

# **Examples of Ineligible Complaints**

### **Problem Solving and Compliance Review Functions**

- Those unrelated to violations of ADB's operational policies and procedures
- Those not made in good faith
- Those related to procurement decisions

## **Problem Solving Function**

Those already dealt with by the Compliance Review Panel

### **Compliance Review Function**

Those already dealt under the problem-solving function

## **Recommendation to Complainants before Filing**

Make good-faith efforts to solve the problems with the ADB operations department concerned

# **Filing of Complaints**

### • Eligible Complainants

- A group from a borrowing country where the ADB-assisted project is located or in a member country adjacent to the borrowing country who are directly, materially, and adversely affected by the project
- A local representative of affected persons
- A nonlocal representative (in exceptional cases and and with the consent of the Special Project Facilitator or the Compliance Review Panel)
- ADB Board members, in cases involving allegations of serious violations of ADB's operational policies and procedures

#### Confidentiality

- Maintained for the complainants' identities, at their request
- Not maintained for the identities of their representatives
- No action on anonymous complaints

#### Cutoff Date

- 2 years after the loan or grant closing date

#### How to File

- State the complaint in writing
- Use any of the official or national languages of ADB's developing member countries
- Address the complaint to the Complaint Receiving Officer (CRO), amcro@adb.org
- Submit it by e-mail, facsimile, or hand delivery to the CRO or any ADB office
- The complaint is filed with the Complaint Receiving Officer (CRO)



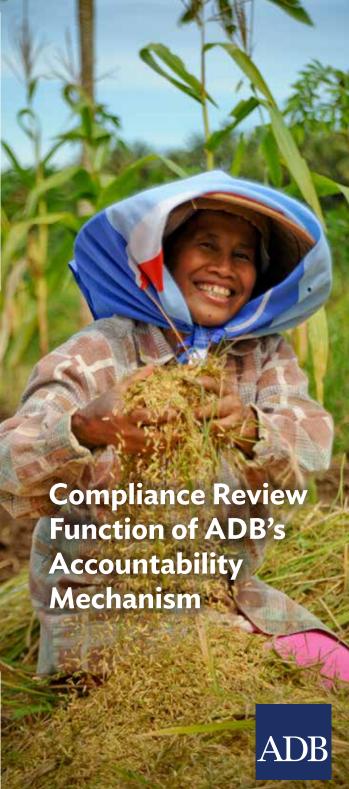
Cover page: Indonesia Mission 2009: A rice farmer smiles as she lifts her harvest All photos are from ADB.



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## **Guiding Principles** Fair to all stakeholders Independent and Responsive to project-affected people's concerns Cost-effective and efficient Complementary to other ADB Compliance Review Process Requesting Management Response **Determining Eligibility** Board Authorization of Compliance Review ADB's Accountability Mechanism Conducting Compliance Review · Provides an independent forum for people adversely Compliance Review Panel's affected by ADB-assisted projects to voice their **Draft Report** concerns and seek solutions Allows people to request a compliance review to determine Compliance Review Panel's whether or not ADB's operational policies and procedures Final Report are followed Has two functions: Board Consideration of » Problem Solving the Compliance Review Panel Report Led by the Special Project Facilitator (SPF) - Assists local people who are directly, materially, Managements Remedial Actions and adversely affected by ADB-assisted projects - Nonformal, flexible, and consensus-based problem solving Board's Decision » Compliance Review - Led by the Compliance Review Panel Monitoring and Conclusion Investigates allegations of noncompliance with ADB's operational policies and procedures - Takes a fact-finding approach received support under the ADB-assisted Sustainable Natural Resources Management and Productivity Enhancement Project.

# **Process of Receiving Complaints**

1st STEP

# Receiving and registering the complaint

- The complaint is filed with the Complaint Receiving Officer (CRO).
- The CRO registers the complaint on the Accountability Mechanism website.



# Acknowledging the complaint

 CRO acknowledges receipt of the complaint and sends an information packet to the complainants.



3rd STEP

- The CRO forwards the complaint to the office(s) or department(s) concerned.
- If the choice of function is unclear or an objection has been raised, the CRO returns the complaint to the complainant with a request for clarification.

# Informing the complainants

4th

- The CRO relays to the complainants the identity of the party that will handle the complaint.
- If the complainants do not clarify their choice of function within 60 calendar days, the CRO informs them that the Accountability Mechanism process has ended.