	Mar 2011	No ^a	--	--	--	--	Apr 2011
World: Financial Intermediaries-01/CAO Vice President Request	Apr 2011	--	--	Jun 2011	Yes	Audit/ investigation being monitored	Open
Vietnam: Global CyberSoft	Apr 2011	No ^a	--	--	--	--	Apr 2011
India: India Infrastructure Fund-01/Dhenkanal District	Apr 2011	Yes	Assessed and transferred to Compliance	Apr 2013	Yes	Audit/ investigation. Ongoing case	Open
Panama: Panama Canal Expansion-01/Lake Gatun	May 2011	Yes	Assessed and transferred to Compliance	Feb 2012	No	Closed after appraisal	Jun 2013
Nigeria: Nun River Kolo Creek Oil Pipeline	May 2011	No	--	--	--	--	May 2011
Uganda: Bujagali Energy-05/Bujagali (Community)	May 2011	Yes	Ongoing case	--	--	--	Open
Cameroon: Chad-Cameroon Pipeline-02/ Cameroon	May 2011	Yes	Ongoing case	--	--	--	Open
India: Tata Mega Ultra-01/Mundra and Anjar	May 2011	Yes	Assessed and transferred to Compliance	Feb 2012	Yes	Audit/ investigation being monitored	Open
Georgia: BTC Pipeline-33/Vale	May 2011	Yes	Settled	--	--	--	Jan 2012

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
Sri Lanka: Sinharaja Forest	Jun 2011	No	--	--	--	--	Jun 2011
FY 2012							
Papua New Guinea: PNG SEZ-01/Madang Province	Jul 2011	Yes	Expected to transfer to Compliance early FY15	--	--	--	Open
Republic of Kosovo: KEK-01/Prishtina	Aug 2011	Yes	Assessed and transferred to Compliance	Jan 2012	Yes	Audit/ investigation being monitored	Open
Philippines: Mindoro Resources-01/Jabonga	Sep 2011	Yes	Assessed and transferred to Compliance	May 2012	No	Closed after appraisal	Oct 2012
Chad: Chad-Cameroon Pipeline-03/Doba	Oct 2011	Yes	Ongoing case	--	--	--	Open
Indonesia: Wilmar Group - 03/Jambi	Nov 2011	Yes	Assessed and transferred to Compliance	Dec 2013	Yes	Audit/ investigation. Ongoing case	Open
Colombia: Avianca-01/ Bogota	Nov 2011	Yes	Assessed and transferred to Compliance	Jun 2012	Yes	Audit/ investigation. Ongoing case	Open
Mexico: Harmon Hall-01/ Mexico	Nov 2011	Yes	Settled. Partly transferred to Compliance	Jul 2013	No	Closed after appraisal	Aug 2013
Peru: Quellaveco Mining-01//Moquegua	Nov 2011	Yes	Assessed and transferred to Compliance	Aug 2012	Yes	Audit/ investigation. Ongoing case	Open
USA: Manor Care Rossville	Dec 2011	No	--	--	--	--	Dec 2011
Uganda: Agri-Vie-01/ Kiboga	Dec 2011	Yes	Settlement being monitored	--	--	--	Open
Uganda: Agri-Vie-02/ Mubende	Dec 2011	Yes	Settlement being monitored	--	--	--	Open
Laos: Burapha	Feb 2012	No ^a	--	--	--	--	Feb 2012
Africa Region: Africa Investco-01	Mar 2012	Yes	Settled	--	--	--	Sep 2012
Honduras: Dinant-01/ CAO Vice President Request	Apr 2012	--	--	Apr 2012	Yes	Audit/ investigation being monitored	Open

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
Ukraine: MHP-01/Ukraine	May 2012	No ^a	--	--	--	--	May 2012
Turkey: UHG-ADM-01/ Turkey	May 2012	No	--	--	--	--	Jun 2012
India: Tata Tea/CAO Vice President Request	May 2012	--	--	May 2012	Yes	Audit/ investigation. Ongoing case	Open
Colombia: Eco Oro-01/ Bucaramanga	Jun 2012	Yes	Assessed and transferred to Compliance	Nov 2012	Yes	Audit/ investigation. Ongoing case	Open
Madagascar: Ambatovy	Jun 2012	No	--	--	--	--	Jul 2012
FY 2013							
South Africa: Lonmin-01/ CAO Vice President Request	Aug 2012	--	--	Aug 2012	No	Appraisal	Aug 2013
India: Vizhinjam-01/ Kerala	Aug 2012	Yes	Assessed and transferred to Compliance	Aug 2013	TBD	Appraisal. Ongoing case	Open
Nepal: Upper Trishuli 1-02	Aug 2012	No ^a	--	--	--	--	Sep 2012
MENA Region: GAC-01	Sep 2012	No	--	--	--	--	Oct 2012
India: Vizhinjam-02/ Kerala	Sep 2012	Yes	Assessed and transferred to Compliance	May 2013	TBD	Appraisal. Ongoing case	Open
Cameroon: AES Sonel-01/Douala	Sep 2012	No	--	--	--	--	Nov 2012
Mongolia: Oyu Tolgoi-01/ Khanbodg	Oct 2012	Yes	Ongoing case	--	--	--	Open
Thailand: Novica United-01	Oct 2012	No ^a	--	--	--	--	Oct 2012
Peru: Yanacocha-04/ Cajamarca	Nov 2012	Yes	Assessed and transferred to Compliance	Feb 2014	TBD	Appraisal. Ongoing case	Open
Pakistan: Saudi Pak Bank-01	Jan 2013	No ^a	--	--	--	--	Jan 2013
India: Mumbai Railway Vikas-01/	Jan 2013	No	--	--	--	--	Jan 2013
Albania: Albania Hydros-01/Tirana	Jan 2013	Yes	Assessed and transferred to Compliance	May 2013	TBD	Appraisal	Mar 2014
Romania: Edy Group-01/ Romania	Jan 2013	No	--	--	--	--	Jan 2013

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
India: Tata Tea-02/Assam	Feb 2013	Yes	Assessed and transferred to Compliance	Nov 2013	Yes	Audit/ investigation. Ongoing case	Open
Azerbaijan: AccessBank	Feb 2013	No	--	--		--	Feb 2013
Mongolia: Oyu Tolgoi-02/ Khanbodg	Feb 2013	Yes	Ongoing case	--	--	--	Open
Cameroon: AES Sonel-02/Douala	Feb 2013	Yes	Assessed and transferred to Compliance	Jan 2014	No	Appraisal	Jun 2014
India: Navi Mumbai	Mar 2013	No	--	--	--	--	Mar 2013
Trinidad & Tobago: TCL Group	Mar 2013	No	--	--	--	--	Mar 2013
Albania: Bankers Petroleum-01/Patos	Mar 2013	Yes	Ongoing case	--	--	--	Open
Trinidad & Tobago: TCL Group-02	Apr 2013	No	--	--		--	Apr 2013
Uganda - Bujagali-06// Bujagali	Apr 2013	Yes	Ongoing case	--	--	--	Open
Colombia- Alqueria-01/ Cajica	Apr 2013	Yes	Ongoing case	--	--	--	Open
India: Vizhinjam-03/ Mulloor	Apr 2013	Yes	Assessed and transferred to Compliance	Oct 2013	TBD	Appraisal. Ongoing case	Open
South Africa: Tsodilo-01/ Badplaas	Apr 2013	Yes	Assessed and transferred to Compliance	Oct 2013	TBD	Appraisal. Ongoing case	Open
Peru: Yanacocha-05/ Cajamarca	May 2013	Yes	Ongoing case	--	--	--	Open
India: Belstar-01	May 2013	No	--	--	--	--	Jun 2013
India: Ranbaxy-01	May 2013	No	--	--	--	--	Jun 2013
China: Azure-01	Jun 2013	No	--	--	--	--	
India: Vizhinjam-04/ Kerala	Jun 2013	No	--	--	--	--	Jun 2013
Cambodia: Cambodia Airport-01/Phnom Pehn	Jun 2013	Yes	Ongoing case	--	--	--	Open
FY 2014							
India: ACME Energy-01	Jul 2013	No	--	--	--	--	Jul 2013
South Africa: Impala Platinum	Jul 2013	No	--	--	--	--	Jul 2013
India: Radiance International	Jul 2013	No	--	--	--	--	Jul 2013

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
Afghanistan: AREDP/ Kabul	Jul 2013	No	--	--	--	--	Jul 2013
Azerbaijan: AzerPost	Jul 2013	No	--	--	--	--	Jul 2013
Sweden: Flexenclosure	Jul 2013	No	--	--	--	--	Aug 2013
Turkey: Socar-01/	Aug 2013	No	--	--	--	--	Aug 2013
Honduras: Ficohsa-01/ CAO Vice President Request	Aug 2013	--	--	Aug 2013	Yes	Audit/ investigation. Ongoing case	Open
Singapore: ICA-01/ Singapore	Sep 2013	No	--	--	--	--	Sep 2013
Mexico: Harmon Hall-02/ Puerto Vallarta	Sep 2013	Yes	Assessed and transferred to Compliance	Mar 2014	TBD	Appraisal. Ongoing case	Open
India:Belstar-02	Oct 2013	No	--	--	--	--	Oct 2013
Honduras: CAMIF-01/ Intibucá	Oct 2013	Yes	Closed after assessment	--	--	--	Jan 2014
Mexico: Harmon Hall-03/ Puerto Vallarta	Oct 2013	Yes	Assessed and transferred to Compliance	Mar 2014	TBD	Appraisal. Ongoing case	Open
Mexico: Harmon Hall-04/ Puerto Vallarta	Oct 2013	Yes	Assessed and transferred to Compliance	Mar 2014	TBD	Appraisal. Ongoing case	Open
Mexico: Harmon Hall-05/ Puerto Vallarta	Oct 2013	Yes	Assessed and transferred to Compliance	Mar 2014	TBD	Appraisal. Ongoing case	Open
Mexico: Harmon Hall-06/ Merida Campestre	Nov 2013	Yes	Assessed and transferred to Compliance	Mar 2014	TBD	Appraisal. Ongoing case	Open
Nigeria: NNPC-01/Nigeria	Nov 2013	No ^a	--	--	--	--	Nov 2013
India: Lafarge Surma Cement-01/Shella	Jan 2014	Yes	Ongoing case	--	--	--	Open
Dominica: PPCR-01/ Dominica	Jan 2014	No ^a	--	--	--	--	Jan 2014
India: Angel Infin-01/ Gujarat	Jan 2014	No ^a	--	--	--	--	Jan 2014
Ukraine: AXZON-01/ Halych and Kalush	Feb 2014	Yes	Ongoing case	--	--	--	Open
Cambodia: VEIL II-01/ Ratanakiri Province	Feb 2014	Yes	Ongoing case	--	--	--	Open
Peru: Yanacocha-06/ Cajamarca	Feb 2014	Yes	Ongoing case	--	--	--	Open
Mexico: Harmon Hall-07/ San Luis Potosi	Mar 2014	Yes	Ongoing case	--	--	--	Open

Complaint	Date submitted	Eligible for assessment?	Dispute Resolution activities	Transfer to Compliance	Eligible for audit?	Compliance activities	Date case closed
Mexico: Harmon Hall-08/ Puerto Vallarta	Mar 2014	Yes	Assessed and transferred to Compliance	May 2014	TBD	Appraisal. Ongoing case	Open
Peru: Yanacocha-07/ Cajamarca	Mar 2014	Yes	Ongoing case	--	--	--	Open
Guatemala: TCQ-01/ Puerto Quetzal	Mar 2014	Yes	Ongoing case	--	--	--	Open
Armenia: Lydian Intl 3-01/ Gndevaz & Jermuk	Apr 2014	Yes	Ongoing case	--	--	--	Open
Tajikistan: IICT-01/ Khatlon region	Apr 2014	No ^a	--	--	--	--	May 2014
Pakistan: KPK-01/ Kohistan and Shangal Batgram	May 2014	No ^a	--	--	--	--	May 2014
Trinidad&Tobago: Petrotrin-01/Trinidad	May 2014	No ^a	--	--	--	--	May 2014
Costa Rica: CoreCo-01/	Jun 2014	No	--	--	--	--	Jun 2014

a. CAO assessed and handled any issues raised by the complainant that dealt with IFC/MIGA. However, the complainant also raised issues outside of CAO's mandate. CAO referred these issues to other relevant parts of the World Bank Group.

TBD=To be determined.

APPENDIX C. CAO CASELOAD, FY2000–14

Since its inception in 1999, CAO has accepted 135 complaints and requests for audits spanning 42 countries (see figure C.1 and map, pp. 54–55). Eighty-seven percent of the complaints relate to IFC's involvement in a project; eight percent to IFC and MIGA together; and five percent to MIGA alone. Forty-one percent of complaints to CAO have been filed directly by affected communities or individuals, without assistance from other organizations by local civil society organizations acting on behalf of affected communities (see figure C.2). Continuing analysis of CAO's caseload data reveals patterns in the distribution of cases by sector and region, as well as the systemic environmental and social issues that predominate in complaints.

Regional distribution: Complaints from Latin America and Central Asia have accounted for two-thirds of CAO cases since 1999. This figure in part reflects a large number of complaints filed for one project: the Baku-Ceyhan-Tbilisi (BTC) Pipeline. In recent years, the number of complaints received from both the Asian and Sub-Saharan African regions has grown (see figure C.3). CAO's experience from its caseload and outreach suggests that relatively larger shares of complaints from some regions compared to others typically reflects the level of mobilization of civil society, awareness of IFC/MIGA and CAO, and size of the IFC/MIGA regional portfolio.

Sector distribution: Since 1999, four main industry sectors have predominated in complaints to CAO: extractive industries, infrastructure, agribusiness, and manufacturing (see figure C.4). CAO attributes this pattern of complaints to the resource intensity of these industries, specifically uses of land, water, or both. A growing share of IFC's investments is in financial intermediaries (FIs), and CAO has received four complaints related to IFC's FI investments since 2010.

Issues raised by complainants: Impacts to natural resources are a predominant theme in complaints to CAO: land-related cases account for over 50 percent of CAO's total caseload; and concerns related to water have account for 46 percent

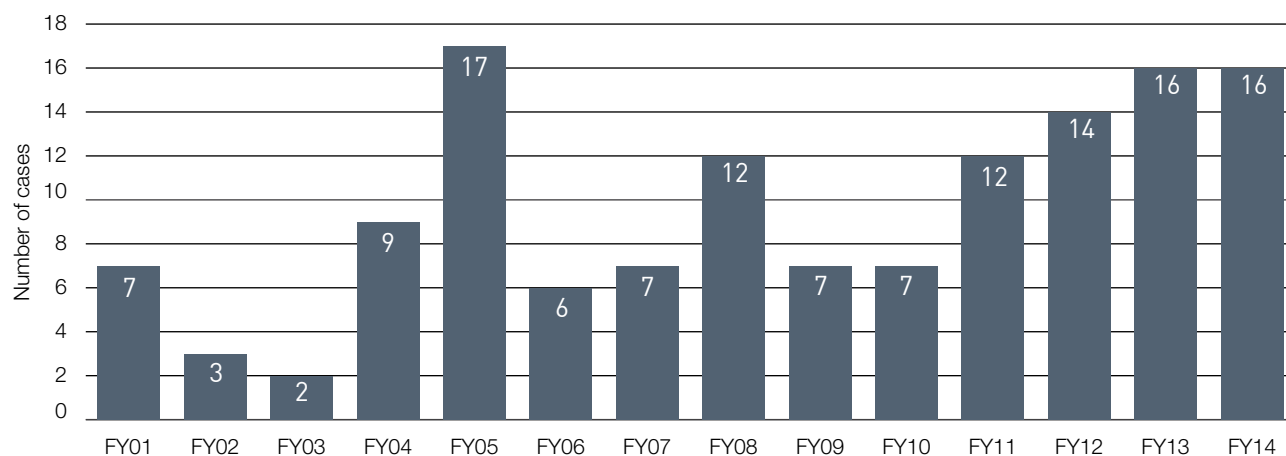
of cases. Pollution is cited in 47 percent of complaints, and community health and safety concerns have been raised in 41 percent of cases. Socioeconomic issues are amongst the most frequent issues cited in complaints to CAO and account for just under 70 percent of complaints. The majority of complaints also cite concerns related to project due diligence and supervision (68 percent) and consultation and information disclosure (65 percent)—roles and responsibilities that are shared by IFC/MIGA and their clients (see figure C.5).

Project categorization: IFC projects are assigned a category of A, B, or C in descending order of environmental and social sensitivity, or FI, in the case of financial institutions that on-lend to clients whose activities may present environmental and social concerns. Fifty-two percent of IFC projects cited in complaints to the CAO since 1999 have been Category A projects, which are classified as having potentially significant adverse social and/or environmental impacts. This high number is in part due to multiple complaints on the Baku-Tbilisi-Ceyhan (BTC) Pipeline Project. A further 38 percent of complaints related to Category B projects, with potentially limited adverse social and/or environmental impacts (see figure C.6).

Case handling: Forty percent of cases handled by CAO have been settled through dispute resolution since 2000 (not counting cases in an ongoing dispute resolution process). An additional 25 percent of cases have been handled by CAO Compliance to assess IFC/MIGA environmental and social performance related to a project(s). Of this 25 percent, 6 percent of cases resulted in a full audit/investigation of IFC or MIGA (see figure C.7).

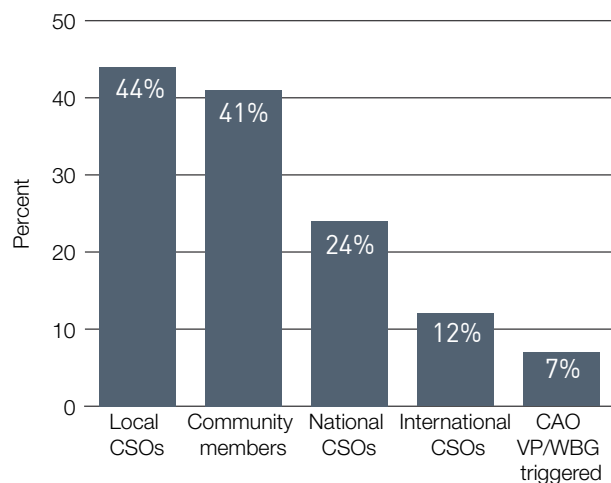
Ineligible complaints: CAO has received 96 complaints since 1999 that were rejected on grounds of ineligibility. The majority did not fall within CAO's social and environmental mandate, or were not IFC/MIGA projects. A large number of the complaints that fell outside of CAO's mandate raised concerns about fraud and corruption. CAO referred these complaints to the World Bank's Integrity Vice Presidency.

Figure C.1. Eligible Complaints, FY2000–14



Note: All complaints to the CAO involve local community members. In some cases, local, national, or international CSOs file the complaint on behalf of local community members. Percentages add up to more than 100 percent because complaints are typically filed by more than one type of group.

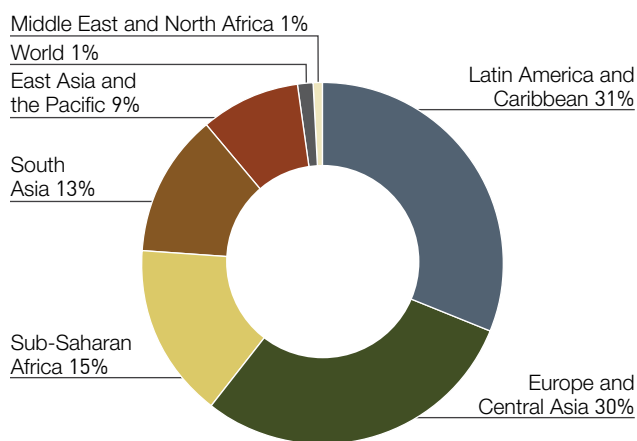
Figure C.2. Signatories to Complaints, FY2000–14



CSO=Civil society organizations. CAO VP= CAO Vice President. WBG=World Bank Group.

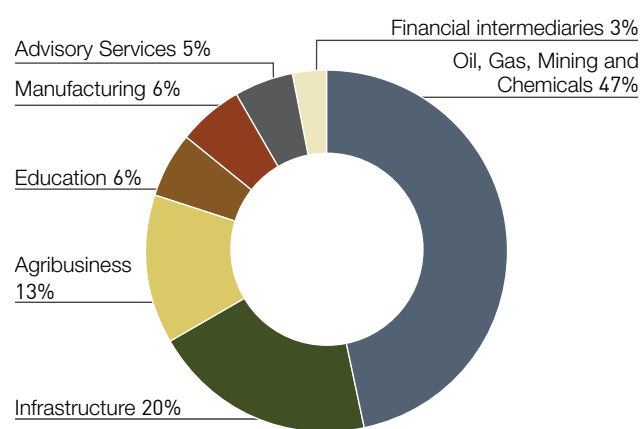
Note: The 16 new cases for FY14 consist of 15 eligible complaints received and 1 compliance case triggered by the CAO Vice President.

Figure C.3. Cases by Region, FY2000–14



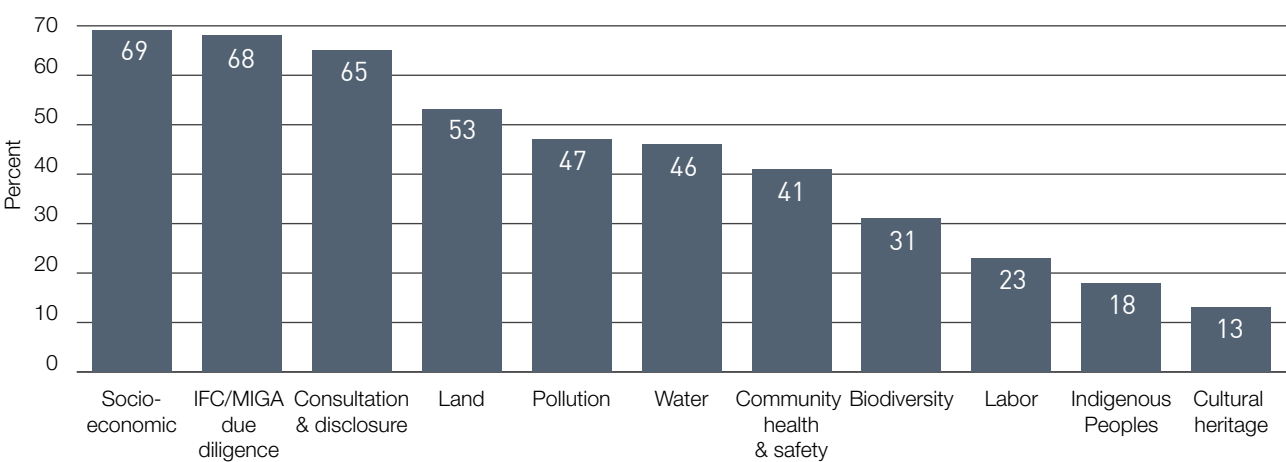
Note: The “World” category relates to compliance casework that spans two or more regions

Figure C.4. Cases by Sector, FY2000–14



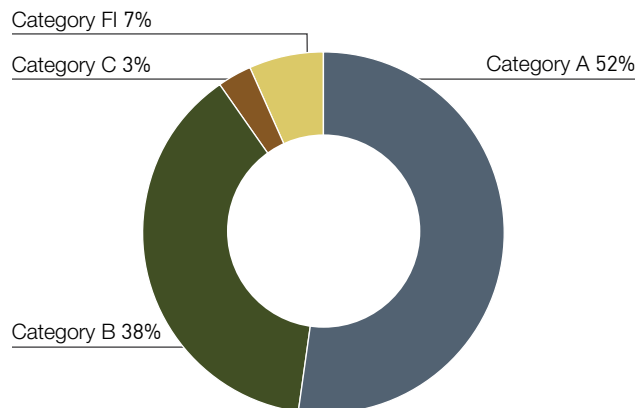
Note: CAO's compliance audit of IFC's global financial intermediary portfolio is counted as one project.

Figure C.5. Issues Cited in Complaints, FY2000–14



Note: Percentages add up to more than 100 percent because some complaints involve more than one type of issue.

Figure C.6. Cases by Environmental Category, FY2000–14



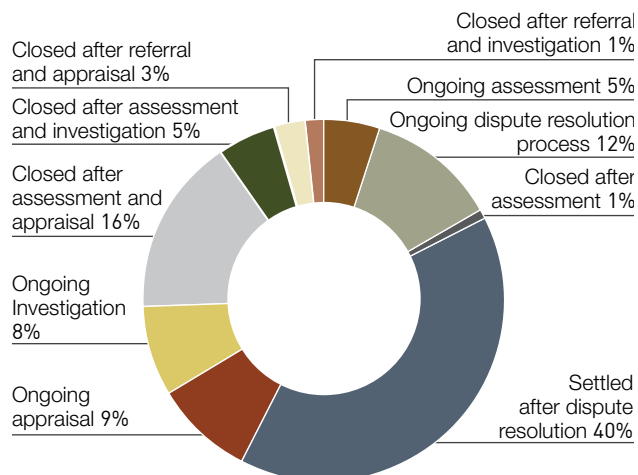
Category A: Projects expected to have significant adverse social and/or environmental impacts that are diverse, irreversible, or unprecedented.

Category B: Projects expected to have limited adverse social and/or environmental impacts that can be readily addressed through mitigation measures.

Category C: Projects expected to have minimal or no adverse impacts, including certain financial intermediary projects.

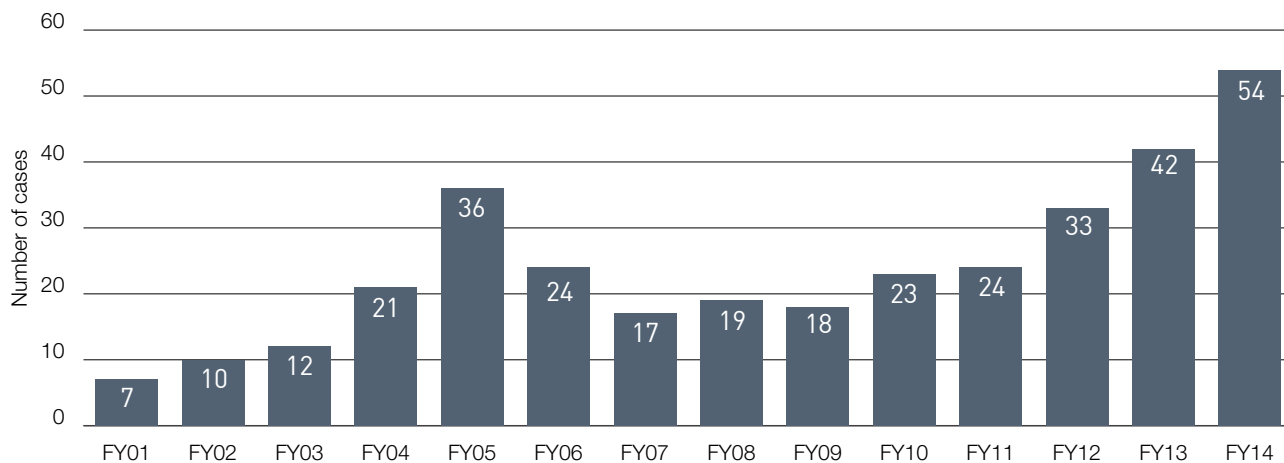
Category FI: Investments in financial intermediaries (FI) that themselves have no adverse social and/or environmental impacts, but may finance subprojects with potential impacts.

Figure C.7. Status of Cases, FY2000–14



Note: Wilmar-01, Harmon Hall-01, and Bujagali-04 are counted twice (each counted once as a dispute resolution case and once as a compliance case).

Figure C.8. Number of Cases Handled per Fiscal Year, FY2000-14



APPENDIX D. REPORTS AND PUBLICATIONS, FY2014

Entries are grouped by type of report and appear chronologically by month and year of publication.

ASSESSMENT REPORTS

Complaint Regarding the AES Sonel Project (IFC Project #11579), Cameroon, July 3, 2013
(Case: AES Sonel-02/Douala)

Second Complaint Regarding the Oyu Tolgoi Project (IFC Project #29007 and MIGA Project #7041), Mongolia, August 7, 2013
(Case: Oyu-Tolgoi-02/Southern Gobi)

Complaint Regarding the Vizhinjam Port Project (IFC Project #28991), India, August 5, 2013
(Case: Vizhinjam-01/Kerala)

Complaint Regarding the Bankers Petroleum Project (IFC Project #27306), Albania, August 13, 2013
(Case: Bankers Petroleum-01/Patos)

Complaint Regarding the Alqueria Project (IFC Project #28492), Colombia, August 22, 2013
(Case: Alqueria-01/Cajica)

Third Complaint Regarding the Vizhinjam Port Project (IFC Project #28991), India, September 2013
(Case: Vizhinjam-03/Mulloor)

Complaint Regarding Tsodilo (IFC Project #29378), South Africa, September 5, 2013
(Case: Tsodilo-01/Badplaas)

Fifth Complaint Regarding Yanacocha (IFC Project #2983), Peru, October 4, 2013
(Case: Yanacocha-05/Cajamarca)

Second Complaint Regarding Tata Tea (IFC Project #25074), India, November 6, 2013
(Case: Tata Tea-02/Assam)

Sixth Complaint Regarding Bujagali Energy (IFC Project #24408 & MIGA Project #6732), Uganda, November 13, 2013
(Case: Bujagali Energy-06/Bujagali)

Community Concerns in Relation to IFC's CAMIF Project (IFC Project #26590), Honduras, January 8, 2014
(Case: CAMIF-01/Intibucá)

Complaint Regarding Cambodia Airports-01/Phnom Penh (IFC Project #21363), Cambodia, February 18, 2014
(Case: Cambodia Airports-01/Phnom Penh)

Complaints 02–06 Regarding Harmon Hall (IFC Project #29753), Mexico, March 18, 2014
(Case: Harmon Hall-02/Puerto Vallarta-03–06)

Complaint Regarding Cambodia VEIL II-01 (IFC Project #20926), Cambodia, May 12, 2014
(Case: VEIL II-01/Ratanakiri Province)

Eighth Complaint Regarding Harmon Hall (IFC Project #29753), Mexico, June 04, 2014
(Case: Harmon Hall-08/Puerto Vallarta)

DISPUTE RESOLUTION REPORTS

PROGRESS REPORTS

Updated Progress Report with Details of Final Agreement, Second Complaint Regarding Agri-Vie Fund, Uganda, August 14, 2013
(Case: Agri-Vie Fund-02/Mubende)

Progress Report Regarding Kiboga Mediation Process, First Complaint Regarding Agri-Vie Fund, Uganda, June 5, 2014
(Case: Agri-Vie Fund-01/Kiboga)

Progress Report on CAO Dispute Resolution Process in Chad, Third Compliant Regarding Chad-Cameroon Pipeline, June 8, 2014

(Case: Chad-Cameroon Pipeline-03/Chad)

CONCLUSION REPORTS

First Complaint Regarding Harmon Hall (IFC Project #29753), Mexico, July 2013

(Case: Harmon Hall-01/Mexico)

Fourth Complaint Regarding Bujagali Energy (IFC Project #24408 & MIGA Project #6732), Uganda, December 2013

(Case: Bujagali Energy-04/Bujagali)

Third Complaint Regarding Wilmar Group (IFC Project #25532 & #26271), Indonesia, December 2013

(Case: Wilmar Group-03/Jambi)

Complaint Regarding AES Sonel Project (IFC Project #11579), Cameroon, January 14, 2014

(Case: AES Sonel-02/Doula)

Fourth Complaint Regarding Yanacocha (IFC Project #2983), Peru, February 26, 2014

(Case: Yanacocha-04/Cajamarca)

Final Monitoring/Closure Report, First Complaint Regarding Wilmar Group, Indonesia, June 25, 2014

(Case: Wilmar Group-01/West Kalimantan)

COMPLIANCE REPORTS

APPRAISAL REPORTS

Regarding Coastal Gujarat Power Limited India (IFC Project #25797) Case of Machimar Adhikar Sangharsh Sangathan (MASS), India, July 27, 2013

(Case: Tata Ultra Mega-01/Mundra and Anjar)

Regarding Corporacion Dinant S.A. de C.V., Honduras, August 13, 2013

(Case: Dinant-01/CAO Vice President Request)

Regarding Lonmin (IFC Project # 24803), South Africa, August 30, 2013

(Case: Lonmin-01/CAO VP Request)

Regarding Harmon Hall (IFC Project #29753), Mexico, August 30, 2013

(Case: Harmon Hall-01/Mexico)

Regarding Banco Ficohsa (IFC Project #26394, #27341, #29257), Honduras, December 4, 2013

(Case: Ficohsa-01/CAO Vice President Request)

Regarding Amalgamated Plantations Private Limited (APPL) (IFC Project # 25074), India, February 6, 2014

(Case: Tata Tea-02/Assam)

Regarding Albania Hydros (IFC Advisory Services Project #583387), Albania, March 18, 2014

(Case: Albania Hydros-01/Tirana)

Regarding AES Sonel (IFC Project #11579), Cameroon, June 26, 2014

(Case: AES Sonel-02/Doula)

Regarding Wilmar-03 (IFC Project #25532 & #26271), Indonesia, June 30, 2014

(Case: Wilmar Group-03/Jambi)

INVESTIGATION REPORTS

Regarding Tata Ultra Mega (IFC Project #25797), India, August 22, 2013

(Case: Tata Ultra Mega-01/Mundra and Anjar)

Regarding Corporacion Dinant (IFC Project #27250), Honduras, December 20, 2013

(Case: Dinant-01/CAO Vice President Request)

MONITORING REPORTS

CAO Monitoring and Closure Report for Investigation Regarding Mozal (IFC Project #10323), Mozambique, June 25, 2014

(Case: Mozal-01/Matola and Maputo)

APPENDIX E. FUNDING, FY2014

In FY2014, CAO had an administrative budget of \$4,519,305 (see table E.1). In addition, based on its increased case load, CAO was granted a supplementary increase for FY2014 up to the amount of \$398,000. CAO's administrative budget covers the costs of staff salaries, consultants, travel, communications, contractual services, and other administrative expenses. CAO's administrative budget is funded by IFC and MIGA on a cost-sharing basis. The determination of the cost sharing is based on the percentage of time spent by CAO staff on each institution's business matters in the prior closed fiscal year (see table E.2).

CAO also has an agreement with IFC and MIGA whereby additional funds from a Contingency Fund will be made available, on request, in the event of an unexpected volume of complaints, a large-scale mediation effort, or other extraordinary activity related to dispute resolution (see table E.3). CAO funds all assessments of complaints from its own operating budget. For complaints that are assessed, and for specific mediation activities to be organized and/or managed by CAO Dispute Resolution, the parties to a dispute may contribute funds to a separate account managed by CAO. If parties sign an agreement to mediate or a Memorandum of Understanding to negotiate, CAO works with the parties to resolve payment issues. For parties that are not in a position to contribute, CAO has the option to draw on its Contingency Fund. No arrangements exist for separate funding on compliance cases or advisory work. The cost of compliance appraisals and audits, and CAO advisory work, are funded from CAO's administrative budget.

Table E.1. CAO's Administrative Budget, FY2014 (U.S. dollars)

Salaries	1,688,869
Travel	991,206
Benefits	844,434
Consultants	788,723
Contractual services	399,341
Publications	69,431
Communications and IT services	49,475
Equipment and building services	34,192
Temporaries	23,291
Representation and hospitality	3,925
Total expenses	4,892,887
Current budget	4,519,305
Supplementary budget	398,000

Table E.2. IFC/MIGA's Contribution to CAO's Administrative Budget, FY2000–14 (U.S. dollars)

Fiscal year	IFC	MIGA	Total
FY2000	641,600	160,400	802,000
FY2001	1,096,800	262,500	1,359,300
FY2002	1,381,800	319,100	1,700,900
FY2003	1,794,900	374,800	2,169,700
FY2004	1,550,500	380,200	1,930,700
FY2005	1,573,800	392,100	1,965,900
FY2006	2,030,700	507,500	2,538,200
FY2007	2,135,300	523,400	2,658,700
FY2008	2,182,900	538,400	2,721,300
FY2009	2,899,900	407,000	3,306,900
FY2010	2,930,600	513,600	3,444,200
FY2011	2,941,911	634,434	3,576,345
FY2012	3,627,286	548,815	4,176,101
FY 2013	3,868,495	463,523	4,332,018
FY 2014	4,249,978	269,327	4,519,305
Total	34,906,470	6,295,099	41,201,569

CONTINGENCY FUND

The Environmental/Social Mediation and Conflict Resolution Contingency Fund helps CAO budget for extraordinary mediation and conflict resolution activities that extend over several years. This Fund was established in FY2003 in response to the creation of the multiyear mediation process following two complaints received against Minera Yanacocha in Peru. Allocations from the Fund are made by CAO and are used to pay for the services of specialist mediators and related out-of-pocket expenses. CAO staff time and related expenses are not charged to the Fund.

The Contingency Fund is \$1 million annually. When the Fund was established, IFC committed to contribute 80 percent (\$800,000) of the \$1 million, with MIGA contributing 20 percent (\$200,000) each year. To date, it has not been necessary for the CAO to access MIGA's 20 percent commitment. In FY2014, the CAO used \$799,929 from its Contingency Fund.

Table E.3. CAO Contingency Fund, FY2003–14 (U.S. dollars)

Direct contributions from IFC, FY2000–14	
Fiscal year	Total
FY2003	-0-
FY2004	317,500
FY2005	451,500
FY2006	352,900
FY2007	37,900
FY2008	319,100
FY2009	613,100
FY2010	768,000
FY2011	743,627
FY2012	706,836
FY2013	753,836
FY2014	799,929
Subtotal	5,864,228
Other contributions from IFC sponsors, FY 2003–14	
Contribution from Minera Yanacocha (IFC sponsor):	\$3,231,000
Contribution from Nicaragua Sugar Estates Limited (IFC sponsor):	\$789,733
Contribution from Oyu Tolgoi LLC (IFC sponsor):	\$79,970
Subtotal	\$4,100,703
Total funds expended on extended-term mediation:	\$9,964,931

APPENDIX F. STAFF

Meg Taylor, Compliance Advisor Ombudsman and Vice President



Meg Taylor, a national of Papua New Guinea, received her LL. B from Melbourne University, Australia, and her LL.M from Harvard University, United States. She practiced law in Papua New Guinea and serves as a member of the Law Reform Commission. She was Ambassador of Papua New Guinea to the United States, Mexico, and Canada in Washington, DC from 1989 to 1994. She is co-founder of Conservation Melanesia, was a member of the World Commission on Forests and Sustainable Development, and has served on the Boards of international conservation and research organizations. In addition, Meg Taylor has served as a Board member of a number of companies in Papua New Guinea in the natural resources, financial, and agricultural sectors and Boards of companies listed on the Australian Securities Exchange. She was appointed to the post of Vice President of the World Bank Group and CAO in 1999, following a selection process led by civil society and industry.

Scott Adams, Specialist, Dispute Resolution



A U.S. national, Scott has over 17 years of diverse domestic and international experience in providing dispute resolution, management consulting, and training services. His clients and industry experience include the nonprofit sector, government, higher education, utilities, health care, biotechnology, transportation, and international development. Before joining CAO, Scott founded and managed a private mediation and consulting practice. He has also served in senior positions at Search for Common Ground and CDR Associates, and was formerly an Associate in Booz Allen Hamilton's Organization and Strategy Practice. Scott received his B.A. in Political Science and Russian from Emory University, and an LL.M in Public International Law from Leiden University, the Netherlands.

Daniel Adler, Specialist, Compliance



Before joining CAO, Daniel worked in social development with the World Bank in the East Asia Pacific region. His work has focused on fragile and post conflict countries, where he has covered issues including land management, resettlement, labor relations, social accountability, and justice reform. An Australian national, he is a Barrister and Solicitor of the Supreme Court of Victoria, and holds degrees in law and social sciences from the University of Melbourne, Australia.

Charity Agorsor, Consultant Services Assistant



A Ghanaian national, Charity came to CAO with extensive experience from IFC's Industry Departments, and provides procurement assistance to the CAO Office. She is the contact point for the hiring of consultants and for processing other management transactions for CAO.

Gina Barbieri, Senior Specialist, Dispute Resolution



Gina, a South African human rights lawyer and dispute resolution professional, manages CAO's Dispute Resolution function. Before joining CAO, she ran a legal practice specializing in mediation and other forms of alternative dispute resolution (ADR). She has mediated numerous disputes in the employment, commercial, and community arena and is the author of two books on labor practice in the public and private sector. Gina coauthored and edited two IFC publications on the establishment of ADR Centers in emerging markets and guidelines on the practice of ADR. She is a cofounder of the African Institute for Mediation, served as the Deputy Head of the Africa Center for Dispute Settlement, Stellenbosch University Business School, and sat on the steering committee for the establishment of the African Mediation Association. She obtained her BComm LL.B from the University of KwaZulu-Natal and is a CEDR (UK) and IMI accredited international mediator.

Anke Campbell, Team Assistant



Born in Germany, Anke migrated with her family to the United States at the age of 10. Before joining CAO, Anke worked as an Account Manager, providing tax credit services, and as a Senior Customer Service Representative in various insurance companies. Anke works directly with Gina Barbieri and assists specialists and consultants with travel logistics and administrative issues.

Patrick Flanagan, Research Analyst, Compliance



Before joining CAO, Patrick worked with Accenture and Allied Irish Banks Capital Markets. An Irish national, he received his M.A. in International Relations and International Economics from the Johns Hopkins School of Advanced International Studies (SAIS) and his Bachelors of Commerce from University College, Dublin.

Julia Gallu, Specialist, Dispute Resolution



Before joining CAO, Julia, a German national, was a sustainability risk manager at Swiss Reinsurance Company in Zurich, Switzerland, helping to develop sustainability risk management policies. Previously, she was part of the World Bank Group Extractive Industries Review team, and worked for IFC in the area of environmental and social standards and development impact measurement. Julia is trained in mediation, and holds an M.A. in International Relations and International Economics from Johns Hopkins School of Advanced International Studies (SAIS) and a M.A. Joint Honours in Politics and Economics from the University of Edinburgh, Scotland. Since joining CAO in 2009, Julia has handled complex, multistakeholder dispute resolution processes in diverse sectors and regions, including the mining and oil industry, agribusiness, and infrastructure. These cases addressed issues ranging from labor disputes to conflict over land, water, and impacts on Indigenous peoples and cultural heritage.

Emily Horgan, Specialist, Communications and Outreach



Emily manages CAO's communications and outreach program. Before joining CAO, Emily worked for the World Bank Group Extractive Industries Review and IFC in the areas of operations evaluation, sustainability reporting, and environmental and social knowledge management. Emily has also organized long-distance rallies with corporate sponsors to support youth HIV/AIDs awareness in Africa and alternative community fuel projects in Central America. Formerly, Emily worked for the *Financial Times* and in public relations in London. A British national, Emily holds a M.A. in International Relations from the Johns Hopkins School of Advanced International Studies (SAIS), and a B.A. Joint Honours in Politics and History from the University of Durham.

Elizabeth Mensah, Associate, Advisory



A Canadian and Ghanaian national, Elizabeth has expertise in grassroots development and conflict management in Africa. Before joining CAO, she taught at Bloomberg School of Public Health (Johns Hopkins). She has also worked with, and serves on the Boards of local and international NGOs in Canada and Ghana. Elizabeth holds a Ph.D. in International Relations from Johns Hopkins School of Advanced International Studies (SAIS).

Abisola Odutola, Research Analyst



Abisola is a Nigerian national with environmental consultancy experience within various sectors, including oil & gas, metal production, chemical manufacturing, food processing and production, and power generation industries. Before joining CAO, Abisola worked in the United Kingdom as an environmental consultant on a range of projects involving environmental compliance, environmental permitting, site protection monitoring programs, site investigation, environmental impact assessment, environmental legislation review, Best Available Techniques (BAT) assessments, and due diligence audits. Abisola received her MSc. in Environmental Technology (Water Management) from Imperial College London and a BSc. in Geology from the University of Ibadan.

Paula Panton, Executive Assistant



A Jamaican national, Paula brings to CAO more than 25 years of experience working with IFC. Known as the “Field Marshall,” she works directly with Meg Taylor and provides administrative support to the unit.

Andrea Repetto Vargas, Specialist, Dispute Resolution



A Chilean national, Andrea has worked with human rights issues in Latin America. In Chile, she worked for academia and for a nongovernmental organization dealing mostly with public interest matters. Before joining CAO, Andrea worked as a human rights specialist at the Inter-American Commission on Human Rights, mainly on following up on human rights and international humanitarian law aspects of the demobilization process of the illegal armed group United Self-Defense Forces of Colombia (AUC), and as country lawyer for Brazil. She earned her law degree from University Diego Portales in Chile, and a LL.M. in international and comparative law from the George Washington University Law School.

Susana Rodriguez, Associate Operations Officer



An Ecuadorian and Spanish national, Susana received her M.A. in International Relations from Johns Hopkins School of Advanced International Studies (SAIS), and her B.A. in Political Science from Davidson College, North Carolina. Before joining CAO, she worked in various local and international NGOs in the United States, Switzerland, and South Africa, as well as for United Nations Development Program in Ecuador. Susana’s areas of professional interest are conflict management and African studies.

Amenah Smith, Program Assistant



Amenah is an Indonesian national. Before joining CAO, she was working for the World Bank Group in Jakarta as a Program Assistant in the Operations Services Unit, Legal Department, as well as a Country Program Assistant for the Indonesia Country Management Unit in Washington, DC. Amenah joined CAO as a backup for the Consultant Services Assistant and provides administrative support to the Office.

APPENDIX G. STRATEGIC ADVISORS

CAO's Strategic Advisors Group has been active since 2002. Current members are:

Ray Albright	Managing Director, AMB International Finance, LLC
Glen Armstrong	Independent Advisor
David Hunter	Assistant Professor and Director, Environmental Law Program, Washington College of Law, The American University
David McDowell	Former Director General, International Union for the Conservation of Nature (IUCN) and former New Zealand Ambassador to the United Nations
Manuel Rodríguez Becerra	Professor of Environmental Policy and Public Management, Universidad de los Andes, and Former Minister of Environment, Colombia
Lori Udall	International public policy and development consultant
Susan Wildau	Partner, CDR Associates

APPENDIX H. INDEPENDENT ACCOUNTABILITY MECHANISMS

CAO is part of a formal grouping of Independent Accountability Mechanisms (IAMs) of various multilateral and bilateral agencies. The IAMs were set up in response to increased public pressure for greater accountability and transparency in international development finance. While the mechanisms differ in the way they operate, they have similar mandates by providing an independent body that is externally triggered to address environmental and social concerns by affected persons and investigate institutional compliance with relevant operational policies and standards. The IAMs meet once a year to share experiences, discuss good practice, and formulate joint objectives. Where relevant, such as in circumstances where a complaint is filed to multiple

mechanisms, CAO coordinates complaint handling with the IAMs. Should CAO receive a complaint relating to a project under the purview of another IAM, CAO will make efforts to forward the complaint to the correct body.

The IAM network is expanding as other development finance institutions create independent accountability and recourse mechanisms. Recent new members include the European Ombudsman and mechanisms of the Black Sea Trade and Development Bank, Nordic Investment Bank, United Nations Development Programme (UNDP), Caribbean Development Bank, and the Dutch and German development banks (FMO and DEG).

International Financial Institution	Independent Accountability Mechanism
African Development Bank (AfDB)	Compliance Review and Mediation Unit
Asian Development Bank (ADB)	Office of the Special Project Facilitator and Office of the Compliance Review Panel
Black Sea Trade & Development Bank (BSTDB)	Complaints Mechanism
Caribbean Development Bank	Office of the President (Audit, Compliance and Investigations)
European Bank for Reconstruction and Development (EBRD)	Independent Recourse Mechanism
European Investment Bank (EIB)	Office of the Inspector General Complaints
European Union (EU)	European Ombudsman
German Investment and Development Corporation (DEG) and Netherlands Development Finance Company (FMO)	Independent Complaints Mechanism
Government of Canada	Office of the Extractive Sector Corporate Social Responsibility Counsellor
Inter-American Development Bank (IDB)	Independent Consultation and Investigation Mechanism
International Bank for Reconstruction and Development (IBRD) and International Development Association (IDA)	Inspection Panel
International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA)	Office of the Compliance Advisor Ombudsman (CAO)
Japan Bank for Regional Cooperation (JBIC)	Office of Examiner for Environmental Guidelines
Nippon Export and Investment Insurance (NEXI)	Office of Examiner for Environmental and Social Considerations Guidelines
Nordic Investment Bank	Office of the Chief Compliance Officer
United Nations Development Programme (UNDP)	Office of Audit and Investigations, Social and Environmental Compliance Unit (SECU)
United States Overseas Private Investment Corporation (OPIC)	Office of Accountability

APPENDIX I. IFC AND MIGA POLICIES

The following resources define the roles and responsibilities of IFC and MIGA and their client companies. CAO considers these documents, among others, when it conducts a compliance appraisal or audit.

IFC Sustainability Framework

The updated 2012 version applies to all investment and advisory clients whose projects go through IFC's initial credit review process after January 1, 2012. The 2006 edition of IFC's Sustainability Framework applies to investments that went through IFC's initial credit review process from February 2006 to December 31, 2011. Investments made before February 2006 are subject to the Safeguard Policies (see list below).

IFC Policy on Environmental and Social Sustainability (January 2012)

IFC's Sustainability Policy defines IFC's responsibilities in supporting project performance in partnership with clients.

IFC Performance Standards on Social and Environmental Sustainability (January 2012)

IFC's Performance Standards (PS) define clients' roles and responsibilities for managing their projects and the requirements for receiving and retaining IFC support. They include:

- PS1: Assessment and Management of Environmental and Social Risks and Impacts
- PS2: Labor and Working Conditions
- PS3: Resource Efficiency and Pollution Prevention
- PS4: Community Health, Safety, and Security
- PS5: Land Acquisition and Involuntary Resettlement
- PS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources
- PS7: Indigenous Peoples
- PS8: Cultural Heritage

IFC Access to Information Policy (January 2012)

IFC's Policy on Disclosure of Information defines its obligations to disclose information about itself and its activities.

MIGA Policy on Social and Environmental Sustainability (October 2007)

MIGA Performance Standards on Social and Environmental Sustainability (October 2007)

MIGA Policy on Disclosure of Information (October 2007)

World Bank Group Environmental, Health, and Safety (EHS) Guidelines

The EHS Guidelines are technical reference documents with general and industry-specific examples of Good International Industry Practice (GIIP), as defined in IFC's 2006 Performance Standard 3 on Resource Prevention and Pollution Abatement. Performance Standard 3 requires IFC clients to follow the EHS Guidelines.

General EHS Guidelines

The General EHS Guidelines contain information on cross-cutting environmental, health, and safety issues potentially applicable to all industry sectors. They are designed to be used together with the relevant industry sector guideline(s).

Industry Sector Guidelines

- Agribusiness/Food Production
- Chemicals
- Forestry
- General Manufacturing
- Infrastructure
- Mining
- Oil & Gas
- Power

IFC's Policy on Social and Environmental Sustainability (April 2006)

IFC's Performance Standards on Social and Environmental Sustainability (April 2006)

- PS1: Social and Environmental Assessment and Management Systems
- PS2: Labor and Working Conditions
- PS3: Pollution Prevention and Abatement
- PS4: Community Health, Safety and Security
- PS5: Land Acquisition and Involuntary Resettlement
- PS6: Biodiversity Conservation and Sustainable Natural Resource Management
- PS7: Indigenous Peoples
- PS8: Cultural Heritage

Safeguard Policies (before February 2006)

- Child and Forced Labor Policy Statement (March 1998)
- Cultural Property (OP 11.03, September 1986)
- Environmental Assessment (OP 4.01, October 1998)
- Forestry (OP 4.36, November 1998)
- Indigenous Peoples (OP 4.20, September 1991)
- International Waterways (OP 7.50, November 1998)
- Involuntary Resettlement (OP 4.30, June 1990)
- Natural Habitats (OP 4.04, November 1998)
- Pest Management (OP 4.09, November 1998)
- Safety of Dams (OP 4.37, September 1996)

Disclosure Policies

IFC's Disclosure Policy (September 1998) was replaced by the revised IFC Policy on Disclosure of Information in April 2006, which was replaced by the IFC Access to Information Policy in January 2012.

MIGA's former Disclosure Policy was replaced by the revised MIGA Policy on Disclosure of Information in October 2007.

For more information, see IFC's web site, www.ifc.org/enviro, and MIGA's web site, www.miga.org/policies.

APPENDIX J.

FILING A COMPLAINT

FREQUENTLY ASKED QUESTIONS ABOUT FILING A COMPLAINT

WHO MAY SUBMIT A COMPLAINT?

Any individual or group of individuals who believe they are, or may be, affected by the environmental and social impacts of an IFC/MIGA project may lodge a complaint with CAO. Organizations or individuals may lodge complaints on behalf of affected persons as long as they provide evidence of their authority to present the complaint on their behalf.

WHAT TYPES OF COMPLAINTS DOES CAO ACCEPT?

To be eligible for assessment, complaints must meet the following three eligibility criteria: 1) the complaint pertains to a project that IFC/MIGA is participating in or actively considering; 2) the issues raised pertain to environmental and social impacts of IFC/MIGA investments; and 3) the complainant(s) are, or may be, affected by the environmental and/or social impacts raised in the complaint.

WHAT TYPES OF COMPLAINTS DOES CAO NOT ACCEPT?

CAO cannot accept complaints that do not meet the three eligibility criteria. If complaints relate to the projects of other international financial institutions (not IFC or MIGA), CAO endeavors to direct the complainant to the appropriate Independent Accountability Mechanism (see appendix H).

CAO will direct complaints relating to fraud and corruption to the World Bank Integrity Vice Presidency (INT). CAO also cannot review complaints related to IFC and MIGA procurement decisions, nor does the Office accept complaints that are viewed as malicious, trivial, or generated to gain competitive advantage.

WHAT EVIDENCE IS NEEDED TO SUPPORT A COMPLAINT?

Complainants do not need to submit supporting evidence to make a complaint. However, additional material is welcome, whether submitted at the time or after a complaint has been lodged with CAO.

MAY COMPLAINANTS REQUEST CONFIDENTIALITY?

Yes. CAO takes confidentiality extremely seriously and, if requested, will not reveal the identity of complainants. Where confidentiality is requested, a process for handling the complaint will be agreed jointly between CAO and the complainant. In addition, materials submitted on a confidential basis will not be released without the consent of the relevant party. However, it is important to note that CAO cannot accept anonymous complaints. This is because CAO processes require it to conduct field assessments to inform its work, which cannot be done unless complainants are identified.

WHAT HAPPENS AFTER A PARTY HAS FILED A COMPLAINT?

CAO will acknowledge receipt of the complaint in the language in which it was received. Within 15 working days (not counting the time required to translate complaints and supporting documents), CAO will inform the complainant(s) whether the complaint is eligible for further assessment. If eligible, the complainant will receive information explaining how CAO will work with the parties to help address the issues of concern, and a CAO specialist will contact the complainant(s) personally.

HOW DOES THE COMPLAINT HANDLING PROCESS WORK?

CAO follows a specific procedure for every complaint and is committed to addressing complaints in a timely manner. If a complaint meets CAO's three eligibility criteria, the following steps will apply:

- **Assessment:** CAO will first conduct an assessment of the complaint, engaging with the complainants, IFC/MIGA staff, IFC/MIGA client, and other local stakeholders to gain a better understanding of the issues and to help the parties understand what options are available to them through CAO. Without passing judgment on the merits of the complaint, the assessment will determine which CAO role the affected community wishes to initiate: Dispute Resolution or Compliance.
- **Dispute Resolution:** If the parties wish to work together to address the concerns, CAO's Dispute Resolution team will help them design and implement a flexible, collaborative, problem-solving process aimed at seeking mutually agreeable solutions to the issues raised. CAO monitors implementation of any agreements reached before closing a case.
- **Compliance:** If the affected community chooses CAO's Compliance role, or if the parties are unwilling or unable to reach agreement through Dispute Resolution, a compliance review is initiated. CAO first undertakes an appraisal to determine whether the case raises substantial concerns regarding environmental and/or social outcomes, and/or issues of systemic importance to IFC/MIGA. If the appraisal determines that substantial concerns exist, CAO will initiate a compliance investigation and monitor actions taken by IFC/MIGA to address CAO's findings until a case can be closed. If an investigation is not merited, the case is closed after appraisal.

See CAO's Operational Guidelines for more details at www.cao-ombudsman.org.

WHAT DOES CAO DISPUTE RESOLUTION DO?

CAO Dispute Resolution does not make a judgment about the merits of a complaint, nor does it impose solutions or find fault. Dispute resolution specialists work together with the parties to identify alternative approaches and strategies

for addressing the issues. This could involve joint fact-finding, facilitating discussions among key stakeholders, mediating disputes among parties, or establishing a dialogue table or joint monitoring program. CAO dispute resolution specialists have expertise in conflict assessment and management, and multiparty facilitation. CAO works with a roster of global mediators with the appropriate language and cultural skills. This allows CAO to provide a scalable, decentralized, adaptable response aimed at ensuring accessibility for the parties and respect for indigenous dispute resolution. Browse our cases (pp. 29–53) to see examples of our work.

WHAT DOES CAO COMPLIANCE DO?

CAO oversees compliance investigations of the environmental and social performance of IFC and MIGA to ensure the application of relevant policies, standards, guidelines, procedures, and conditions for IFC/MIGA involvement. The first step, the appraisal, acts as a “compliance check” in order to assess whether issues raised in the complaint raise questions about IFC's or MIGA's due diligence on the relevant project(s). If the appraisal finds that further examination of the issues is necessary, an independent panel is convened to conduct a full compliance investigation. Findings are reported to the World Bank Group President and publicly disclosed. CAO monitors implementation of its findings until assured that IFC/MIGA is/are in compliance. Importantly, CAO's compliance work focuses on IFC and MIGA—not the IFC/MIGA client.

HOW AND WHERE DO I FILE MY COMPLAINT?

Complaints must be submitted in writing. They may be in any language. Complaints can be sent by e-mail, fax, or mail/post, or delivered to the Office of the CAO in Washington, DC. For guidance on how to write a complaint, see the Model Letter of Complaint (p. 87).

Office of the CAO
2121 Pennsylvania Avenue, NW
Washington, DC 20433 USA
Tel: +1 (202) 458-1973
Fax: +1 (202) 522-7400
e-mail: cao-compliance@ifc.org
www.cao-ombudsman.org

MODEL LETTER OF COMPLAINT TO THE CAO

To:

Compliance Advisor Ombudsman
International Finance Corporation
2121 Pennsylvania Avenue NW
Washington, DC 20433 USA
Fax: +1 (202) 522-7400
e-mail: cao-compliance@ifc.org

Date:

I/we, lodge a complaint concerning the _____ project, located in _____.

This complaint is made on behalf of _____ (ignore if not applicable).

I/we live in the area known as _____ (show on an attached map if possible). I/we can be contacted through the following address, telephone and fax numbers, and e-mail:

Street address: _____

Mailing address (if different from street address): _____

Country and postal code: _____

Telephone: _____

Fax: _____

e-mail: _____

I/we do not wish our identity to be disclosed (ignore if not applicable).

I/we have been, or are likely to be affected by social or environmental impacts of the project in the following way(s):

If possible, please provide the following information:

- A description of the name, location, and nature of the project (provide a map, if possible)
- A description of the action taken by me/us to try to resolve these issues (include dates or time frame, if possible)
- A list of other person(s) contacted by me/us in attempting to resolve these issues (attach copies of correspondence, if possible)
- Any other relevant facts to support this complaint.

In addition, please answer the following question:

- I/we would like to see this complaint resolved in the following way. (CAO cannot guarantee to help the complainant achieve this result, but this information will help focus on problem-solving approaches.)

Attach copies of any relevant documents and other material.

Note: CAO will keep the identity of complainants confidential if requested to do so, but will not accept anonymous complaints. Material may also be submitted on a confidential basis to support a complaint and will not be released without the consent of the party that submitted it.

Complainants should be aware that other affected parties, including the sponsor and IFC/MIGA staff, will usually be informed about the substance of the complaint. Complainants should notify CAO from the start of any information that complainants do not wish to be disclosed. A process for handling the complaint will be agreed with the complainant.

MORE INFORMATION

CAO reports, findings, and case updates are available on CAO's website. All other public documents, including CAO Advisory Notes and past Annual Reports, also are available in hard copy. CAO's Operational Guidelines are available in the seven languages of the World Bank Group. Further resources on how to file a complaint are available in additional languages on CAO's web site. For more information, see www.cao-ombudsman.org.

CONTACT US

To request information, file a complaint, or learn more about our work, contact us at:

Office of the Compliance Advisor Ombudsman (CAO)

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Washington, DC 20433, USA

Telephone: +1 (202) 458-1973

Fax: +1 (202) 522-7400

e-mail: cao-compliance@ifc.org

Website: www.cao-ombudsman.org

Facebook: www.facebook.com/CAOOffice

Twitter: <https://twitter.com/CAOOffice>



CAO staff gather for a volunteer day, June 2014.



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Independent Accountability Mechanism for the International Finance Corporation (IFC)
and Multilateral Investment Guarantee Agency (MIGA), Members of the World Bank Group.