

Dispute Resolution Conclusion Report

**Regarding the Sixth Complaint Received in Relation to IFC's Investments and MIGA's
Guarantees in Benban Solar Park
(IFC #37633, #40386, #40390, #37636, #37637, #39728, #37580, #40019, #37713, #37591,
#39995, #39997, #39729 and
MIGA #14043, #14059, #14080, #14516, #14517, #14518, #14519, #14520, #14521,
#13956, #13952, #13971) in Egypt**

October 2025

OVERVIEW

The complaint relates to labor conditions in the 13 active projects by the International Finance Corporation (IFC)¹ and 12 active projects supported by the Multilateral Investment Guarantee Agency (MIGA)² in Benban Solar Park in the Arab Republic of Egypt ("the Project"). In September 2022, CAO received a complaint from a former employee ("the complainant") of Health and Safety Home (H&SH), a subcontractor for the Benban Solar Park.

In October 2022, CAO determined that the complaint met its eligibility criteria and began an assessment of the complaint. In accordance with the CAO Policy,³ CAO shared the complaint with independent accountability mechanisms (IAMs) of other development financial institutions financing the Project. The Complainant submitted similar complaints to the Independent Recourse Mechanisms (IRMs) of the African Development Bank (AfDB) and the Green Climate Fund (GCF).

During CAO's assessment, the complainant and the Benban Solar Park representatives expressed an interest in engaging in a dispute resolution process to resolve the issues raised in the complaint. In accordance with the CAO policy, the complaint was transferred to CAO's Dispute Resolution function in March 2023.

The first joint meeting was held in May 2023 to discuss the ground rules for the mediation process and the issues raised in the complaint. Between June 2023 and March 2024, CAO facilitated bilateral negotiations and information sharing between the parties. In February 2025, CAO facilitated another joint meeting with the parties in Aswan, but the process did not yield an agreement. Consequently, the complainant requested to transfer the case to CAO's Compliance function.

This conclusion report provides an overview of the assessment and dispute resolution process.

¹ Projects #37633, #40386, #40390, #37636, #37637, #39728, #37580, #40019, #37713, #37591, #39995, #39997, #39729.

² Projects #14516, #14517, #14518, #14519, #14520, #14521, #13956, #14043, #13952, #13971, #14080, #14059.

³ CAO Policy para 169: If CAO is aware that other organizations with IAMs have financed or guaranteed a project that is the subject of a complaint to CAO, CAO will notify those IAMs of the existence of the complaint, subject to the Complainant's consent to this notice and applicable provisions to protect confidentiality.

BACKGROUND

The IFC and MIGA Projects

IFC is part of a consortium of nine international banks and other investors that are providing \$653 million (\$225 million from IFC) for the construction of 13 of the 41 solar power plants that make up the Benban Solar Park.⁴ The Park is a 36 sq km plot composed of 32 operational power plants that are operated by different companies, near the village of Benban. MIGA is supporting 12 active projects in the Solar Park. Of these 12 projects, three are financed by the IFC-led consortium and nine by the consortium led by the European Bank for Reconstruction and Development (EBRD).

The lenders supporting the projects within the park include IFC, the European Bank for Reconstruction and Development (EBRD), the Asian Infrastructure Investment Bank (AIIB), the African Development Bank (AfDB), British International Investment (BII), Finnfund (Finland), the Industrial and Commercial Bank of China (ICBC), the Europe Arab Bank, the Arab Bank of Bahrain, the Green for Growth Fund, Proparco (France), the Austrian Development Bank (OeEB), and the Dutch Entrepreneurial Development Bank (FMO).

All the project developers have joined together to form the Benban Solar Developers Association (BSDA) to manage the entirety of the Solar Park. BSDA hired a facility management company, Health and Safety Home (H&SH), to manage the operation and maintenance of the Solar Park and address environmental and social (E&S) and other relevant issues for the entire park.⁵

The Complaint

The complainant is a former employee of H&SH, who alleges having been unfairly dismissed from employment. She worked as a Community Liaison Officer for H&SH from 2018 to 2020. She handled project relations with the community of the Benban villages, provided training to the members of the Benban communities, and recruited locals to work for the solar project. From 2020 to September 2021, she worked for H&SH as a team leader of the community communications division.

In September 2021, she received an email from the human resources division of H&SH, containing the Terms of Reference (ToR) of her new contract. Her new contract was set to start on September 24, 2021, but the document did not include the details of her responsibilities as an employee, only referring to the responsibility of the company as her employer. The complainant alleges that when she requested further information about her rights and responsibilities under this new contract, H&SH did not respond; she instead received a dismissal letter, did not get to sign the new contract, and was not compensated. She raised grievances with H&SH and IFC in September 2021 regarding her dismissal and entitlement to compensation.

CAO Assessment

In October 2022, CAO determined that the complaint met its three eligibility criteria and began an assessment of the complaint. The purpose of the CAO assessment is to clarify the issues raised in the complaint, gather information on the views of different stakeholders, and determine whether the parties would like to pursue a dispute resolution process or prefer that the complaint be handled by CAO's Compliance function. The CAO assessment process does

⁴ Benban Solar Park is subdivided into 41 separate plots (projects) assigned to different developers of solar power plants, 32 of which are now operational, generating and transmitting electricity to the national grid.

⁵ Other issues include security and crisis management, traffic and roads management, solid waste management, wastewater management, community liaison and communications, central facilities services and the H&SH oversight and governance.

not entail a judgment on the merits of the complaint; rather, it seeks to understand the facts and empower those involved to make informed decisions on how to address the issues raised.

During the assessment, the complainant and the Benban Solar Park representatives expressed an interest in engaging in a dispute resolution process facilitated by CAO to resolve the issues raised in the complaint. In accordance with the CAO policy,⁶ the complaint was transferred to CAO's Dispute Resolution function in March 2023.⁷

The complainant submitted similar complaints to the IRMs of AfDB and GCF. AfDB IRM combined the complaint with three other complaints received in relation to the Project and decided to proceed with the compliance review of the Project. GCF IRM conducted an assessment of the complaint and decided to handle it under its problem-solving process with close coordination with the CAO.

DISPUTE RESOLUTION PROCESS

Preparation for dialogue and capacity building

In April 2023, CAO conducted capacity-building sessions with each of the parties to prepare them for participating in the dialogue and ensure that they both had the relevant knowledge and skills to engage in the dispute resolution process on an equal footing. These sessions were conducted in Aswan with the complainant and in a virtual setting with the representatives of BSDA. The sessions included training on conflict resolution, communication, and the CAO process. CAO provided additional capacity-building sessions to the parties throughout the mediation process, as needed.

Dialogue process

CAO convened the first in-person joint meeting in Aswan, Egypt in May 2023, attended by the complainant and the representatives of BSDA. During the meeting, the parties agreed to a Dispute Resolution Framework Agreement including confidentiality rules for all parties, which was later documented and signed by the parties on May 15, 2023. A representative from IFC attended the session as an observer.⁸ After the meeting, CAO conducted shuttle diplomacy between the parties, facilitating virtual bilateral meetings to see if other solutions could be identified to the issues raised in the complaint.

In January 2024, a second in-person joint meeting with the parties was held in Aswan. During the meeting, BSDA offered the complainant a new position at the Solar Park, but the complainant rejected the offer. CAO continued to facilitate virtual bilateral discussions with the parties from February 2024 to January 2025 to see if other solutions could be found to resolve the issues raised in the complaint.

In February 2025, CAO convened another in-person joint meeting with the parties in Aswan. During the meeting, the parties considered entering into an interim agreement to settle part of the dispute. However, after the joint meeting, the complainant expressed her interest in sending the case to CAO's Compliance function.

⁶ CAO's Policy is available here: <https://www.cao-ombudsman.org/policies-guidelines>

⁷ For more information on the assessment phase, please refer to the assessment report: <https://www.cao-ombudsman.org/cases/egypt-benban-solar-06>

⁸ IFC's observer role at the in-person joint sessions was agreed upon by both parties. In addition to being bound by confidentiality, the observer provides only technical input upon the invitation of CAO with the consent of the parties. MIGA did not attend the in-person joint sessions, but the progress on the dialogue process was shared with both IFC and MIGA to ensure effective coordination with both institutions.

Collaboration with the Independent Redress Mechanism of the Green Climate Fund

At the beginning of the Dispute Resolution process, CAO held meetings with the Independent Redress Mechanism (IRM) of the Green Climate Fund to see how best to coordinate the efforts of the two mechanisms. The IRM indicated that it was looking at labor and social issues in relation to this complaint. The IRM and CAO agreed that CAO would lead the mediation efforts related to labor issues, given that CAO only received a labor-related complaint. IRM agreed to handle the social issues in the complaint. At that time, there seemed to be no linkage between labor and social issues. It was agreed that both mechanisms would work independently, maintain confidentiality, inform the parties of their working agreement, and continue to communicate to exchange high-level information. During the process, the two mechanisms independently facilitated several meetings between the parties. However, none of these efforts resulted in any significant progress toward the resolution of the issues.⁹

Thus, in accordance with CAO's Policy, the case will be transferred to the CAO Compliance function.

CONCLUSION AND NEXT STEPS

The parties did not manage to resolve the dispute. In accordance with CAO's Policy, the case will now be transferred to compliance.

All relevant documentation is available on CAO's website at www.cao-ombudsman.org

See Annex A for more information on the CAO complaint handling process.

⁹ <https://irm.greenclimate.fund/case/c0009-egypt>

APPENDIX A. CAO COMPLAINT-HANDLING PROCESS

Once CAO declares a complaint eligible, an initial assessment is carried out by CAO's Dispute Resolution function. The purpose of CAO's assessment is to: (1) clarify the issues and concerns raised by the complainant(s); (2) gather information on how other stakeholders see the situation; (3) help stakeholders understand the recourse options available to them and determine whether they would like to pursue a collaborative solution through CAO's Dispute Resolution function or whether the case should be reviewed by CAO's Compliance function.

As per the IFC/MIGA Independent Accountability Mechanism (CAO) Policy,¹ the following steps are typically followed in response to a complaint that is received:

Step 1: **Acknowledgment** of receipt of the complaint.

Step 2: **Eligibility**: Determination of the complaint's eligibility for assessment under the mandate of CAO (no more than 15 business days).

Step 3: **Assessment**: Assessing the issues and providing support to stakeholders in understanding and determining whether they would like to pursue a consensual solution through a collaborative process convened by CAO's Dispute Resolution function or whether the case should be handled by CAO's Compliance function to review IFC's/MIGA's environmental and social due diligence. The assessment time can take up to a maximum of 90 business days, with the possibility of extension for a maximum of 30 additional business days if after the 90-business day period (1) the parties confirm that resolution of the complaint is likely; or (2) either party expresses interest in dispute resolution, and there is potential that the other party will agree.

Step 4: **Facilitating settlement**: If the parties choose to pursue a collaborative process, CAO's Dispute Resolution function is initiated. The dispute resolution process is typically based on or initiated by a Memorandum of Understanding and/or mutually agreed-upon ground rules between the parties. It may involve facilitation/mediation, joint fact finding, or other agreed resolution approaches leading to a settlement agreement or other mutually agreed and appropriate goals. The major objective of these types of problem-solving approaches will be to address the issues raised in the complaint, and any other significant issues relevant to the complaint that were identified during the assessment or the dispute resolution process, in a way that is acceptable to the parties affected.²

OR

Compliance Appraisal/Investigation: If the parties opt for an investigative process, the complaint is transferred to CAO's Compliance function. The complaint is also transferred to the Compliance function when a dispute resolution process results in partial or no agreement. At least one must provide explicit consent for the transfer, unless CAO is aware of concerns about threats and reprisals. CAO's Compliance function reviews IFC/MIGA's compliance with environmental and social policies, assesses related harm, and recommends remedial actions where appropriate following a three-step process. First, a compliance appraisal determines whether further investigation is warranted. The appraisal can take up to 45 business days, with the possibility of extending by 20 business days in exceptional circumstances.

¹ For more details on the role and work of CAO, please refer to the IFC/MIGA Independent Accountability Mechanism (CAO) Policy: <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/889191625065397617/ifc-miga-independent-accountability-mechanism-cao-policy>

² Where stakeholders are unable to resolve the issues through a collaborative process within an agreed time frame, CAO Dispute Resolution will first seek to assist the stakeholders in breaking through impasse(s). If this is not possible, the Dispute Resolution team will inform the stakeholders, including IFC/MIGA staff, the President and Board of the World Bank Group, and the public, that CAO Dispute Resolution has concluded the dispute resolution process and transferred it to CAO Compliance for appraisal.

Second, if an investigation is warranted, the appraisal is followed by an in-depth compliance investigation of IFC/MIGA's performance. An investigation report will be made public, along with IFC/MIGA's response and an action plan to remediate findings of noncompliance and related harm. Third, in cases where noncompliance and related harm are found, CAO will monitor the effective implementation of the action plan.

Step 5: **Monitoring and Follow-up**

Step 6: **Conclusion/Case Closure**

