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

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**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 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)
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.

Forwarding the complaint

- 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

- 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.

Guiding Principles

- Responsive to project-affected people’s concerns
- Fair to all stakeholders
- Independent and transparent
- Cost-effective and efficient
- Complementary to other ADB systems

Compliance Review Process

1st STEP
- Requesting Management Response
  - Determining Eligibility
  - Board Authorization of Compliance Review
  - Conducting Compliance Review
  - Compliance Review Panel’s Draft Report
  - Compliance Review Panel’s Final Report
  - Board Consideration of the Compliance Review Panel Report
  - Managements Remedial Actions
  - Board’s Decision
  - Monitoring and Conclusion

2nd STEP
- Responsive to project-affected people’s concerns
- Fair to all stakeholders
- Independent and transparent
- Cost-effective and efficient
- Complementary to other ADB systems

ABD’s Accountability Mechanism

- Provides an independent forum for people adversely affected by ADB-assisted projects to voice their concerns and seek solutions
- Allows people to request a compliance review to determine whether or not ADB’s operational policies and procedures are followed
- Has two functions:
  » Problem Solving
    - Led by the Special Project Facilitator (SPF)
    - Assists local people who are directly, materially, and adversely affected by ADB-assisted projects
    - Nonformal, flexible, and consensus-based problem solving
  » Compliance Review
    - Led by the Compliance Review Panel
    - Investigates allegations of noncompliance with ADB’s operational policies and procedures
    - Takes a fact-finding approach

Farmer in Lao PDR holds a handful of freshly harvested sweet potatoes from a farm that received support under the ADB-assisted Sustainable Natural Resources Management and Productivity Enhancement Project.