

1st July 2015

To
European Investment Bank
Werner Hoyer, EIB President

Dear President Hoyer,

We are writing to express some of our expectations in relation to the revision of the EIB Complaints Mechanism to take place in the near future.

In the view of the signatories of this letter, it is crucial for the European Investment Bank to step up its accountability towards European institutions and citizens and to those affected by the projects it finances. In this context, we welcome the announcement of the revision of the EIB Complaints Mechanism.

The Complaints Mechanism was created to enable any stakeholder to lodge a complaint if s/he feels the bank failed to comply with its commitments or if it acted unfairly or unlawfully. The scope of those complaints relates to, among other issues, the social, environmental and human rights impacts of projects, access to information and public participation.

Experience shows that despite its efforts, the office of the complaint mechanism seems unable to achieve its mission independently, efficiently and in a meaningful way for those impacted by EIB operations. For instance, there is no system of formal relations between the EIB Board of Directors and the mechanism, and the mechanism remains under pressure from EIB management. In recent cases (including the Mopani project in Zambia and public procurement in Bosnia), EIB management openly ignored the recommendations of the complaints mechanism, highlighting how the mechanism remains removed from decision-makers within the bank.

A recent resolution of the European Parliament (A8-0057/2015) repeated central demands in this regard. It *“urges the EIB to improve the independence and effectiveness of its Complaint Mechanism Office; calls on the EIB Management Committee to take on board the recommendations of that office; calls on the EIB to act on the opinions of the European Ombudsman and to practise greater cooperation in order to avoid situations like the inquiry into complaint 178/2014/AN against the European Investment Bank”*.

Therefore, we believe it is key for the upcoming revision to lead to genuine and necessary improvements of the Complaints Mechanism of the bank. In order to reach an ambitious outcome for this process, CSOs have identified several pre-requisites highlighted below:

- A two rounds public consultation process open to all stakeholders including civil society needs to take place, following the successful model set out by the revision of the EIB energy policy in 2013;
- This consultation process would include a specific session for discussion with the Board of Directors at the next annual meeting with civil society;
- The report of the Experts' Panel needs to be published and accessible to all stakeholders following its conclusion. Access to this report and the recommendations it contains should be at the core of the revision process in order to ensure a meaningful public participation. In addition, we expect from the EIB to seriously address the points raised by the report in this process;

- The Memorandum of Understanding between the EIB and the European Ombudsman should be under review in parallel to the rules and procedures of the CMO. Indeed, the relation between the CMO and the European Ombudsman is at the core of the accountability of the bank and deserves proper democratic debate on its principles and modalities.

We hope to have a fruitful and beneficial collaboration with you and your services in this process and look forward to hearing from you on the points raised in this letter.

Yours Sincerely,

List of signatories

