

The IKI Independent Complaint Mechanism

Overview

Online seminar for implementing IOs

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IKI Independent Complaint Mechanism



Background – where do international accountability mechanisms come from?

International development banks

1993 Establishment of the World Bank Inspection Panel, currently approx. 20 mechanisms .

2007 Establishment of the Network of Independent Accountability Mechanisms

Human rights

10 core human rights treaties within the UN framework

2011: UN Guiding Principles on Business and Human Rights

No. 31: 8 quality criteria for extrajudicial grievance mechanisms.

In Germany: National Action Plan on Business and Human Rights includes development implementing organisations.

Welcome to IAMnet

IAMnet is a virtual network of dedicated practitioners who contribute to the regular exchange of ideas and assist with institutional capacity building in accountability and compliance as components of corporate governance.



<p>African Development Bank (AfDB) Independent Review Mechanism (IRM)</p>	<p>Inter - American Development Bank (IADB) Independent Consultation and Investigation Mechanism (ICIM)</p>
<p>Asian Development Bank (ADB) Accountability Mechanism (AM)</p>	<p>International Finance Corporation and Multilateral Investment Guarantee Agency Compliance Advisor Ombudsman</p>
<p>Asian Infrastructure Investment Bank (AIIB) Project-affected People's Mechanism (PPM)</p>	<p>Japan Bank for International Cooperation (JBIC) Office of Examiner for Environmental Guidelines (OEEG)</p>
<p>Black Sea Trade and Development Internal Audit Department</p>	<p>Japan International Cooperation Agency (JICA) Secretariat of The Examiner for the Guidelines</p>
<p>Caribbean Development Bank Complaints</p>	<p>Nippon Export and Investment Insurance (NEXI) Objection Procedures on Environmental Guidelines</p>
<p>Deutsche Investitions- und Entwicklungsgesellschaft (DEG) Independent Complaints Mechanism</p>	<p>Nordic Investment Bank (NIB) Complaints</p>
<p>Entrepreneurial Development Bank (FMO) Independent Complaints Mechanism</p>	<p>Overseas Private Investment Corporation (OPIC) Environmental and Social Independent Complaints Mechanism (ICM)</p>
<p>European Bank for Reconstruction and Development (EBRD) Project Complaint Mechanism (PCM)</p>	<p>Proparco Environmental and Social Independent Complaints Mechanism (ICM)</p>
<p>European Investment Bank (EIB) Complaints Mechanism (CM)</p>	<p>United Nations Development Programme (UNDP) Social and Environmental Compliance Review and Stakeholder Response Mechanism</p>
<p>European Ombudsman</p>	<p>World Bank (WB) Inspection Panel</p>
<p>French Development Agency (ADF) Environment and Social Complaint Mechanism</p>	
<p>Green Climate Fund (GCF) Independent Redress Mechanism</p>	

Can IKI projects cause any harm at all?

Examples are from IKI and other International development/climate finance Institutions



Projects support local institutions that employ ecoguards to protect nature conservation areas. Ecoguards mistreat the local population.

Forced evictions due to construction/conservation efforts.

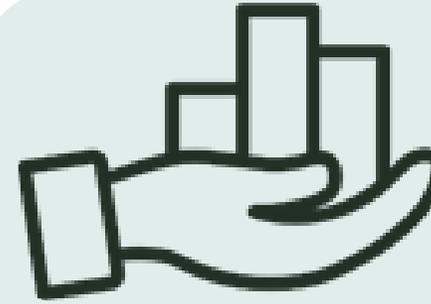
Social harm



Construction of public transport routes leads to destruction of natural habitats.

Use of forbidden pesticides in reforestation projects.

Environmental harm



Partners claim funds for participants who did not attend the workshop or for activities/purchases that did not take place.

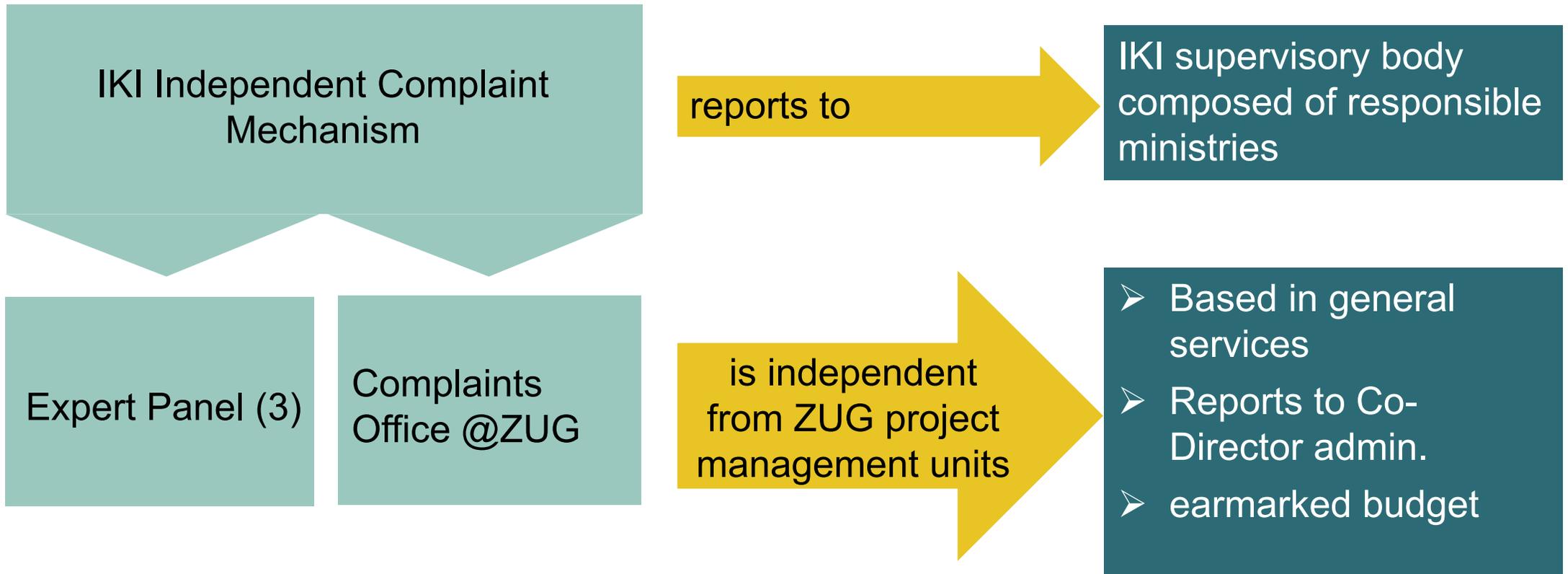
Misuse of funds



Partner threatens evaluator to withhold payment unless evaluation report is positive.
Partner threatens whistleblower.

Reprisals/retaliation

Main features of the IKI ICM – structure and governance



The IKI Independent Complaint Mechanism – how does it work?

Which complaints?

- Allegations concerning
- violation of environmental or social safeguards.
 - improper use of public funds or economic crime.
 - reprisals as a result from cooperating with IKI ICM.

NOT: Rejection of funding.

What is the process?

1. Formal complaint.
2. Two main procedures
 - Review procedure (compliance) or
 - problem-solving procedure (mediation).
3. Panel of 3 independent experts leads case handling (review or problem-solving).

Who can complain & how are they protected?

- All project-affected persons can complain.
- To protect complainants and whistleblowers, the anonymity can be guaranteed, including through an anonymous mailbox in the future.

When is the IKI ICM functional

- The complaints mechanism is fully operational since November 2022.
- The Office of the IKI ICM can be reached at iki-complaints@z-u-g.org

IKI ICM complaint procedure - 1

Possible requests to or actions by implementing organisations

Submission of Complaint 🕒✉️💻@

outcome: communication by ICM secretariat to acknowledge receipt of complaint
duration: 5 working days

IKI-complaints@z-u-g.org

Eligibility ☒

objective: assessment whether complaint is admissible within scope of mechanism (environmental/social concerns, misuse of funds, reprisals).
outcome: decision about eligibility
duration: 30 working days

Preliminary review phase 📄

objective: gain more in depth understanding of issues and likely impact
outcome: decision on dispute resolution or compliance review and process
duration: 30 working days, depending on case complexity

Information

IKI ICM complaint procedure - 2

Dispute resolution

objective:

mechanism facilitates a voluntary process between the parties to reach a mutually accepted solution to the issues raised in the complaint

outcome:

settlement agreement between the parties and problem-solving report by the panel

duration:

depends on participants

Compliance review

objective:

assess BMU/ZUG compliance with policies

outcome:

panel report outlining findings from process

duration:

depends on complexity of the case

Agreement / Action Plan

Supervisory Board decides about implementation measures and asks ZUG to draft an implementation plan.

Monitoring

mechanism follows up on agreements between parties and/or on how BMU/ZUG addresses the case of non-compliance

Information

Comments on the draft report

Comments on the action plan

What does this mean for implementing organizations



- Inform all project stakeholders, project partners and particularly project-affected persons about the IKI independent complaint mechanism and how to submit a complaint, e.g. in meetings, workshops etc.



- Publish the IKI ICM on project websites: explain what it is and provide a link to the IKI ICM website (template available at IKI ICM)



- In case you have your own complaint mechanism: inform the IKI ICM of complaints you received within 72 hours (once complaint is established as such)



- Cooperation and transparency with visits of the independent expert panel in case of complaints

IKI ICM online resources

The IKI ICM starting page is [Link to website: https://www.international-climate-initiative.com/en/about-iki/values-responsibility/independent-complaint-mechanism](https://www.international-climate-initiative.com/en/about-iki/values-responsibility/independent-complaint-mechanism)

Information for implementers is available at the right side of the webpage:

[Information on implementing the obligations of the IKI Complaints Mechanism Policy \(11/2022\) \(English | doc\)](#)

[Template for PowerPoint presentations explaining the IKI Complaints Mechanism \(11/2022\) \(English | ppt\)](#)

[Template for reporting complaints that went to complaints mechanism of implementing organisations \(11/2022\) \(English | doc\)](#)

Information on how to file a complaint can be found here: <https://www.international-climate-initiative.com/en/about-iki/values-responsibility/independent-complaint-mechanism/how-to-file-a-complaint/> , including a complaints form: https://www.international-climate-initiative.com/fileadmin/iki/Dokumente/Beschwerdemechanismus/IKI_ICM_complaint_form_only_EN_202211.docx

Complaints can be a positive indicator: people have trust in the mechanism



“The amount of violations of human rights in a country is always an inverse function of the amount of complaints about human rights violations heard from there. The greater the number of complaints being aired, the better protected are human rights in that country.”

— *Daniel Patrick Moynihan*

Additional Resource for project-level grievance mechanisms

- Online training module on project-level grievance redress mechanism of the Independent Redress Mechanism of the Green Climate Fund (GCF IRM): <https://irm.greenclimate.fund/news/strengthening-grievance-redress-mechanisms-launch-irm-s-online-training-modules>
- Grievance mechanism toolkit of the Compliance Adviser Ombudsman (CAO) of the International Finance Institution (IFC): <https://www.cao-grm.org/>
- Grievance Redress and Accountability Mechanism (GRAM) partnership, a learning and knowledge platform and a meeting space to an increasing number of GRAMs that are emerging in different spheres. The GRAM partnership is open to participation from other interested grievance mechanisms, academic institutions and civil society organisations. <https://irm.greenclimate.fund/grampartnership>. Coordinated by the GCF IRM (mailto: irm@gcfund.org)

More info?

We regularly offer online seminars.

More information at: <https://www.international-climate-initiative.com/en/iki-media/events/online-seminar-on-the-iki-independent-complaints-mechanism/>



<https://www.international-climate-initiative.com/en/about-iki/values-responsibility/independent-complaint-mechanism/>



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