

October 23, 2019

*Via Electronic Mail*

**Board of Directors  
World Bank Group  
1818 H Street, NW Washington, D.C. 20433  
United States**

**Re: Lack of Transparency and Adequate External Stakeholder Participation in the IFC/MIGA Accountability Framework Review Process**

Dear Board of Directors:

As organizations that support communities adversely affected by internationally financed projects, including World Bank Group projects, we are writing to comment on the accountability framework review of the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA), which includes a review of their independent accountability mechanism (IAM), the Compliance Advisor/Ombudsman (CAO). Recognizing the importance of a strong accountability framework and IAM to address community concerns and facilitate institutional learning, this review process must be robust, transparent, and inclusive of stakeholder voices.

The review of IFC/MIGA's accountability framework should be informed by the people who use it – the individuals and communities who have been affected by IFC/MIGA-supported projects and the civil society organizations (CSOs) who support them. Especially given the significance and far-reaching implications of this review, there should be a robust consultation process and public disclosure of relevant documents. Unfortunately, to date, neither seem to be envisioned. We ask the Board to ensure that the upcoming review is transparent, meaningful, and inclusive, by:

- Extending the timeline of the review to allow for a more robust process;
- Publicly disclosing the full Terms of Reference (TOR) and other documents pertaining to the review, including relevant timelines;
- Including adequate opportunity for feedback and equipping the Review Team with robust means of collecting and reviewing comments;
- Providing communities with the opportunity to weigh in using their own language;
- Including several opportunities for in-person consultation and holding outreach meetings to solicit input not just from CSOs but also local communities and past complainants; and
- Publishing the Review Team's report and recommendations prior to a Board decision on changes to the accountability framework.

First, we understand that this review process will take place over a relatively short period of time. The Board should reconsider this timeline to ensure that the review is legitimate and robust, incorporating the recommendations outlined above.

Second, we are deeply disturbed that the full TOR and other documents relevant to the review process have not been disclosed. Some of the signatories to this letter participated in a brief introductory meeting with the Review Team tasked with examining and reporting on the effectiveness of the accountability framework and generating recommendations for the Board. While the participants appreciated the opportunity to meet with the team, meaningful engagement was difficult because the participants lacked information about the TOR and the issues under consideration. Moreover, although there has been subsequently a public announcement with some details of the review, it is still difficult for the broader public to know the full suite of the aspects of IFC/MIGA's accountability framework and the CAO that are being examined. The secrecy behind the review sets a dangerous precedent with respect to transparency and hinders stakeholders' ability to be useful to the Review Team. For stakeholders to effectively participate in this process, they must know the full parameters. The review process must not be veiled; therefore, we request that the full TOR and other documents pertaining to the review be published immediately.

Third, the Review Team should have a structured means of receiving input from global communities and CSO stakeholders, and input should be gathered over a designated and broadly publicized comment period. Posting an announcement on the World Bank's website with an email address to send feedback is not enough. Although the review of the World Bank Inspection Panel's toolkit has been imperfect and has also suffered from a lack of transparency, it has at least incorporated two stakeholder comment periods. In addition, the Review Team should have the ability to meet with stakeholders around the world, including complainants and local communities. Not having these opportunities hinders the Review Team's ability to understand community perspectives and experiences with IFC/MIGA and the CAO, lays the groundwork for an incomplete review, and will be a disservice to those of whom IFC/MIGA are accountable.

Fourth, we gather that the Review Team currently does not have the resources to translate comments or input not submitted in English. Priority should be given to the voices of the very communities impacted by IFC/MIGA-supported projects. Not accommodating for stakeholder feedback in their own language denies whole communities a voice, and the Review Team will be deprived of essential input on the effectiveness of IFC/MIGA's accountability framework and the CAO. Placing the burden on communities or CSOs to translate all submissions is wholly improper and an affront to the principles of stakeholder engagement.

We encourage the Board and Review Team to consider practices adopted at other institutions with respect to consultation processes. As an example, the European Bank for Reconstruction and Development recently reviewed its Project Complaint Mechanism. The review included regular engagement with CSOs for over a year and a half, solicitation of detailed feedback prior to the commencement of the official review, and regularly-provided updates throughout the review process. It released translations of its draft recommendations in several languages, including Arabic, and organized eight regional, in-person consultations.<sup>1</sup>

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<sup>1</sup> See *EBRD Good Governance Policy Consultation – London*, EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT (Mar. 5, 2019) <https://www.ebrd.com/news/events/ebrd-good-governance-policy-consultation-london.html> (last visited Oct. 23, 2019).

Finally, we are deeply concerned that, given the lack of transparency in this process, the Review Team's report and recommendations will not be disclosed before the Board makes a decision on updating the accountability framework and the CAO's Operational Guidelines. Given the far-reaching implications of this review process, stakeholders must have an opportunity to see and provide feedback on the recommended changes.

We appreciate that the Board is taking a hard look at improving the accountability framework, and we thank you for considering our recommendations during this important process. We look forward to ongoing engagement with the Board to ensure that accountability at IFC/MIGA is strong, for the benefit of communities around the world and IFC/MIGA.

Sincerely,

Abibiman Foundation – Ghana  
ACADHOSHA – Democratic Republic of the Congo  
Accountability Counsel – United States  
Action For Development – Zambia  
Action Paysanne Contre la Faim – Democratic Republic of the Congo  
Africa Centre for Investment and Trade Policy Facilitation – Uganda  
African Law Foundation (AFRILAW) – Nigeria  
Arab Watch Coalition – Regional  
Association for Women and Children's Affairs – Iraq  
Association Tunisienne pour le Droit de Development – Tunisia  
Bank Information Center – United States  
Bank Information Center Europe – The Netherlands  
Both ENDS – The Netherlands  
Bretton Woods Project – United Kingdom  
Buliisa Initiative for Rural Development Organisation (BIRUDO) – Uganda  
CEE Bankwatch Network – Regional  
Center for International Environmental Law (CIEL) – United States  
Centre for Research on Multinational Corporations (SOMO) – The Netherlands  
Centro de los Derechos del Campesino – Nicaragua  
CITIM (Centre d'information Tiers Monde) – Luxembourg  
Community Outreach for Development and Welfare Advocacy (CODWA) – Nigeria  
Community Policing Partners (COMPPART) – Nigeria  
Conseil Régional des Organisations Non Gouvernementales de Développement – Democratic Republic of the Congo  
Conseil Régional des Organisations Non Gouvernementales de Développement du Kasai Oriental – Democratic Republic of the Congo  
COPA-Kenya – Kenya  
Dynamique pour la Promotion et la Protection de l'Artisanat Minier au Tchad (DYPRODAMIT) – Chad  
Egyptian Center for Civic and Legislative Reform – Egypt  
Egyptian Initiative for Personal Rights – Egypt  
Equitable Cambodia – Cambodia  
etika asbl – Luxembourg

Foundation for Environmental Management and Campaign Against Poverty – Tanzania  
Foundation For Environmental Rights, Advocacy & Development (FENRAD) – Nigeria  
Freedom from Debt Coalition (FDC) of the Philippines – The Philippines  
Friends of the Earth Japan – Japan  
Friends with Environment in Development – Uganda  
Fundación Ambiente y Recursos Naturales – Argentina  
FUNDEPS – Argentina  
Gender Action – United States  
GLOBAL RIGHTS – Nigeria  
Green Advocates International – Liberia  
Inclusive Development International – United States  
Indian Social Action Forum (INSAF) – India  
Institute for Agriculture and Trade Policy (IATP) – United States  
International Accountability Project – United States/Global  
International Rivers – United States  
Jamaa Resource Initiatives – Kenya  
Kebetkache Women Development & Resource Centre – Nigeria  
Lebanese Union for Persons with Physical Disabilities (LUPD) – Lebanon  
Lebanon Eco Movement – Lebanon  
Loeildafrique Media – Togo  
Lumière Synergie pour le Développement – Senegal  
Dr. Muatar Khaydarova (Independent Expert on Freedom of Association) – Tajikistan  
Narasha Community Development Group – Kenya  
Natural Resources Alliance of Kenya – Kenya  
Nature Tropicale ONG – Benin  
NGO Forum on ADB – Regional  
Observatoire d’Etudes et d’Appui à la Responsabilité Sociale et Environnementale (OEARSE) –  
Democratic Republic of the Congo  
Oxfam – Global  
Oyu Tolgoi Watch – Mongolia  
Pakistan Fisherfolk Forum – Pakistan  
Peace Point Development Foundation – Nigeria  
Phenix Center for Economic and Informatics Studies – Jordan  
Project on Organizing, Development, Education, and Research (PODER) – Mexico  
SEATINI UGANDA – Uganda  
Social Justice Connection – Canada  
Studies and Economic Media Center – Yemen  
SUHODE Foundation – Tanzania  
Tunisian Association for Transparency in Energy and Mines – Tunisia  
Urgewald e.V. – Germany  
Wedian Association for Social Development – Yemen  
Witnessradio.org-Uganda – Uganda  
WomanHealth Philippines – The Philippines  
Yemen Observatory for Human Rights – Yemen  
Yemen Organization for Promoting Integrity – Yemen  
Youth For Environment Education And Development Foundation (YFEED Foundation) – Nepal

CC: Review Team