

A photograph of a middle-aged Black man with a serious expression, sitting at a wooden desk. He is wearing a light blue short-sleeved button-down shirt. His hands are clasped together on the desk, holding a white pen. Behind him is a green wall with several circular openings that let in bright light. The overall tone is somber and focused.

Accountability Through Agency

2016-2017 Annual Report

accountability
mimcounsel

Raising Voices | Defending Rights | Demanding Justice



Accountability Counsel
Haitian partner Milostene
Castin (cover) and Mongolian
client pointing out damage
from a mining project (above).



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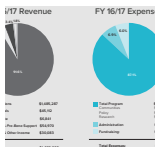
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Here's What Leverage Looks Like.

Dear Friends,

Here's what leverage looks like.

Last spring, nomadic herding communities, who live seasonally in round tents spread out across Mongolia's South Gobi desert, completed four years of negotiations with one of the world's largest mining companies and their local government. Together, they negotiated agreements to address the impacts of the mine on their land, herds, and pastures. The herders negotiated from a position of strength through a process that put them on *equal footing* with the company and their government. These nomadic communities reached this remarkable milestone by using an accountability office tied to the financing of the mining project. The agreements they reached through the accountability office process now serve as a model for communities the world over.

This fall, Haitian farmers sat across a table in an historic negotiation with their own government and a development bank to address impacts of the project that plunged them into poverty. These Haitian subsistence farmers weren't directly impacted by the 2010 earthquake, but then lost their land, livelihoods, and ability to feed their families to construction of a commercial industrial facility meant to provide post-quake development. After just one meeting facilitated by the bank's accountability office, these farmers are already making progress towards redress and appropriate compensation. It's the first such dialogue process of its kind in Haiti.

Over this past year, due to a shift in the norms of international law, a Chinese-led multilateral bank is taking voluntary steps to adopt social and environmental standards and create an accountability office for people impacted by its investments.

At the same time, our creation of a new data platform is exposing patterns around accountability in development finance. This resource has the power to enable people to share information on accountability office cases and processes, have a common platform to report data, understand patterns across the accountability system, and inform advocacy for a more just system.

Each of these moments has one thing in common.

We were there.

Using support from generous individual and foundation donors, we leveraged a lean budget to create these moments by focusing on the key constraints in the global system of finance where change can lead to impact in project-affected communities. We invested in research and relationship building to develop strategies that can shift the entire system in favor of meaningful accountability.

“In a time of deep inequality and division, we created impact this past year through an unrelenting focus on our core values, respect-based approach, and community-based partnerships.”

Natalie Bridgeman Fields, Executive Director



That’s how our extraordinarily talented global team that began the year with eight members, and ended as 13, has achieved such big results. New roles we added this past year include Research Director Samer Araabi, Communications Director Meredith MacKenzie, Policy Associate Stephanie Amoako, South Asia Consultant Guneet Kaur, and Executive Coordinator Sydney Speizman. Critical to our success was the incredible support of our board of directors, which also gained new talent this year with additions of Jason Haggins and Gary Cookhorn.

In a time of deep inequality and division, we created impact this past year through an unrelenting focus on our core values, respect-based approach, and community-based partnerships. We worked closely in solidarity with members of the International Advocates Working Group, whom we convened in California for the 2017 retreat to collaborate on peer learning and collective advocacy. Working together, we amplify the voices calling for change.

Where can our approach of using key leverage points to achieve outsized impact take us next?

With our founding vision of three interlocking programs – Communities, Policy, and Research – all finally staffed and supported by a strong organizational structure, we are now building out these teams while scaling our impact. Building on the model of our South Asia team, we are thrilled to welcome our new Africa Director, Emilia Siwingwa. Emilia is a seasoned advocate who has worked

across many regions in Africa and who will lead our work in this region by partnering with local groups to magnify their power to defend environmental and human rights.

We are partnering with Professor Paul Brest at Stanford Law School to map the \$9 trillion-a-year impact investing community, as we work to ensure that impact investors have the same accountability tools that have proven so critical in development finance. Our conversations about these little-known tools with the hugely diverse impact investing community have exposed an opportunity for leverage. Impact investors are beginning to take note of the need for an accountability system to better understand their impact and address and prevent harm.

Together, Accountability Counsel’s community clients and our small team are raising the voices of marginalized communities in a global finance system worth trillions of dollars – and we are winning. We invite you to read more about how our unique model has enabled historic achievements this year. With your support we can and will be a part of more moments where communities raise voices, defend rights, and demand justice.

A handwritten signature in purple ink that reads "Natalie Bridgeman Fields". The signature is fluid and cursive, with the first name "Natalie" and last name "Fields" being more prominent than the middle name "Bridgeman".

NATALIE BRIDGEMAN FIELDS
Founder and Executive Director

Our Mission and Values

Accountability Counsel amplifies the voices of communities around the world to protect their human rights and environment. As advocates for people harmed by internationally financed projects, we employ community-driven and policy level strategies to access justice.

The impact we seek through our theory of change is that: communities take part in decisions that affect them and secure remedy to realize rights; effective and robust accountability systems deter abuses; and international institutions and corporations respect communities and prevent abuses.

Respect-based

Our approach identifies and addresses forms of marginalization and hierarchy that are specific to each community where we work. Our methods ensure that women, children, and other marginalized people are included as full participants in community strategies seeking accountability.

Community-driven

We only work at the request of communities that reach us through trusted networks, and our community clients lead decision-making.

Remedy-oriented

We accompany our client communities through the “last mile” of their campaigns for justice and commit to improving the lives and environments where we work.

Knowledge-sharing

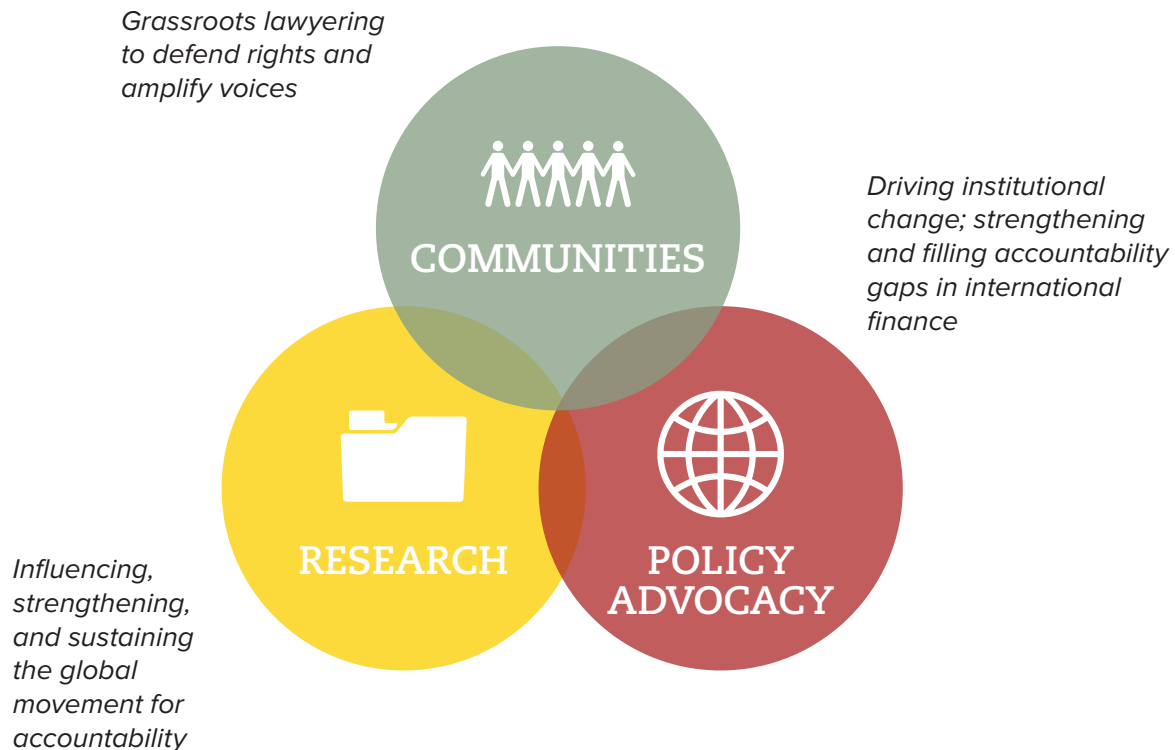
We train partner organizations as we collaborate so that they can bring their own accountability office cases, ensuring that our expertise is multiplied beyond our direct casework.

Sustainability-focused

Lessons from our cases translate into policy advocacy that generates systemic and lasting change; our advocacy to create new accountability offices generates new and ongoing opportunities for communities to seek justice.



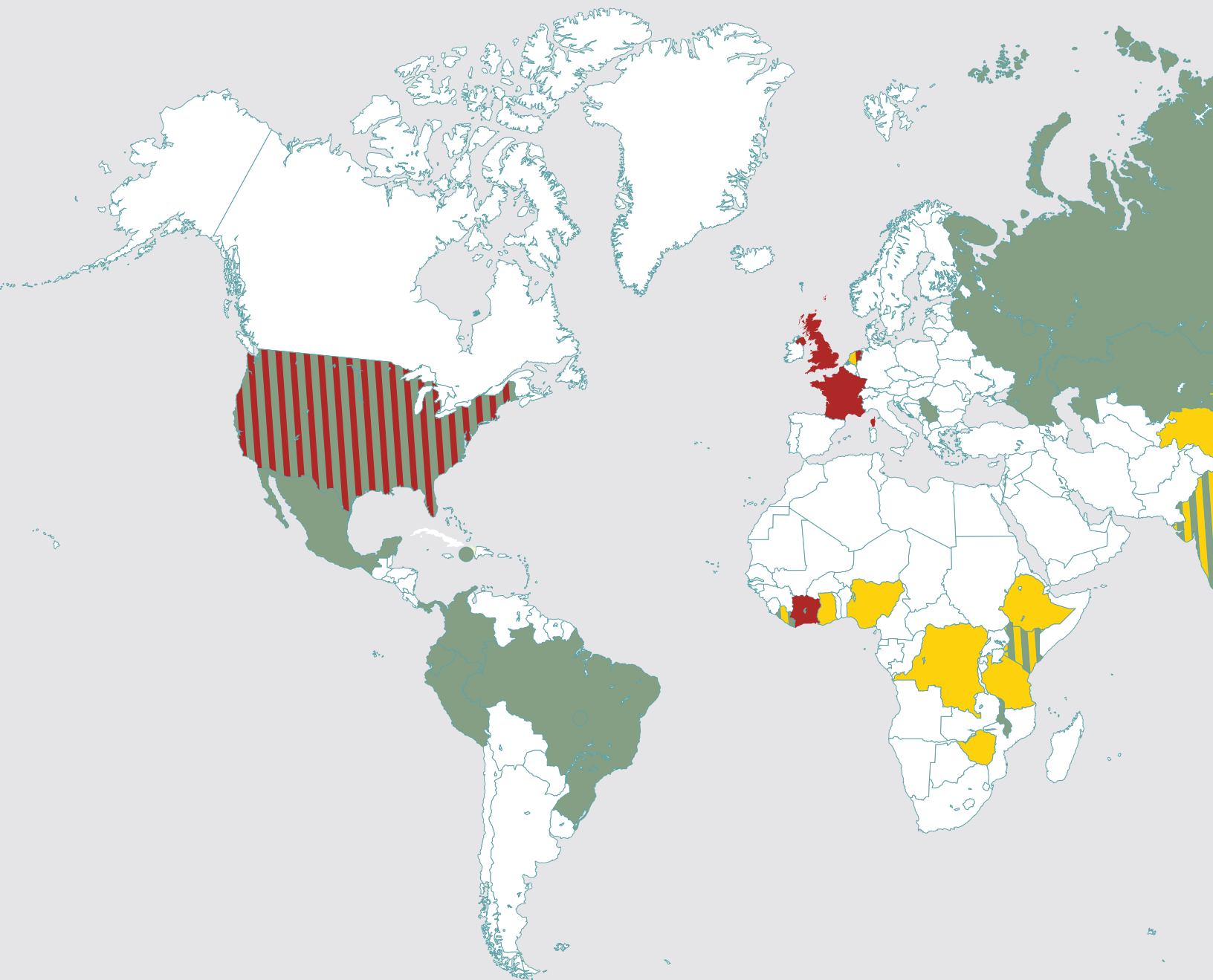
How We Work



“As an early Accountability Counsel board member, I’ve had the privilege of being part of this organization’s growth. I am deeply impressed by the impact that this global team of advocates has had in communities around the world. Using a unique strategy with remarkable leverage, the small team is changing a \$12 trillion industry and empowering communities to use their own voices to defend their rights.”

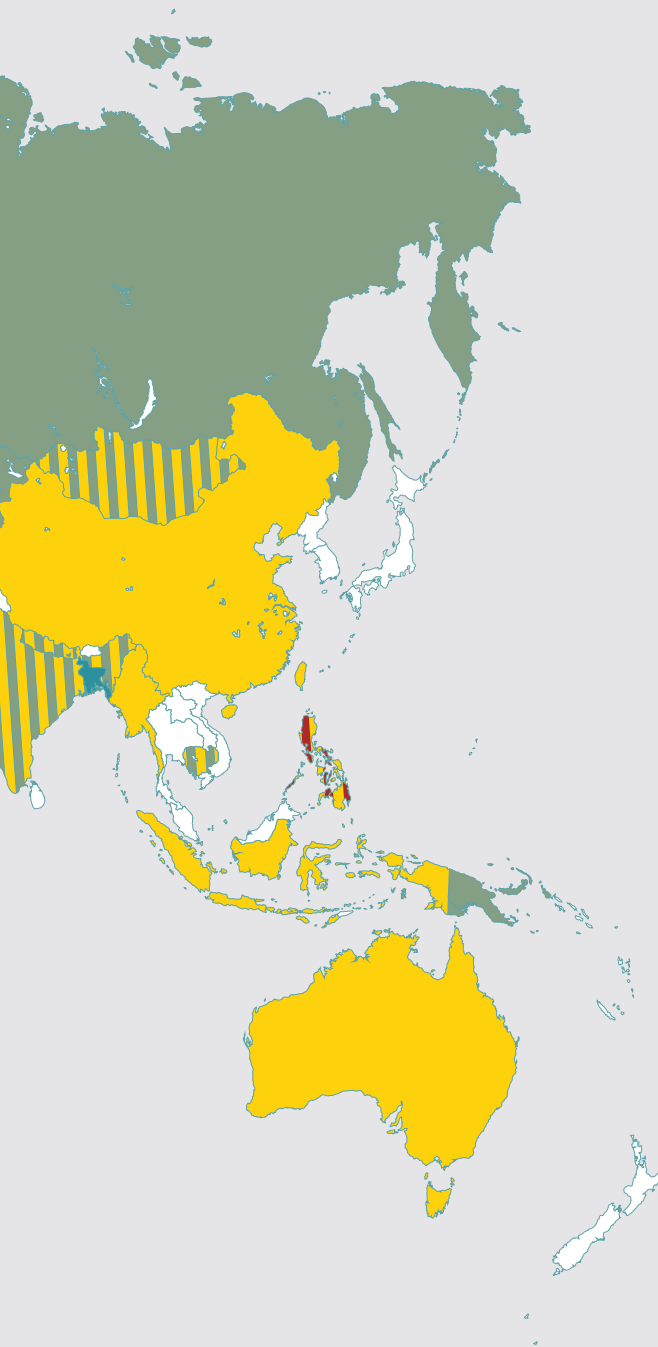
Kim Keller, Board Member

Where We Work



-  Countries where Accountability Counsel has supported community complaints
-  Countries home to Accountability Counsel-trained advocates
-  Countries hosting an institution that is the target of Accountability Counsel policy advocacy.

Past and current locations for Accountability Counsel's work (excluding countries with heightened security concerns requiring confidentiality)



The Challenge


Corporations, international institutions, and governments are deeply involved in investment that impacts local communities around the world. We are working to hold at least \$12 trillion a year accountable to global standards. This includes bilateral and multilateral finance, OECD investment, and impact investment in projects like dams, mines, wind farms, and off-grid solar.

Despite most investment now having rules that are meant to protect the people and places affected by such projects, corporations, international institutions, and governments often fail to respect the human and environmental rights of those very communities. When those rules are ignored, people have the right to demand justice by appealing to the accountability office of the institution that funded the project. However, because people face financial, cultural, knowledge, language, and other barriers, accountability offices work best when communities are supported to use them effectively. We estimate that 1.3 billion people are in need of the investigation and mediation services that accountability offices offer. Unique avenues for justice exist, but barriers are high.

The Solution

Accountability Counsel's lawyers support communities to use the world's 66 accountability offices effectively and advocate to ensure that they are fair and effective tools for justice. We forge paths to justice by supporting the creation of new accountability offices where gaps exist, with impact investing as one example. We foster the network needed to support the global movement for accountability through research, information, and training. We bridge barriers to justice through expert legal counsel, policy advocacy, research, and a global network.





Accountability Counsel's
Sarah Singh with community
members in Lamu, Kenya.

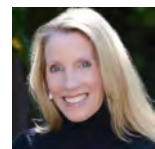
Communities

In our Communities program, we work to equalize the power between international investors and local communities by providing legal counsel to help people understand their rights and navigate accountability offices. We provide support from initial research and drafting of complaints, to engagement with accountability office staff and leadership of financial institutions, through to the “last mile” – achieving remedy as defined by our clients. We use all available strategies – from media outreach, to detailed legal analysis, to organizing – to ensure that our work improves lives and defends rights.

We directly impact hundreds to thousands of community members through our work on each case. Our role in a case varies based on the needs and resources of each community that we assist. Progress in a selection of our most active cases is described below.

“Just in the past year, it’s been phenomenal to watch Accountability Counsel achieve historic victories and reach milestones alongside client communities in Mongolia and Haiti, where this organization of superb lawyers supported people harmed by mines and industrial land grabs to powerfully speak up and achieve change for themselves, their children, and their environment.”

Amy Rao, President, 11th Hour Project



Proving the Model in Mongolia

Since 2013, Accountability Counsel has worked tirelessly with the Mongolian NGO Oyu Tolgoi (OT) Watch to support nomadic herders in the South Gobi whose existence is threatened by the Oyu Tolgoi mining project. The \$13.2 billion copper and gold mine is operated by Rio Tinto, one of the largest mining companies in the world. The World Bank Group's International Finance Corporation (IFC) invested in this project, which threatens to extinguish the herders' way of life due to severe social and environmental impacts. Our Global Communities lawyers supported the herders to defend their rights through a complaint process using the IFC's accountability office, the Compliance Advisor Ombudsman (CAO). The CAO brought together the herders, Rio Tinto, and the government of Mongolia for four years of complex, voluntary, and professionally facilitated negotiations to address the herders' complaints.

At the beginning of 2017, Global Communities Attorney Caitlin Daniel travelled to Mongolia for two months to provide intensive support to the herders as they developed their strategy for the final stages of negotiations.

Using this preparation, and drawing on years of our trainings and technical support, the herders spoke on their own behalf to reach a series of agreements in May 2017 to begin to remedy the harm. The agreements contain more than 40 individual commitments by the mine and the local government, including commitments to compensate the herders collectively and individually and to hire water experts to drill new wells. Our community-centered model diminished the power imbalance between the herders and Rio Tinto and gave the herders agency in the decisions affecting them. The negotiation is serving as a global model for addressing these types of complex community-company disputes. The results are groundbreaking and historic.

Each member of our Global Communities team has worked on this case since Accountability Counsel first became involved in 2012. This coming year, Global Communities Director Sarah Singh and Attorneys Caitlin Daniel and Lani Inverarity will work together to help herders ensure a strong and meaningful implementation of the agreements.



PARTNERS IN ACCOUNTABILITY

CAITLIN DANIEL (AC) AND BATSENDEL LKHAMDOOROV

“These agreements represent a huge amount of hard work and progress in our four years of negotiations. We will continue to be vigilant and make sure what has been agreed to is actually accomplished, but we feel that our complaints about the negative impact of this mine on local herders are starting to be addressed in a serious way.”

Battsengel, Elected Herder Representative



Mongolian herders learning about opportunities for work skills training. Accountability Counsel helped negotiate for herders to attend trainings free of cost following harm from a mine.

Historic Progress in Haiti

Farmers in northeast Haiti lost their livelihoods and food security almost overnight when they were forced off their land to make way for the Caracol Industrial Park (CIP). This large industrial facility was funded by the Inter-American Development Bank (IDB) and other international donors as part of reconstruction efforts following Haiti's devastating 2010 earthquake, but has instead threatened the existence of the 3,500 people it displaced. They waited almost three years for promised replacement land, only to be told that most families would instead receive an inferior and inadequate cash compensation package. Almost all of those families now struggle to meet their basic needs. This struggle has particularly harsh impacts on women, who have the primary responsibility of feeding their families, with fewer opportunities to generate income. Some women have been forced by these circumstances to enter into exploitative relationships in order to obtain food and money for their families. The families are also concerned about the threat of pollution of important natural and community resources, including the sensitive coastal mangrove and coral reef ecosystem in Caracol Bay.

Recognizing the harm and injustice they were suffering, the families organized themselves as Kolektif Peyizan Viktim Tè Chabè (the Kolektif) and sought local, national, and eventually international support to help them to raise

their concerns with the IDB and other project stakeholders. The Kolektif – through its leaders, the Komité – and its partners at ActionAid Haiti, sought specific help from Accountability Counsel to develop and pursue a complaint to the IDB's accountability office, known as MICI. Accountability Counsel worked with the Komité to gather additional information and to develop and present a detailed complaint to MICI, filed in January 2017. Our attorneys provided regular support to the Komité and to its local and national partners throughout the early stages of the complaint process.

In October 2017, the Komité achieved their first major milestone of the complaint process: the establishment of a dialogue between the Kolektif, the IDB, and the Haitian government. We know of no other instance where the Haitian government has met with local communities in a dispute resolution process of this kind. We were there for this historic moment, but the Komité – with the benefit of our preparation – spoke entirely for the families of the Kolektif, confidently and authoritatively articulating their concerns and negotiating next steps. Accountability Counsel will continue to provide support throughout this process, as the Komité seeks solutions that they hope will better the lives of more than 450 displaced families, as well as provide lessons that could avoid similar harm to other communities in the future.



PARTNERS IN ACCOUNTABILITY LANI INVERARITY (AC) AND PIERRE WILLARD

“Now we can be participants in the process, not just subjects.”

The Komité

When Loudrigeka's father lost his land, he could no longer afford her school fees. Now dispute resolution is underway to secure Loudrigeka's future.



These peaceful protesters in Sindhuli, Nepal were vindicated with a World Bank Inspection Panel investigation.



Breaking Ground in Nepal

Since 2013, Accountability Counsel has been working together with the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP) to support local communities in Sindhuli, Nepal, who are affected by the World Bank-funded Khimti Dhalkebar Transmission Line. Indigenous Peoples, Dalits, women, and other marginalized groups who live in the path of the high-voltage transmission line have been raising their concerns about the health, safety, and economic impacts of the project for nearly a decade, and asking for adequate consultation, information disclosure, and mitigation of harms.

We helped the communities file a complaint with the World Bank's Inspection Panel. The Panel confirmed that the bank violated its policies, vindicating our clients. Unfortunately, Nepalese authorities responded by trying to silence communities using paramilitary forces and intimidation at the local level. We helped communities raise their voices about these rights violations and injustices to the bank's senior leadership, demanding that they address the Panel's findings.

As part of walking the last mile, we accompanied the communities as they successfully advocated with the World Bank's management and board for the hiring of an independent facilitator to help bring an amicable resolution to the long-standing dispute. The facilitator was hired in 2017 to moderate a dialogue between the affected peoples and the government-owned, project-implementing agency, the Nepal Electricity Authority. This dialogue is one of the first times the government of Nepal has engaged in a collaborative dispute resolution process with communities affected by its development efforts.

Accountability Counsel also supported the communities through several training workshops to help them prepare for the dialogue process and develop advocacy strategies to raise their outstanding issues.

PARTNERS IN ACCOUNTABILITY SIDDHARTH AKALI (AC) AND SURENDRASWOR MOKTAN

"We want to participate in the government's development activities and work together to achieve inclusive, sustainable, and human rights-friendly development by resolving our issues amicably."

Surendraswor, Sindhuli Struggle Committee



To learn about all of Accountability Counsel's community cases, please visit our new website www.accountabilitycounsel.org.



Workers on a
tea plantation
in Assam, India

Pushing for Accountability in India

Accountability Counsel has worked since 2013 with community organizations in Assam, India to support Indigenous People working in slave-like conditions on tea plantations owned by Amalgamated Plantations Private Limited (APPL), which received financing from the World Bank Group's International Finance Corporation (IFC). We provided support to our partners – Promotion and Advancement of Justice, Harmony and Rights of Adivasis (PAJHRA) and People's Action for Development (PAD) – with a complaint they filed to the Compliance Advisor Ombudsman (CAO), the IFC's accountability office.

In late 2016, the CAO released a report on its investigation into conditions at APPL. The CAO's investigation identified a number of violations of policy related to the IFC's assessment and management of environmental and social risks associated with the investment. The report found that, given the vulnerable status of workers and the plantation owner's responsibility to provide a range of basic services to them, the IFC's review of the risks was insufficient to protect workers. The CAO also found a number of violations in relation to the IFC's supervision of living and working conditions on the plantations, reporting on

the use of banned pesticides, information disclosure, consultation, and response to security incidents.



The CAO report, three years in the making, was a moment of celebration as it vindicated workers in the tea plantations. Following the report, Accountability Counsel's South Asia team worked with partners in Assam to build a public campaign to garner solidarity for the tea workers, including through press coverage and a campaign website at AccountabiliTEA.org to present the facts of the report. Our team also worked to create a follow up report on the tea company's attempts to whitewash the problems on APPL's plantations. In August 2017, our partners released "Project AccountabiliTEA" at a press conference in Kolkata the day before APPL's annual meeting there to draw attention to the fact that the IFC has yet to keep its promises to workers. We continue to work toward a consultation process facilitated by an independent third party so that workers can have a say in improvement measures, and to raise systemic problems with IFC's role in abuses at the highest levels of the World Bank Group.

PARTNERS IN ACCOUNTABILITY: ANIRUDHA NAGAR (AC) AND STEPHEN EKKA

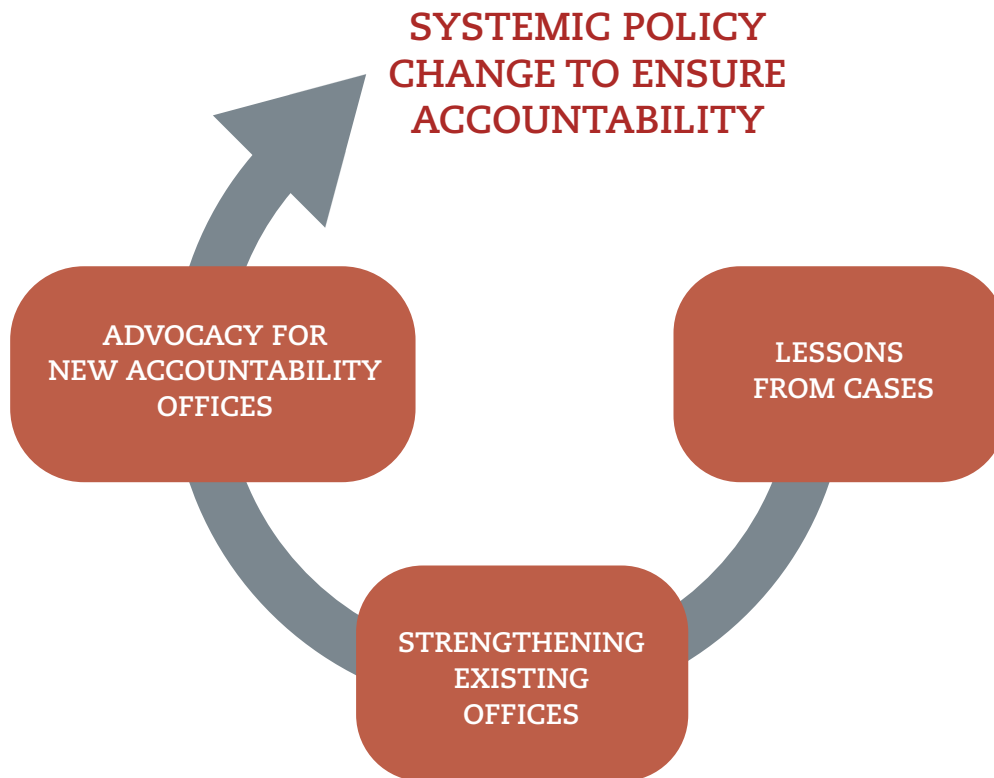
"The CAO report validates concerns workers have been raising for years about poor living and working conditions on APPL plantations. The IFC must address the CAO's findings and honor the promises it made to tea workers in Assam."

Stephen, Executive Secretary PAHJRA





Policy Program



Our Policy Advocacy program seeks systemic policy change to ensure that the abuses we see in our Communities program are not repeated. We also advocate for accountability offices that are more robust and effective as part of a stronger, community-driven system of accountability that can prevent harm from happening in the first place. Finally, our Policy team is tasked with not only identifying the accountability gaps in the international system, but also advocating to fill them with the creation of new accountability offices.

There are communities whose access to justice depends on our work to ensure that accountability offices uphold each of these six principles:

- Independence
- Transparency
- Fairness
- Professionalism
- Effectiveness
- Accessibility

Accountability Counsel Policy
Director Kindra Mohr speaks to
members of the Independent
Accountability Mechanisms
Network in August.



Transforming the EBRD's Project Complaint Mechanism

Around the same time that nomadic camel herders in Mongolia's South Gobi desert filed a complaint with the IFC's Compliance Advisor Ombudsman (CAO), they also noticed the adverse impacts from roads and other infrastructure associated with the mine. While the IFC invested in the mine, the European Bank for Reconstruction and Development (EBRD) invested in its infrastructure, such as roads and piped water. Concerned about impacts from these facilities, the herders submitted a complaint to the EBRD's accountability office, known as the Project Complaint Mechanism (PCM). While the herders were able to achieve historic agreements through the IFC's accountability office, their experience with the PCM process was deeply disappointing. The herders

expected their PCM complaint to result in a thorough investigation – one that would document the harm they had experienced and draw conclusions about compliance with international standards based on that evidence. Yet the PCM's report's review of the EBRD's compliance with its own policies entirely failed to address serious harm reported by complainants. Testimonials from people harmed by the project – even those that were substantiated by other independent sources and directly witnessed by the PCM's own experts – were left out of the reports entirely.

This and other PCM compliance reviews brought to light structural weaknesses that have prevented the PCM from consistently applying best practice for compliance reviews, undermining communities' trust in the process.

Accountability Counsel joined other advocates in pushing for changes at the PCM that would ensure that the accountability office is a meaningful avenue for redress for harmed

communities. Our Policy Director, Kindra Mohr, has traveled to the EBRD's headquarters in London on multiple occasions to educate important stakeholders, including EBRD board members, senior leadership, and expert consultants, on how to improve the process and elevate the role of the PCM within the EBRD. We have pushed for structural changes that would ensure that the bank takes the PCM and its findings seriously, such as reforms in leadership structure, reporting, and implementation of PCM findings.

The EBRD is responding to our advocacy. The board has created new processes to better understand and engage with compliance review findings. Drawing on our expertise, our team participated in a training with PCM experts to help increase consistency in their practice. These policy changes are precursors to a full review of the PCM's policy in 2019, where we and our partners will build on successes thus far and ensure that the EBRD and PCM deliver meaningful accountability and remedy to communities who have been harmed.

Uncovered trench
creating a hazard in
South Gobi, Mongolia.



Strengthening a U.S. Mechanism for Corporate Accountability

One of the ongoing challenges of our work is creating avenues for corporate accountability. The United States National Contact Point (U.S. NCP) is meant to act as a complaint mechanism where people harmed by American companies' activities and operations abroad can bring grievances. Each member country adhering to the Organisation for Economic Co-operation and Development Guidelines for Multinational Enterprises (OECD Guidelines) – a set of international standards on responsible business conduct that are binding on their signatories – is required to have an NCP office to hear complaints about alleged breaches of those standards. NCPs provide a platform where the companies and complainants, from farmers to factory workers, can work toward a solution. While this is a promising avenue for justice, the U.S. NCP must enact a number of reforms in order to realize its full potential. The NCP does not utilize all available tools to bring companies to the negotiation table. Even when companies do show up, significant structural problems in the NCP's processes perpetuate power imbalances between powerful companies and complainants with significantly fewer resources. Since our founding in 2009, Accountability Counsel has pushed for improvements at the U.S. NCP to ensure that this important corporate accountability forum is a strong and effective means to achieve remedy and prevent future harm.

In September 2017, the U.S. NCP voluntarily underwent an NCP Peer Review, a process where peer NCPs from other countries assess how the NCP is working in

practice. As members of the OECD Watch Coordination Committee and the U.S. NCP Stakeholder Advisory Board, we participated every step of the way, advocating for an inclusive, meaningful review process as well as contributing feedback on the U.S. NCP's strengths and recommendations for improvement. While we are awaiting the results of the review, we will continue to push for a stronger and more effective U.S. NCP.

Our work on the NCP system extends beyond the U.S. NCP. With partners, we are currently working on an analysis of completed NCP peer reviews to ensure that the process actually results in improvements across the system. Through research and interviews with NCP staff, businesses, civil society organizations, and other NCP stakeholders, we are identifying the keys to moving this system forward. These keys will ensure that all NCPs realize their potential to address harm resulting from a wide range of corporate activity and make necessary changes to improve their effectiveness as a tool for communities to address business and human rights disputes.



Translating Case Lessons Into Improved Environmental and Social Safeguards at OPIC

The Overseas Private Investment Corporation (OPIC), the United States' development finance institution, has been the subject of community-led complaints we supported about abusive projects in Mexico and Liberia. The Liberia case in particular highlighted the weaknesses in OPIC's environmental and social protections. As a result of our advocacy, OPIC committed to reforming its Environmental and Social Policy Statement (ESPS) to address recommendations resulting from this case.

OPIC publicly released its final ESPS in January 2017, and the final document reflects our extensive engagement in the policy review process. This included taking the lead on two joint submissions of recommendations, releasing a joint statement with civil society partners, participating in stakeholder consultations, and engaging with policymakers on Capitol Hill. Notably, of the 121 recommendations OPIC received on the 2016 Draft ESPS, 91 were from Accountability Counsel and our partners. As a result of this collaborative effort, OPIC increased its focus on human rights impacts in its 2017 ESPS. One example is the expansion of the "Special Consideration" risk category, which requires additional social due diligence procedures for projects considered higher risk to workers. This means that OPIC and its clients will be able to better identify and assess human rights risks in the interests of protecting the communities affected by these projects.

Our cases from around the world have shown that strong environmental and social policies are only effective when they are fully implemented and when institutions are accountable for complying with those safeguards. Our Policy team has regularly engaged OPIC leadership and staff, including testifying at OPIC's quarterly hearings, to ensure that the revised ESPS is transformed from paper into practice and that OPIC's Office of Accountability can provide real institutional accountability and effectively address harm.

Shaping the System: New Accountability Offices

There are now more than 60 community-driven accountability offices tied to international investment. To have a true global system of accountability, it isn't enough for any individual accountability office to function well – they all need to. To avoid companies simply moving to less accountable banks in order to secure financing for high-risk projects, we are working to increase accountability across the whole system. Given the reach of global finance and the emergence of new economic actors, we work to create robust and effective accountability offices in institutions where they do not yet exist.

This year, our Policy team worked with new accountability offices to build structures and policies born out of our experience working directly with communities.

The Green Climate Fund (GCF) was established in 2010 by 194 countries party to the United Nations Framework Convention on Climate Change. The GCF invests in



AC's team meets with partners at the All Adivasi Students' Association of Assam.



low-emission and climate-resilient projects and programs in developing countries through investment in public institutions, development or commercial banks, or private companies.

But even projects designed to mitigate the effects of climate change can cause harm, and they should be held accountable to the countries and communities they are designed to help. Working with civil society partners, Accountability Counsel has engaged the GCF's accountability office, the Independent Review Mechanism (IRM), on the design of robust policies and procedures to govern the new mechanism. Through policy submissions and consultations with the IRM's director, Accountability Counsel has successfully advocated for a solid, community-centered foundation based in the mechanism's purpose, vision, roles, responsibility, and scope. This includes provisions that make filing a complaint with the IRM easier for communities. As the IRM develops, we will continue to help lay the groundwork for institutional accountability and access to remedy by sharing best practice and advocating for procedures that keep it accessible.

In addition, over the last two decades, financing from China has played an ever-increasing role in development projects.

This is particularly true when it comes to infrastructure and extractive industries, areas of international investment where we encounter the majority of complaints. One of the newest development finance institutions is the China-led **Asian Infrastructure Investment Bank (AIIB)**, which was founded to support infrastructure projects across the continent, often in co-financing arrangements with other development finance institutions in the region. Given the changing development landscape in Asia, it is critical to develop and maintain spaces for meaningful engagement with impacted communities, including avenues to raise concerns and seek redress and accountability when projects cause harm.

Working with a coalition of partners, Accountability Counsel has moved the leaders at the AIIB to a commitment to create the Complaints Handling Mechanism (CHM), its own accountability office. In order to prompt the establishment of a strong CHM, we worked with our civil society colleagues to produce a working paper on current best practice across accountability mechanisms as our joint submission to the AIIB. We remain committed to working with our partners and participating in civil society consultations on this new mechanism.



Research

Accountability Counsel's Research program informs the movement for accountability in international finance. We provide in-depth research to support our community cases, large-scale data analytics about our field, a public database of all complaints to accountability offices, and a comparison tool for the policies of each accountability office. Our research is, for the first time, exposing patterns in our field that show advocates, policymakers, and the institutions themselves best practice and where improvement is needed most. One of our talented new team members, Research Director Samer Araabi, is leading this work.

In addition, our Research team is creating a set of internal tools to assist Accountability Counsel's Communities and Policy teams to track the progress of their work, synchronize work between teams, and gauge effectiveness in relation to our broader theory of change.

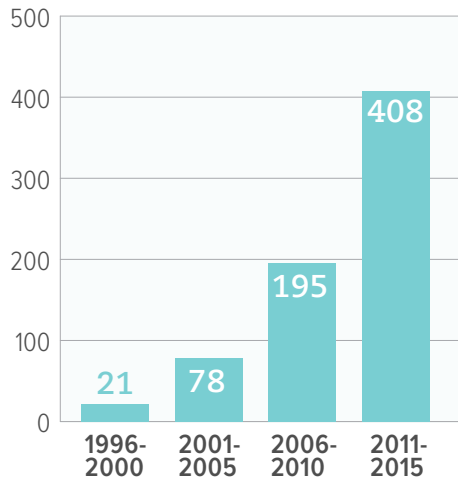
Our analysis of the case database (*see graphic on following page*) has already shown that the number of cases filed with accountability offices has been growing, that the number of organizations like Accountability Counsel

supporting these complaints is rising, and that there has been an increase in the number of cases that close with some kind of result for the community.

Since the establishment of the system of independent accountability mechanisms in 1993, the number of cases filed with accountability offices has more than doubled every five years. As increasing numbers of individuals and organizations engage with these offices, more robust and accessible tools are needed to ensure that these cases are given the attention and support they require.

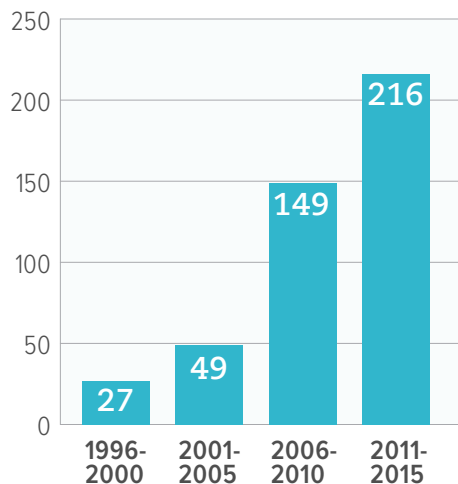
Through our Research program we also ensure that our unique skills and knowledge have a wider reach and deeper impact. This program provides concrete tools to not only our own staff, but also to civil society colleagues and the people who make up the movement for accountability more broadly. These tools include dissemination of our research, publications, trainings for advocates and *pro bono* lawyers, technical guides to accountability offices, and a network for communication and collaboration.

Cases Filed with Independent Accountability Mechanisms 1996-2015



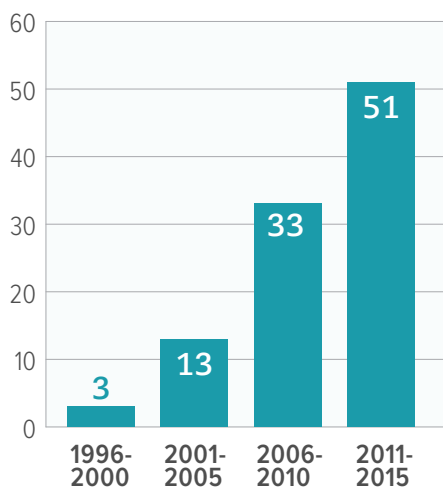
New Cases Filed

There is a clear upward trend in the number of complaints filed with independent accountability mechanisms since the first one was established in 1993.



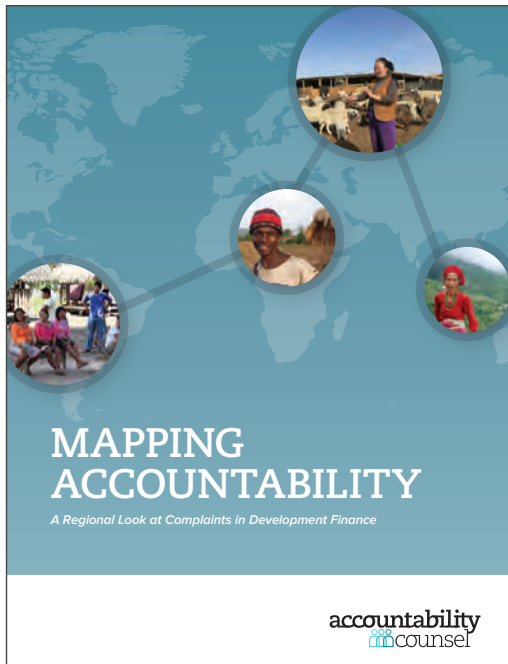
New Organizations Involved in Filings

Each year more civil society organizations are supporting communities in filing their complaints to accountability mechanisms.



Cases Closed With Results

There has been a steady increase in the number of cases in which investigations are conducted, dialogues are held, or other action is taken.



Mapping Accountability

In late 2016, our report “Mapping Accountability” looked at complaints filed to 12 accountability offices over the past 21 years to assess trends and variances across four world regions: Africa and the Middle East, Europe and Central Asia, Latin America and the Caribbean, and South and East Asia. The results both affirmed what we see anecdotally in our own case work and raised troubling patterns.

The report found that infrastructure projects are the number one sector driving complaints across all world regions, accounting for 39 percent of complaints in Latin America, all the way up to 73 percent of complaints in Europe and Central Asia. Energy and extractives sectors account for the second and third largest portions of complaints in most regions.

The report also looked at regional variation in the progress of complaints through accountability offices and the outcomes achieved. At the eligibility phase, complaints progress remarkably differently across regions: while 67 percent of complaints from Europe and Central Asia were found eligible, only 31 percent of complaints from South and East Asia passed this initial hurdle. Cases may be found ineligible for many reasons, ranging from complaints’ failure to meet complex procedural filing requirements, to complaints that were simply misfiled and fall outside of an office’s mandate. In every region, the involvement of civil society organizations (CSOs) in supporting a complaint correlates with a higher rate of results, but the strength of this correlation varies. Results from an accountability office complaint were achieved in 52 percent of complaints from South and East Asia filed with CSO support, but only in 16 percent of cases filed by community complainants alone – a threefold decrease. Though there are a number of reasons why cases filed only by community complainants may be less likely to achieve results, it speaks to the power of international advocates in providing the support, attention, and expertise to move cases forward. We firmly believe that accountability offices can and should provide results for more communities who have been harmed by internationally financed projects regardless of the involvement of advocates, and we continue to work with these offices and development finance institutions to encourage improvements.

AC's Stephanie Amoako
at a network meeting.



Tools for a Global Accountability Movement

In addition to our three programs, Accountability Counsel's global team is working to ensure that the growing field of advocates are resourced with the information, tools, and training needed to support communities to defend their environmental and human rights. Our team conducts trainings, produces guides, and convenes a global network of advocates to move our field forward.

Trainings for Communities and Civil Society Advocates

Our team provides in-person trainings to communities at every stage of the complaint process, from informational meetings on how accountability offices fit into broader strategies to demand justice, to technical trainings on how specific accountability offices operate, to intensive strategy sessions as cases progress. In the past year, Accountability Counsel has led 16 trainings to provide our community clients and partners with the tools, information, and strategic support to advocate in their own voices on their own behalf. Additionally, as part of our advocacy, we have both presented at and participated in dozens of critical forums for human rights, investment, and development.

“We’re building a system that can fundamentally change the way we engage with accountability in international development finance. Our database will allow any interested party anywhere in the world to access massive amounts of data on accountability offices, complaints, and outcomes, and it sets a new industry standard for transparency, accessibility, and collaboration. The data informs our own work, but by lowering barriers and democratizing information, we’re also empowering communities to tackle these issues themselves and collectively.”

Samer Araabi, Research Director



International Advocates Working Group

In February 2017, Accountability Counsel hosted a retreat in California for the International Advocates Working Group (IAWG) that we founded in 2013. This group has now grown to 140 members from nearly every continent. With nearly 40 advocates attending the retreat, we shared experiences in supporting community-led complaints and learned from colleagues doing the same, collaborated on priority policy initiatives, and discussed other common challenges and opportunities.

An example of one of the outcomes of our Working Group collaboration was participation in the August 2017 Annual Meeting in Greece of the Independent Accountability Mechanisms Network (IAMnet), a network of accountability office professionals seeking to identify and foster means for collaboration, cooperation,

and knowledge sharing among these institutions. This gathering (pictured above) provided a unique opportunity to engage with several accountability offices in one room. Through discussing a wide range of topics, including removing barriers to accessibility, preventing retaliation against complainants, and ensuring that dispute resolution processes respect vulnerable parties' rights, we were able to both share our experiences and research on best practice, and learn more about the priorities and practices of the accountability office representatives in the room. We have built on these fruitful conversations on an ongoing basis with our partners, accountability office staff, and other key stakeholders. While in Greece, IAWG co-hosted the first-ever joint gathering with the EuroIFI Network, a group of European CSOs focused on issues related to development finance. We also engaged with civil society partners in Central, Eastern, and Southern Europe and led discussions on accountability in development finance and access to remedy.

2016-2017 Financials

September 1, 2016 to August 31, 2017

REVENUE

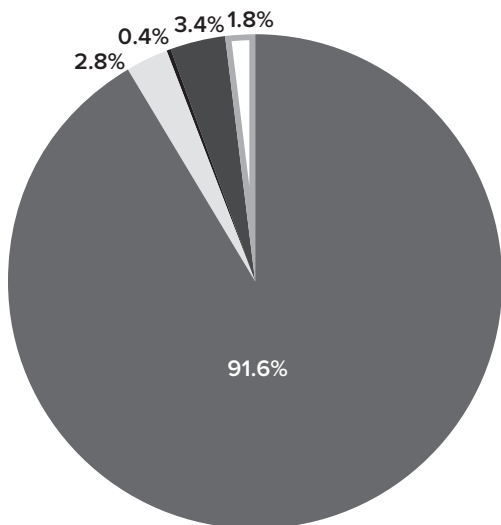
Donations	\$1,537,240
In-Kind & <i>Pro Bono</i>	\$54,970
Earned & Other Income	\$30,083
Total	\$1,622,293

EXPENSES

Salary & Related Expenses	\$605,995
Other Expenses	\$537,204
Total	\$1,143,199

Net Income: \$479,094

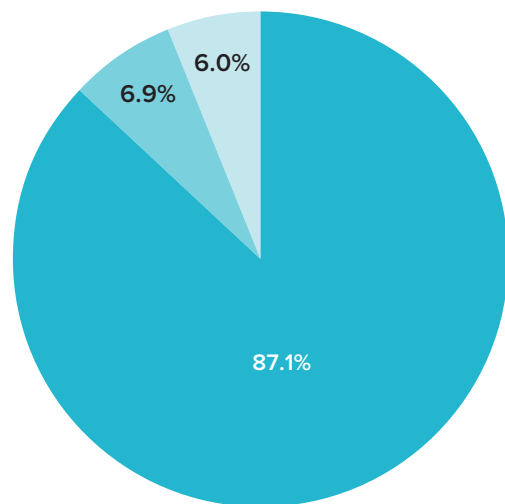
FY 16/17 Revenue



Foundations	\$1,485,287
Individuals	\$45,112
Corporate	\$6,841
In-Kind & <i>Pro Bono</i> Support	\$54,970
Earned & Other Income	\$30,083

Total Revenue: \$1,622,293

FY 16/17 Expenses



Total Program	\$995,333
Communities	\$503,255
Policy	\$329,565
Research	\$162,514
Administration	\$78,693
Fundraising:	\$69,174

Total Expenses: \$1,143,199



Our People

Team

Natalie Bridgeman Fields
*Founder and
Executive Director*

Kindra Mohr
Policy Director

Samer Araabi
Research Director

Sarah Singh
*Global Communities
Director*

Anirudha Nagar
South Asia Director

Emilia Siwingwa
Africa Director

Meredith MacKenzie
Communications Director

Stephanie Amoako
Policy Associate

Caitlin Daniel
*Global Communities
Attorney*

Lani Inverarity
*Global Communities
Associate*

Siddharth Akali
South Asia Consultant

Guneet Kaur
South Asia Consultant

Hannah Schiweck
Global Operations Manager

Sydney Speizman
Executive Coordinator

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David Hunter

Bob Kerrigan

Gideon Kracov

Daniel Peters

Beth van Schaack

Howard Shinker

TRADITION IN RECOGNITION

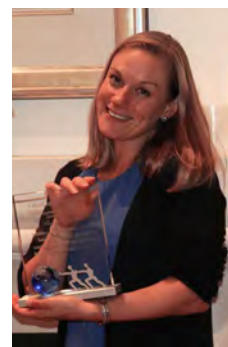
At our annual retreat we were pleased to recognize our Board Secretary **Kim Keller** for her outstanding contribution to Accountability Counsel. Keller has gone above and beyond to support our team and cultivate a sense of connection among staff and board members.

This year we also began a new tradition and gave our first “Values in Action” award. This award will be given to a different team member each year, nominated and chosen by his or her coworkers as a way to recognize that how we do our work is as important as what we do in our work.

This award recognizes a member of our team who:

- Exhibits a deep commitment to justice
- Takes a respect-based approach to their internal and external interactions
- Is decidedly other-centric, amplifying voices while diminishing ego
- Brings joy and a sense of community to this team

This year the team voted to award this honor to our Policy Director **Kindra Mohr**. Mohr has worked hard to bring partners to the table and continues to lift up her fellow team members.



2016-2017 Fellows and Interns

Ayodele Abdul-Hadi
*San Domenico
High School*

Jesse Belmontes
*San Francisco State
University*

Patrick Boyle
*UC Hastings
College
of the Law*

Julie Dostal
*University of Virginia
School of Law*

Maya Ephrem
New York University

Mette Frederiksen
*Columbia University
Graduate School of
Arts and Sciences*

Emily Gabor
William & Mary Law School

Nicholas Gavio
Georgetown University

Jamison Hayward
Occidental College

Carolina Isaza
Duke University

Robin Ivory
*Johns Hopkins School
of Advanced
International Studies*

Maxwell Jenkins-Goetz
UC Berkeley

Christine Keough
UC Berkeley

Donna Kim
Stanford Law School

Nora Mardrossian
*UC Hastings College
of the Law*

Clare Mathias
Dartmouth College

Matt McConnell
Stanford Law School

Briana Megid
UC Davis

Sarah Mirza
UC Berkeley School of Law

Agustina Perez
UC Berkeley School of Law

Bo Peterson
UC Berkeley School of Law

Simone Prince-Eichner
*University of Michigan
Law School*

Rebecca Quick
*University of Maryland
Graduate School*

Gabriela Radu
University of Amsterdam

Jasmin Rezaie-Tirabadi
University of San Francisco

Lauren Sillman
*Georgetown University
Law Center*

Sydney Speizman
Duke University

Tory Tilton
Stanford Law School

Laura Vittet-Adamson
Stanford Law School

Ruthie Welch
Stanford Law School

Donors

Our work over the past fiscal year as made possible thanks to the generous support of the following donors:

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Draper Richards Kaplan Foundation
Heising-Simons Foundation
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NoVo Foundation
Open Road Alliance
Open Society Foundation
Sall Family Foundation
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Mary Fields
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Matthew Palmer
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Micheline Markey
Michelle & Richard Bellows
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Nigel Walker
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Rachel Reichenbach &
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Richard Kolomejec
Sandy Coliver
Saskia Nauenberg
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Stephanie Smith
Stephen Crawford
Stephen Diamond
Susan Langan
Tammy Ting & John Casey
Tanya Nauenberg & Tim Blakeslee
Vic Schachter
Wynella Gilbert
Yuriko & Jock Walker
Wendy & Howard Kleckner



Members of the Shipibo community of Nuevo Sucre in Peru.

“Working on the business side of internet technology for nearly 20 years, I’ve seen first-hand the effects that the right idea can have on entire industries and that money can have on individual, organizational, and community behavior. It’s been a privilege to help the relatively small but exceptionally talented team at Accountability Counsel tap into both of these dynamics, exerting precise influence over staggering sums of money... and achieving important and improbable outcomes globally in the process.”

Brent Horowitz, Accountability Counsel Board Member



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