

What Happens to My Request for Compliance Review?

1. The Panel first registers your group's request for compliance review in its website, sends your group an acknowledgment letter within 7 days of receipt of your request, and informs ADB's Board of Directors.
2. The Panel will then determine if your request is eligible for compliance review and submits its findings and recommendations to the Board within 14 days from the registration of the request (21 days if your group is filing a request for compliance review after your complaint has been rejected by the Special Project Facilitator).
3. The Board of Directors will then decide within 21 days from the receipt of the Panel's recommendations if the request meets all the eligibility requirements and if so, the Board will authorize compliance review.
4. The Panel will start its review, issue the terms of reference and estimated time frame within 14 days from the Board's authority to proceed, conduct investigation/site visits/interviews with project stakeholders, issue a draft report, and submit this to your group and ADB Management for comments.
5. Within 14 days from receipt of comments/ responses from you and from ADB, the Panel will submit its final report to the Board, with recommendations for remedial actions.
6. The Board will then make a final decision within 21 days from receipt of the Panel's final report.
7. The Panel then monitors the implementation of the Board-approved remedial actions for up to at least 5 years to ensure that these are being taken in a timely manner by ADB.

The Compliance Review Panel



Rusdian Lubis
Chair



Antonio La Viña
Part-time Member



Anne Deruyttere
Part-time Member

If you want to know more about the Consultation Phase, please contact the following:

Special Project Facilitator
Asian Development Bank
6 ADB Avenue, Mandaluyong City
1550 Metro Manila, Philippines
Tel +63 2 632 4825
Fax +63 2 636 2490
spf@adb.org
www.adb.org/spf

For more information about the Compliance Review Phase, please contact the following:

Secretary, Compliance Review Panel
Asian Development Bank
6 ADB Avenue, Mandaluyong City
1550 Metro Manila, Philippines
Tel +63 2 632 4149
Fax +63 2 636 2088
crp@adb.org
www.compliance.adb.org

For more information on ADB, visit www.adb.org

ACCOUNTABILITY MECHANISM

COMPLIANCE REVIEW

Asian Development Bank
Compliance Review Panel

What is the ADB Accountability Mechanism?

In 2003, the Asian Development Bank (ADB) created the Accountability Mechanism to replace the Inspection Function and to provide an independent forum where people adversely affected by ADB-assisted projects can voice and resolve their problems, and report ADB's alleged noncompliance with its operational policies and procedures. The Mechanism has two phases: the Consultation Phase and the Compliance Review Phase.

What is Compliance Review?

The Compliance Review Phase is the second phase of the Mechanism. Compliance Review is a process of investigating reports of ADB's noncompliance with its operational policies and procedures during the formulation, processing, and implementation of an ADB-assisted project. This process applies to public and private sector projects financed by ADB. The Compliance Review Phase is handled by the independent Compliance Review Panel.

Before your group can submit a request for compliance review, you must first go through the Consultation Phase by filing a complaint with the Special Project Facilitator. For more information on the Consultation Phase, visit www.adb.org/spf.

What is the Compliance Review Panel?

The Compliance Review Panel is an independent body appointed by ADB's Board of Directors. The Panel consists of three members—one full-time Chair and two part-time members. Two panel members are from ADB's regional member countries and one of them must come from a developing member country. The third panel member is selected from a nonregional member country of ADB.

Who Can Request for Compliance Review?

If you and other people in your community or village feel that you are suffering harm, or believe that you will suffer harm, because of an ADB-assisted project, and that this harm is caused by ADB's noncompliance with its operational policies and procedures in formulating, processing, and/or implementing its projects, you and others can submit a request for compliance review by the Panel.

The Compliance Review Panel is an independent body appointed by ADB's Board of Directors.

If you and other people in your community or village feel that you are suffering harm... you and others can submit a request for compliance review by the Panel.

The request for compliance review can be submitted by a group of at least two persons residing either in the country where the ADB-assisted project is located or in an adjacent country. Or, the request for compliance review can be submitted on your group's behalf by a local representative, or by another representative outside your community/village, duly appointed as your group's agent.

In special cases involving serious noncompliance with ADB's operational policies and procedures, any one or more members of ADB's Board of Directors can file a request for compliance review.

A request is eligible for compliance review if it does not fall into any of the exclusions stated in the Panel's operating procedures (available at www.compliance.adb.org).

The Request for Compliance Review

The request for compliance review should contain the following information:

- Names, addresses, and other contact information of your group and/or your group's representative;
- Whether your group wishes to keep your identities confidential and the reason(s) why;
- If you are representing an affected group, include an evidence of authority representing them;
- Description of the harm or suffering you and your group are experiencing, or may experience;

- Name and location of the ADB-assisted project;
- Outcome or remedies that your group believe ADB should provide;
- Explanations on the results of your group's efforts to bring your complaint first to the Special Project Facilitator;
- If your complaint has been rejected by the Special Project Facilitator, an explanation why your group is submitting a request for compliance review;
- If any of the aforementioned information cannot be provided, the reason(s) why; and
- Any other matters or facts, with supporting documents, that you consider relevant to your group's request.

Your request for compliance review can be submitted in English or in any of the official or national languages of ADB's developing member countries. If the request is submitted in languages other than English, the Panel will need additional time for translation. The Panel will keep the identities of the Requesters confidential if requested to do so, but anonymous requests will not be accepted by the Panel.

Mail, fax, or e-mail the complaint to:

Secretary, Compliance Review Panel

Asian Development Bank

6 ADB Avenue, Mandaluyong City

1550 Metro Manila, Philippines

Tel +63 2 632 4149

Fax +63 2 636 2088

crp@adb.org

If you submit your letter or request by fax or e-mail, you should also send the original copy by mail to the address above. You can also deliver personally your letter or request to the ADB Headquarters in Manila, Philippines or to any ADB resident/regional mission or representative office (addresses and other contact information can be found at www.adb.org/About/contact.asp).