

Self-Assessment Report of CAO Fiscal Year 2024

The Office of the United Nations High Commissioner for Human Rights (OHCHR) published the *Remedy in Development Finance* report in 2022. The report sets out the eight effectiveness criteria of the UN Guiding Principles on Business and Human Rights and provides a self-assessment tool for Independent Accountability Mechanisms (IAMS) to assess themselves against 82 indicators. CAO first completed the self-assessment in 2022 and has updated the self-assessment for 2024.

The self-assessment tool is a useful resource for CAO to assess its effectiveness and serves as a performance benchmark for CAO’s evolving procedures and practices since the implementation of the CAO Policy in July 2021. In responding to the indicators, CAO has adopted a qualitative approach and has indicated where information is limited. Several indicators

raise questions about stakeholder perceptions, for which CAO does not have adequate relevant data. Notably, several indicators are directed at development finance institutions (DFIs) themselves. CAO did not find it appropriate to respond to indicators on behalf of IFC and MIGA. However, CAO will develop its approach to the self-assessment and gather information regarding stakeholder perceptions and engagements with IFC and MIGA, as appropriate.

Finally, because this is a new exercise for CAO and is undertaken with a view to benchmarking, we have chosen not to articulate any views or findings as a result of the self-assessment. Over time, this exercise may serve as a record of evolving processes, procedures, and practices that enable CAO to continue to be an effective independent accountability mechanism for project-affected people, IFC and MIGA clients/sub clients, and IFC/MIGA, in line with good international practice.

TABLE 1. QUESTIONS

Note: N/A refers to Not Available

Index	Question No.	Question	Response (Yes; No; Partly)	Explanation
Legitimacy	1	Is the mechanism independent of management?	Yes	CAO reports to the IFC and MIGA Boards of Executive Directors (the Boards). The CAO DG is directly accountable to the Boards and is not part of, and does not report to, management (CAO Policy paras. 3 and 12).
Legitimacy	2	Is the mechanism authorized to initiate investigations without board approval?	Yes	The decision to initiate investigations is at the discretion of the CAO Director General (CAO DG) (CAO Policy paras. 96-97).
Legitimacy	3	Does the mechanism have a direct reporting line to the board?	Yes	CAO has a direct reporting line to the Boards (CAO Policy paras. 3 and 12).

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Legitimacy	4	Does the mechanism control its own budget, staffing and contracting?	Yes	CAO's annual budget is approved by the Boards and the CAO DG is responsible for determining the allocation of resources within CAO, including appropriate staffing and recruitment of consultants and experts. The CAO DG is free to make staffing decisions within the approved budget limits, without the Boards' or Management's involvement. (CAO Policy paras. 21 and 22).
Legitimacy	5	Are hiring procedures transparent and are external stakeholders involved in the process of selection of senior IAM staff?	Yes	Para. 15 of the CAO Policy provides that the CAO Director-General is selected with involvement of an independent selection committee including civil society and business stakeholders. Senior IAM staff are hired by the CAO DG.
Legitimacy	6	Are IAM managers and staff held to high standards of ethical conduct?	Yes	The CAO DG is held to high standards (CAO Policy paras. 14 and 20) Applicable World Bank Group Human Resources policies and procedures, including the Code of Ethics, apply to all CAO staff and there is a procedure to manage staff conflicts of interest (para. 22).
Legitimacy	7	Are performance reviews of senior IAM staff carried out by the board rather than management?	Yes	The CAO DG is accountable to the IFC/ MIGA Boards (para. 12). The CAO DG does not receive a performance rating and is not entitled to performance-based compensation. Performance reviews of lead CAO staff (functional heads) are carried out by the CAO DG.
Legitimacy	8	Is the mechanism trusted by complainants?	N/A	CAO does not have comprehensive data on whether it is trusted by complainants. CAO's monitoring and evaluation process does collect feedback from complainants in relation to assessment and dispute resolution processes, including questions related to perceptions of bias and satisfaction levels.

Index	Question No.	Question	Response (Yes; No; Partly)	Explanation
Legitimacy	9	Does the board have procedures to ensure due process in responding to IAM recommendations and to eliminate conflicts of interest?	Partly	Procedures for Board oversight are articulated in the CAO Policy, in particular: in approving Management Action Plans in response to CAO compliance findings (paras. 130-138); during monitoring of implementation of the Management Action Plan (paras. 142-146); and in relation to the Management Action Tracking Record (para. 153).
Legitimacy	10	Are IAM staff members precluded from seeking employment in the parent DFI, and vice versa, for a reasonable “cooling off” period (such as two years)?	Partly	CAO staff at the specialist level and above are restricted from employment with IFC/ MIGA for two years after ending their assignment with CAO, subject to any exception mutually agreed between CAO DG and IFC/MIGA HR with the goal to avoid any actual or perceived conflict of interest. Upon conclusion of the CAO DG appointment, the DG is restricted for life from obtaining employment with the World Bank Group. CAO has also developed and published conflict of interest procedures to guide the recruitment of staff and consultants.
Legitimacy	11	Are IAM staff suitably qualified in relation to the requisite language skills, experience working with victims, understanding of local contexts and relevant expertise (including, ideally, human rights and/ or business and human rights)?	Yes	Para. 14 of the CAO Policy addresses relevant qualifications of the CAO DG. Staff recruited are subject to specific qualifications relevant for the role (as observed in TORs for staff recruitment processes).
Legitimacy	12	Does the mechanism carry out regular trainings for personnel in order to keep pace with relevant standards and practices?	Yes	CAO staff have staff development plans including training. Training is also conducted for CAO mediators.

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Accessibility	13	Are both DFIs and clients required to publicize the existence of IAMs among project-affected people in a manner understandable to the communities concerned (taking into account language, disability and other relevant factors), and is this requirement included in contractual agreements?	No	No such policy requirement exists. However, under the CAO Policy, IFC/MIGA will help make CAO known to project-affected people including by providing accessible information about CAO on their websites and in their annual reports; including in relevant IFC/MIGA Project disclosures reference to applicable grievance mechanisms, including CAO; working with clients to disseminate information at the project level about CAO and its availability as a recourse; and including information pertaining to CAO as relevant in appropriate project documentation.
Accessibility	14	Are access barriers for women, children, persons with disabilities, indigenous people and other population groups identified and addressed, in addition to barriers arising from multiple and intersecting forms of discrimination (e.g. women with disabilities and indigenous girls)?	Yes	The CAO Policy sets out Accessibility as a core principle and addresses questions of barriers in the context of outreach (para. 161) and Threats & Reprisals (Section XII). Efforts to break down access barriers are also emphasized through the assessment process and in the design of dispute resolution processes.
Accessibility	15	Are complainants free from any categorical requirement to exhaust remedial avenues with the client, GRM and/or DFI?	Yes	There is no requirement for complainants to exhaust prior avenues before lodging a complaint with CAO. After determining a complaint eligible, CAO will enquire whether the complainants made good faith efforts to resolve the complaint with IFC/MIGA and/or their client. If they have not, CAO will establish whether the complainant wishes to refer the complaint to IFC/MIGA/the client or proceed with the CAO process (para. 39).

Index	Question No.	Question	Response (Yes; No; Partly)	Explanation
Accessibility	16	Are complainants free to pursue complaints through IAMS irrespective of parallel proceedings (judicial or otherwise), in principle?	Yes	No constraints are included in the CAO Policy or imposed in practice relating to parallel proceedings. The CAO Policy does include considerations of parallel proceedings as part of CAO's process: i) During assessment of a complaint, where deemed necessary by any party, CAO will consider the relevance of concluded, pending or ongoing judicial or non-judicial proceedings (para 53e); ii) During compliance appraisal, CAO will consider the relevance of any concluded, pending or ongoing judicial or non-judicial proceeding regarding the subject matter of the complaint (para. 92b); and iii) The Terms of Reference for a compliance investigations will specify any limitations on the scope of the investigation that may be appropriate, considering, among others, the presence of concurrent judicial proceedings (para. 188b)
Accessibility	17	Are complainants free to choose between compliance review and dispute resolution processes, or both simultaneously, and are they empowered to make informed choices in this regard?	Partly	Complainants are free to choose to address their complaint through a dispute resolution or compliance process (para. 59). CAO ensures the complainants are able to make an informed choice in this regard during the assessment phase (para. 52). Since dispute resolution is voluntary, both the complainants and client need to choose dispute resolution for this option to proceed. There is no provision for dispute resolution and compliance processes to proceed simultaneously although complaint issues partially or not resolved through dispute resolution are transferred to compliance with the complainant's consent (para. 71).
Accessibility	18	Are complainants free to choose who to represent them, be they local or international organizations?	Yes	Per the CAO Policy, complainants may be represented by other organizations (paras. 30 and 33b).

Index	Question No.	Question	Response (Yes; No; Partly)	Explanation
Accessibility	19	Can complaints be admitted prior to board approval, thereby enabling preventive actions?	No	According to the CAO Policy, complaints cannot be considered eligible if the project at issue has not been approved by the Board (see para. 37 and definition of "Active Project"). The CAO Policy provides that, with complainants' consent, such complaints are referred to the relevant institution and Board to be addressed (para. 47).
Accessibility	20	Can complaints be admitted for a reasonable period of time (such as two years) after project closure and are the time limits for accessing IAMS flexible enough to take into account the time needed for abuses to become apparent?	Yes	The CAO Policy provides for a 15-month window post-exit for complaints to be admitted where: (a) there are compelling reasons why the complaint could not be made before the IFC/MIGA Exit; (b) all of CAO's other eligibility criteria are met; and (c) after consultation with Management, CAO considers that accepting the complaint would be consistent with CAO's mandate (para. 49).
Accessibility	21	Are evidentiary requirements reasonable, taking into account complainants' capacity constraints?	Yes	There are no evidentiary requirements for complainants set out in the CAO Policy (see complaint parameters in para. 33).
Accessibility	22	Are complainants free from any requirement to prove a link between project harms and the DFI safeguard compliance?	Yes	There is no requirement for complainants to prove a link between harm and noncompliance for CAO to find a complaint eligible, or during the compliance process.

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Accessibility	23	In situations in which complaints do not meet eligibility criteria, are clear reasons provided within a reasonable time?	Yes	A clear timeframe is set out in the CAO Policy for eligibility determination (15 business days which can be extended up to 20 business days if needed). CAO communicates to complainants the rationale for an ineligible decision. Basic information about ineligible complaints, including the basis for the decision, is shared in the complaints registry on CAO's website (paras. 44-45).
Predictability	24	Are IAM processes and time frames made clearly known to complainants in advance?	Yes	The CAO Policy sets out time frames for each stage in the process except for the duration of any dispute resolution process, as the time frames are driven by the parties themselves.
Predictability	25	Are IAMs clear about which harms they can address and which remedies/ outcomes are realistically available?	Yes	The CAO Policy: (i) defines harm and articulates CAO's mandate and process for facilitating access to remedy; (ii) enables provision for significant engagement with the complainants during assessment so informed choices can be made; and (iii) promotes understanding of the CAO process (what it can/cannot achieve) through outreach.
Predictability	26	Do IAMs provide information in relation to their ability to:		
Predictability	26.a	Monitor the implementation of actions agreed in compliance and dispute resolution?	Yes	The CAO Policy sets out provisions for monitoring implementation of dispute resolution agreements (para. 68) and compliance monitoring of corrective actions in a Management Action Plan (paras. 139-144).

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Predictability	26.b	Monitor the effectiveness of actions taken to address harms and to require updates/ corrections if the initial actions identified are not addressing the issues?	Partly	Dispute resolution monitoring supports processes for ongoing engagement between the parties to effectively implement agreed actions in a settlement agreement. In the context of compliance monitoring of Management Action Plans: "The Board may consider options on how to strengthen the implementation of measures in the MAP, if necessary, taking into account Management progress reports and CAO monitoring reports" (para. 144).
Predictability	26.c	Carry out monitoring missions on the ground, including with original complainants, other stakeholders, clients and local government?	Yes	CAO may conduct missions during dispute resolution and compliance monitoring.
Predictability	26.d	Report to the board on implementation?	Yes	CAO shares monitoring outcomes with the Board (CAO Policy para. 72 (DR); paras. 142-144 (Compliance))
Predictability	26.e	Continue monitoring until harms are remedied?	No	The focus of DR monitoring is implementation of the parties' agreed actions in the final settlement agreement, not remediation of harms, which may take longer. However, CAO DR processes frequently include initiatives to promote ongoing engagement between the parties after CAO's involvement ends, which may address remediation of harms. In compliance processes, the focus of monitoring is on actions committed to by management and agreed by the Board. These actions may or may not include remediation of harms.
Predictability	27	In projects involving multiple DFIs (or IAMs):		

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Predictability	27.a	Is there a memorandum of understanding in place between IAMS, or case-specific memorandums of understanding/ agreements, that simplify processes for complainants and specify how collaboration between IAMS will work?	Yes	Collaboration with other IAMS is addressed in paras 169-171 of the CAO Policy, including notification of complaints on co-financed projects, collaboration on joint complaints where relevant, and cooperation on other relevant activities, including outreach, communication, advisory, and training.
Predictability	27.b	Are complainants consulted on efforts to streamline complaint processes?	Yes	Complainants are consulted at each stage of the CAO complaints process as per the CAO Policy.
Predictability	27.c	In situations in which the safeguard standards of the participating banks differ in strength and scope, is there a requirement that the most stringent applicable standards be applied?	N/A	Question relates to DFI not IAM.
Equitability	28	Are complainants provided with the necessary advisory, technical or financial support?	Partly	While not constituting a formal arrangement, in assessment and dispute resolution processes, CAO may provide complainants with capacity building, support with travel, and other assistance to attend meetings and communicate with CAO.

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Equitability	29	Do IAMs take into account stakeholders' different needs, abilities, vulnerabilities, languages, cultures and personal circumstances, including exposure to trauma?	Yes	CAO considers complainants' circumstances and provides capacity building appropriate to those circumstances, to the extent feasible. CAO's Dispute Resolution function also works with local consultants to ensure that the process takes into account cultural, religious and political context which is unique to the particular complaint. CAO also works with complainants in respect to threats and reprisals (see CAO Policy, section XII). See paras. 161, 163-164 regarding CAO efforts to respond to local constraints and communication in the complainant's language.
Equitability	30	Do compliance procedures permit both the IAMs themselves and complainants to review and provide comments on management action plans before they are finalized?	Yes	Both CAO and complainants can review and provide comments on IFC/MIGA Management Action Plans (see CAO Policy paras. 134 and 135).
Equitability	31	Is DFI management required to consider such comments and provide a reasoned explanation in situations in which such comments are not taken into account?	No	Under para. 134 of the CAO Policy, complainants may submit to CAO a statement on the proposed management action plan and the adequacy of consultations related to that plan, for circulation to the Board. Management is not required to provide a reasoned explanation when comments are not taken into account.

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Equitability	32	In addition to management action plans, are complainants able to obtain and comment on other relevant information (e.g. the evidence submitted, investigation reports and any personal reports, such as medical evaluations) before material decisions are made?	Partly	Complainants have an opportunity for factual review and comment on investigation reports which allows the opportunity to contest or contradict information presented through that process (CAO Policy paras. 124-125).
Equitability	33	Are there any formal avenues to appeal IAM compliance review decisions or DFI management responses?	No	There are no formal avenues to appeal a CAO compliance decision. Regarding management responses, complainants can send a statement to the Board regarding the proposed Management Action Plan (CAO Policy para. 135)
Equitability	34	Do IAMs have capacity-building programmes and budgets to help equalize the power relations between the parties?	Partly	CAO provides capacity-building throughout a dispute resolution process to the parties and other stakeholders who may be involved in the mediation. The aim of capacity-building workshops is to identify knowledge gaps and help each party to confidently and effectively engage in the dispute resolution process.

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Equitability	35	Do DFIs and/ or IAMs actively engage with stakeholders to make them aware of their rights and safeguard protections and, as needed, facilitate access to external experts and advisers to address power imbalances within the complaints handling process?	Partly- in relation to IAM	CAO does not provide the complainants with resources for their own experts and advisors. However, there are several steps CAO takes to address power imbalances such as: (i) working with complainants to address concerns about threats and reprisals; (ii) providing mediators; (iii) using dispute resolution tools such as joint fact-finding; and (iv) procuring the services of external technical experts as needed to support the complaints handling process. CAO also actively engages stakeholders about their rights and protections through its outreach efforts, including potential complainants.
Equitability	36	Are standards of evidence sufficiently flexible and informal from the complainant's perspective?	N/A	There are no evidentiary standards complainants are expected to meet, however CAO does not have information (e.g. survey data) from complainants on their perspectives in this regard.
Equitability	37	Are IAMs required to proactively seek information relevant to admissibility as needed?	Yes	Para. 36 of the CAO Policy enables CAO to proactively seek information to determine eligibility of complaints.
Equitability	38	At the conclusion of an IAM process do complainants receive:		
Equitability	38.a	A record of the process, outcomes and reasons for decisions?	Yes	The CAO Policy sets out reporting requirements for assessment, dispute resolution, and compliance processes. Specifically, the process steps and related outcomes are documents in CAO assessment reports, dispute resolution conclusion reports, compliance appraisal reports, compliance investigation reports, and compliance monitoring reports.

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Equitability	38.b	A record of any agreement?	Yes	Records of dispute resolution agreements are addressed in paras. 66 and 72 of the CAO Policy. Parties may choose to publicly release an agreement reached through a CAO dispute resolution process and dispute resolution conclusion reports summarize agreements reached and outcomes. CAO also documents agreements reached on its website once public. However, if the parties choose to keep the content of the agreement confidential, CAO will not publish the agreement. In the compliance process, actions in response to compliance investigation findings and recommendations are captured in Management Action Plans.
Equitability	38.c	Information about how to challenge or follow up?	Yes	In a compliance process, complainants can provide comments on the Management Action Plan (CAO Policy para. 135) and may be engaged by CAO during its monitoring phase. They may also raise issues during the 'factual review and comment' of the investigation report. In dispute resolution, if one or more party is not satisfied with implementation of agreements, this may be addressed by CAO in discussions with the parties during the monitoring phase and if not resolved, the complaint may transfer to the compliance function with the complainant's consent.
Transparency	39	Are there clearly defined procedures on how IAMs process complaints with clear lines of responsibility and accountability, which are fully documented and publicly available?	Yes	The CAO Policy describes the complaint handling procedures and governance structures in detail, and is publicly available on the World Bank, IFC, MIGA, and CAO websites.

Index	Question No.	Question	Response (Yes; No; Partly)	Explanation
Transparency	40	Do IAMs remain continuously, proactively engaged with parties regarding the status of cases?	Yes	Parties are engaged throughout the CAO process; information regarding the status of cases and case reports documenting outcomes are posted in the Cases Center on CAO's website.
Transparency	41	Do IAMs have clear rules on handling and disclosing information among the parties, with clear, limited exceptions for commercially confidential documents?	Yes	The CAO Policy provides clear rules around information handling and disclosure (see paras. 25-29). In terms of CAO case-related outputs, the CAO Policy provides clear rules on sharing reports with the parties (paras. 61, 66, 68, 104-106, 122-126, and 128, 142 and 146).
Transparency	42	Do DFI information policies include a public interest override to mandate disclosure in situations in which human rights violations are concerned?	N/A	Question relates to DFI not IAM
Transparency	43	Do IAMs regularly publish a full list of cases, including those deemed ineligible, and key performance metrics, such as the number of complaints, summary outcomes and satisfaction rates?	Yes	CAO has a public complaints registry as well as monitoring and evaluation processes in place (although CAO does not publish satisfaction rates)

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Transparency	44	For individual cases, do IAMs publish in a user-friendly manner the full record of a case as well as a summary, an easy way to understand the status of the case and the documentation of the case (complaint submitted, IAM decision, management response, interim and final outcomes, and any monitoring reports)?	Yes	CAO maintains a complaints registry on eligible, deferred and ineligible complaints (see CAO Policy paras. 45-46) and publishes detailed information about cases that have satisfied the eligibility criteria on its website, including background related to the project, the complaint, CAO actions, and the status of cases, along relevant case documents and disclosures.
Transparency	45	Does the DFI project document website include reference to any IAM complaints and associated documentation such as management action plans and dispute resolution agreements?	N/A	Question relates to DFI not IAM.
Transparency	46	Do IAMs publish annual reports and regular newsletters?	Yes	CAO Policy para. 167 addresses the publication of annual reports and newsletters.

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Rights-compatibility	47	Are IAM processes respectful, culturally sensitive and empowering from complainants' perspectives?	Yes	Para. 10 of the CAO Policy sets out core principles by which CAO operates. Other ways CAO processes foster respect include complainant choice regarding how their complaint is handled, including the option to pursue dispute resolution or compliance; efforts to enhance accessibility, take account of local constraints, communicate in local language and a culturally appropriate manner and receive complaints in any language (paras. 161, 163-165); the consent-based approach with respect to threats and reprisals; and capacity building practices to support a level playing field. However, CAO does not have data on these aspects from complainants' perspectives.
Rights-compatibility	48	Are the affected stakeholders consulted about available remedies and the manner in which they should be delivered?	Yes	CAO's assessment process includes the provision of information and capacity building regarding the CAO process and options available to the parties. The dispute resolution process is conducted in manner that allows the complainants autonomy to make decisions and find solutions and outcomes that are relevant and useful for them. In the compliance process, complainants are consulted on Management Action Plans following findings of non-compliance and/or harm.
Rights-compatibility	49	Do DFI safeguards and IAM procedures specifically integrate international human rights standards, including with respect to the Guiding Principles on Business and Human Rights, human rights due diligence and remedy?	Partly - IAM process	CAO Policy references CAO's role in facilitating access to remedy in a manner consistent with international principles related to business and human rights included within the Sustainability Framework (para. 5); and references UNGP effectiveness criteria for non-judicial grievance mechanisms in CAO's core principles (para. 10), including the responsibility of business to respect human rights (para. 10g).

Index	Question No.	Question	Response (Yes; No; Partly)	Explanation
Rights-compatibility	50	In cases in which there is a conflict between national norms and international norms on human rights, do DFIs and/ or IAMs always adopt the higher standard in their deliberations?		See response to 52.
Rights-compatibility	51	Do IAMs specify that compliance reviews and dispute resolution processes and outcomes should be nondiscriminatory, gender sensitive and compatible with international human rights law?	Partly	CAO's work is guided by core principles that embody these aspects (CAO Policy para. 10). In dispute resolution, there is an explicit commitment to not support agreements that would be coercive, contrary to IFC/MIGA policies, or violate domestic or international laws (para. 67).
Rights-compatibility	52	Do IAMs take international human rights law into account in compliance reviews, as relevant to the country, project and issues involved?	Yes	CAO takes international human rights into account, as relevant, based on the IFC/ MIGA Sustainability Framework and CAO Policy. CAO carries out its work guided by consistency with good practice, including the responsibility of business to respect human rights.
Rights-compatibility	53	Do IAMs assess possible human rights implications of dispute resolution processes, consult with and advise the parties accordingly?	Partly	CAO in a dispute resolution process does not provide human rights or any other technical advice to the parties in the process. The role of the mediator is to remain impartial and neutral. However, each party is encouraged to seek advice on technical issues to assist them in making informed decisions. CAO will not support mediation agreements which violate international, national or local legal frameworks.

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Rights-compatibility	54	Do IAMs have a plan to address non-implementation of outcomes, such as through referral to another mechanism?	No	This is not done.
Rights-compatibility	55	Do IAMs evaluate the effectiveness of remedies, address deficiencies, and assess and address the implications of remedies to avoid contributing to further harm?	Yes	CAO monitors agreements reached through dispute resolution processes. In compliance processes, CAO can comment on Management Action Plans and monitors to verify effective implementation of corrective actions in those plans.
Rights-compatibility	56	Do DFIs and IAMs have clear published commitments, operational policies and procedures to prevent and address the risks of reprisals?	Yes	Section XII of the CAO Policy addresses threats and reprisals. In addition, CAO published its Approach to Responding to Concerns of Threats and Incidents of Reprisals in CAO Operations in 2018. In 2023, CAO commissioned an independent review of its approach. The review , completed in 2024, provides recommendations for CAO to further strengthen its practice and procedures for managing reprisal risks.
Rights-compatibility	57	Do IAMs provide for the confidentiality of complainants and permit anonymous complaints in situations in which there are reasonable grounds to believe that there would be a genuine threat to the safety of the complainants if their identities were disclosed?	Partly	Provisions for confidentiality are made throughout the CAO Policy. While there are no formal requirements for lodging a complaint with CAO, complaints should include the complainant's name, address and contact information. However, CAO will ensure the identity of the complainant and any information communicated as part of the complaint remains confidential if requested (see para. 31). CAO can also initiate a compliance appraisal where project-affected people may be subject to, or fear, reprisals that prevent them from lodging a complaint to CAO (para. 82).

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Rights-compatibility	58	Do DFIs and IAMs collect data and publicly report on the risks of reprisals, taking due account of confidentiality concerns?	Yes - in relation to the IAM	CAO reports data on threats and reprisals in its caseload in aggregate in its annual report.
Rights-compatibility	59	Are requirements to avoid and address the risks of reprisals included in the contractual agreements of DFIs with their clients and are there sanctions for noncompliance?	N/A	Question relates to DFI not IAM.
Continuous learning	60	Do DFIs carry out and publish evaluations, retrospectives and lessons-learned studies?	N/A	Question relates to DFI not IAM.
Continuous learning	61	Do DFIs and IAMs seek regular feedback on the experiences of parties and keep a systematic record of the frequency, patterns and causes of grievances?	Partly - IAM process	CAO's Advisory function is described in section XI of the Policy. Monitoring and evaluation surveys are conducted for assessment and dispute resolution processes currently. CAO captures data relating to all complaints, active and historic, to assess systemic trends.
Continuous learning	62	Do DFIs and IAMs collect and regularly publish data on remedial outcomes?	Partly - IAM process	In dispute resolution, outcomes may be captured in public documents, including CAO's conclusion report, or the parties may agree to keep these details confidential. CAO compliance monitoring reports capture data on effective implementation of remedial actions in the Management Action Plan.

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Continuous learning	63	Are new DFI project proposals required to be accompanied by a disclosure to the board of prior IAM proceedings involving the proposed client and the outcomes thereof?	N/A	Question relates to DFI not IAM.
Continuous learning	64	Are evaluations and lessons learned studies critical in orientation and are they consulted on publicly?	Partly	CAO's advisory work provides insights and recommendations on broader environmental and social issues relevant to IFC's/MIGA's work drawing on CAO case experience and good international practice. CAO does not always consult publicly on advisory products. Lessons learned in dispute resolution conclusion reports capture insights from the process and the parties provide factual review and comment on these reports before they are public. In compliance, consultations on compliance findings during the factual review and comment phase inform recommendations regarding underlying causes.
Continuous learning	65	Do lessons learned explicitly feedback into DFI strategies, policies and procedures?	Yes	CAO's Advisory function has an explicit mandate to provide advice to IFC/MIGA and the Boards with the purpose of improving systemic environmental and social performance. CAO insights and lessons learned have influenced IFC/MIGA strategies, policies, and procedures.
Continuous learning	66	Do evaluations and lessons learned studies analyze:		
Continuous learning	66.a	Key access constraints from complainants' perspectives?	Partly	CAO's monitoring and evaluation processes seek this information.

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Continuous learning	66.b	The nature and patterns of grievances in a way that may reveal sector-specific or systemic issues?	Yes	CAO Advisory examines data from cases to identify sectoral and systemic trends, among others. Recent data has been compiled in "CAO in Numbers" (www.cao-in-numbers.org).
Continuous learning	66.c	Examples of good practices, which can be adopted by DFIs and their clients to enhance human rights due diligence processes?	Yes	CAO's Advisory function is mandated to promote good practices and advisory products have been developed to do so. CAO has also published good practice guidance related to dispute resolution.
Engagement & Dialogue	67	Are external stakeholders consulted in the design of the mechanism, the development and revision of internal policies and IAM procedures and in the ongoing performance review of the mechanism?	Yes	External stakeholders were consulted prior to the development of the CAO Office in 1998, the development and revisions of the CAO Operational Guidelines in 2000, 2004, 2007, and 2013, the External Review of 2019-2020, and the development of the CAO Policy in 2021. External stakeholders are also involved in the selection of the CAO Director General, and former CAO Vice Presidents. CAO solicits additional feedback through its monitoring and evaluation work, stakeholder feedback surveys, and outreach.
Engagement & Dialogue	68	Are complainants actively involved in shaping remedies and commenting on the formulation, implementation and monitoring of management action plans?	Yes	In dispute resolution, as a party to the process, complainants are actively involved in process design and the generation of joint solutions and outcomes. In compliance, complainants are consulted on Management Action Plans and their perspectives are sought during monitoring.

Index	Question No.	Question	Response (Yes; No; Partly)	Explanation
Engagement & Dialogue	69	Do IAMs have robust dispute resolution capacities and internal training and advisory support to ensure that personnel keep pace with developments in mediation best practice?	Yes	Para. 73 of the CAO Policy provides for the services of qualified mediators in dispute resolution cases. CAO also supports professional development of its mediators and has documented good practices in its Reflections from Practice series. There is continuous professional development for CAO's dispute resolution team on a quarterly basis to ensure staff can adopt tools to support effective case handling.
Engagement & Dialogue	70	Do IAMs have procedures for compliance review that allow for dialogue and engagement with complainants and other affected stakeholders as part of the investigative and remedy development processes and are IAM staff adequately trained in interview and dialogue techniques that are culturally appropriate and reflect a gender perspective?	Yes	The CAO Policy provides for complainant engagement during the compliance process (paras. 90, 99, 124-8) and development of any Management Action Plan (paras. 134-5). CAO staff undertake professional development and training to ensure they have appropriate capacities to conduct their work.

Index	Question No.	Question	Response (Yes; No; Partly)	Explanation
Engagement & Dialogue	71	Are IAMs and DFI management required to consider external stakeholders' inputs and provide a reasoned explanation of the extent to which comments were taken into account?	Yes	CAO considers stakeholder inputs during the assessment, dispute resolution, and compliance phases. CAO provides the opportunity for factual review and comment by the parties (complainant and client) on assessment reports (para. 61) and dispute resolution conclusion reports (para. 72), and by the complainants on compliance investigation reports (paras. 124-5). IFC/MIGA may also share investigation reports with their client for feedback (paras. 122-3). Where stakeholder views are not taken into account CAO provides those parties with an explanation. Also, Management is required to consult complainants during the preparation of a Management Action Plan (para. 134).
Engagement & Dialogue	72	Are communities fully supported to participate in the respects outlined above, through robust and proactive information disclosure in relevant languages and accessible formats, and capacity-building support as needed?	Yes	CAO seeks to support community participation in complaint processes through accepting and providing information in relevant local languages and accessible formats (see CAO Policy, Section XIII). Because CAO works in a global setting it is not always possible to anticipate which local languages CAO material needs to be translated into prior to complaint receipt. All CAO reports, and documents exchanged during a mediation process, are translated into the local language so that the community has better access to information. In addition, CAO provides capacity building as needed to complainants in assessment and dispute resolution processes to ensure they can engage effectively.

TABLE 2. INDEX DEFINITIONS

No.	Index	Definition
1	Legitimacy	Enabling the trust of the stakeholder groups for whose use they are intended and being accountable for the fair conduct of grievance processes.
2	Accessibility	Being known to all stakeholder groups for whose use they are intended and providing adequate assistance to those who may face particular barriers to access.
3	Predictability	Providing a clear and known procedure with an indicative time frame for each stage, and clarity on the types of processes and outcomes available and the means of monitoring implementation.
4	Equitability	Seeking to ensure that aggrieved parties have reasonable access to the sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms.
5	Transparency	Keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake.
6	Rights-compatibility	Ensuring that outcomes and remedies accord with internationally recognized human rights.
7	Continuous Learning	Drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms.
8	Engagement & Dialogue	Consulting stakeholders on the mechanism's design and performance and focusing on dialogue as the means to address and resolve grievances.