

## 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 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](mailto: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)

*Beneficiaries of the Women's Development Center Project in Loung village, Kampong Chhnang Province, Cambodia*

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



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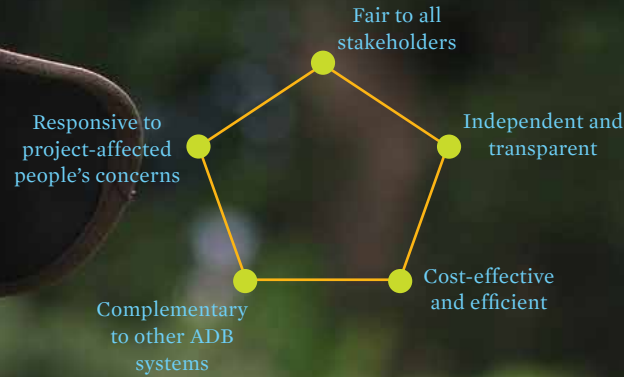
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## Compliance Review Function of ADB's Accountability Mechanism





## Guiding Principles



## Compliance Review Process



## ADB'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.*

## 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.

### 2nd STEP

#### Acknowledging the complaint

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

### 3rd STEP

#### 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.

### 4th STEP

#### 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.