Along with consultation with Office of the Special Project Facilitator, the shop owners believed that ADB’s noncompliance with its policies and procedures was the root cause of the problem and had to be addressed.

They requested the nongovernment organization (NGO) to help them write another letter of complaint, this time, to request ADB’s Compliance Review Panel (CRP) to investigate.

Upon receiving the complaint, the CRP asked the complainants the following questions:

- Was the compliance review process clear to them?
- Had they tried to solve their problems first with the ADB operations department?
- Was there information
  - about direct and material harm caused by the ADB-assisted project;
  - that ADB had not complied with its operational policies and procedures; and/or
  - that the noncompliance had caused, or was likely to cause, harm to project-affected people?

Since the complaint was within the CRP’s mandate, the CRP then forwarded the complaint to ADB Management for response.

To determine eligibility, the CRP reviewed Management’s response and other relevant documents, and conducted a site visit. In this case, the complaint was found eligible.
The CRP then submitted its eligibility report, through the ADB Board Compliance Review Committee, and requested the ADB Board of Directors to authorize the compliance review.

Upon receiving the Board’s authorization, the CRP began the compliance review process which included consultation with relevant parties concerned, desk reviews, and a site visit.

Upon completion of its review process, the CRP issued a draft report of its findings to the complainants, the borrower, and ADB Management for comments and responses.

After some time, the CRP issued its final report to the Board concluding that ADB had not complied with its policies on environment, public communications, and social dimensions in ADB operations.

The Board considered the CRP’s final report and asked ADB Management to propose remedial actions to bring the project into compliance and to address related findings of harm—for the Board to approve and, later, for the CRP to monitor implementation.

As a result of the compliance review, the project was brought back into compliance with ADB’s operational policies and procedures. The complainants were satisfied with this outcome.
Project-affected persons can approach the ADB Accountability Mechanism by writing a letter of complaint describing their problem.

In this case, several steps were needed to investigate ADB’s compliance with its own operational policies and procedures.

As a result of the compliance review, the project was brought back into compliance with ADB’s operational policies and procedures. The complainants were satisfied with this outcome.