



European Investment Bank

Complaints Mechanism Activity Report 2013



Complaints Mechanism - Complaints Mechanism - Complaints Mechanism - Complaints Mechanism

EIB-CM Activity Report

2013

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TABLE OF CONTENTS

Foreword/Preface 3

1. EIB Accountability..... 4

2. The EIB-CM 5

3. 2013, an overview 7

4. Examples of cases..... 11

5. Institutional Cooperation 18

6. Outreach..... 19

Annex I – List of cases..... 20

FOREWORD/PREFACE

The EIB-Group is fully accountable for its decisions, actions or omissions. In the EIB-Group, Complaints Mechanism (CM) handles complaints against possible ‘maladministration’ at the EIB or the EIF.

Since the appointment of the first European Ombudsman (EO) by the European Parliament in 1992, the European Citizen enjoys a fundamental right to “good administration”.

All European Citizens have therefore the right to address grievances to the EO. Following the agreement between the EO and the EIB Group, any EIB stakeholder has access to a two-tiered accountability mechanism – first the EIB-CM and then the EO.

The EIB-Group puts great emphasis on transparency and stakeholder engagement.

In its activities, the EIB-Group complies with key due diligence standards which are based on EU policies and guidelines. Our Transparency Policy requires us to maintain a dialogue with our stakeholders. The Complaints Mechanism and the work it carries out is an important part of this – it enables stakeholders to be reassured that EIB will make every effort to ensure that EIB has acted in accordance to its guidelines.

The current report summarises the work of the EIB Complaints Mechanism during 2013.

It shows that in 2013, the number of complaints continued to grow (from 52 in 2012 to 57 in 2013). During 2013, the complaints have been more complex than before. However, as CM recruited more staff during last year, the number of outstanding complaints decreased, pointing to improved efficiency.

The EIB-CM has been highly effective in addressing concerns raised by EIB stakeholders. The EIB-CM strives to achieve friendly solutions with the stakeholders involved and, when appropriate, to propose recommendations or identify areas for improvement in EIB policies and procedures.

The whole EIB Group supports the CM in order to achieve the objectives of transparency and effectiveness.

Philippe de Fontaine Vive Curtaz
Vice-President



Jonathan Taylor
Vice-President



1. EIB ACCOUNTABILITY

The EIB Group is accountable to EU Member States as shareholders and policy setters, to investors who buy the bonds which the Group issues to the Group's project promoters and beneficiaries as well as 'Project Affected People(s)', i.e. peoples(s) impacted by projects in which the EIB Group is involved. The accountability of the EIB Group is the responsibility for the action or inaction taken. This means being answerable for the decision taken, by ensuring that a participatory process is carried out in the decision-making, and by giving reasons for the outcome.

The EIB Group defines public accountability as the process through which it commits to respond, and balances the needs of, stakeholders in its decision-making processes and activities, and the process through which it delivers against this commitment. EIB Group accountability has three components, **i)** transparency, i.e. to account to one's stakeholders, **ii)** responsiveness, i.e. to respond to stakeholders' concerns and **iii)** its grievance mechanism, i.e. to ensure that the Bank reviews specific decisions, actions or omissions challenged by stakeholders with a view to ensure good administration, including compliance with standards to which the EIB Group has voluntarily committed as well as with rules and regulations that the Group is legally bound to comply with.

The EIB Group's Complaints Mechanism Division (EIB-CM) is an operationally independent function, part of the EIB Inspectorate General. The EIB-CM findings, conclusions and recommendations are submitted directly to the EIB's Management Committee - or the EIF Chief Executive. The EIB-CM annual activity reports are submitted to the Board of Directors.

Within the EIB Group the EIB-CM has the right to obtain access to all necessary information for the performance of its duties and the EIB Group's staff has the duty to cooperate with the EIB-CM promptly, fully and efficiently, especially with a view to respecting the deadlines as well as to adhering to the standards and policies of the EIB Group.

2. THE EIB-CM

As part of the EIB Group framework of horizontal Citizen-driven accountability, the objectives of the EIB Complaints Mechanism (EIB-CM) are:

- To enable stakeholders, any individual, organisation or corporation, affected by EIB Group activities, to seek and receive response for grievances and alleged harm.
- To enable stakeholders to hold the Bank to account for its decisions or actions by querying these and requesting an investigation and a response.
- To provide a means to deal with issues in a pre-emptive way, and in doing so reducing the risk of escalation and/or reputational damage.
- To provide institutional learning related to the issues/cases investigated and detect systemic deficiencies.

There is no requirement for stakeholders to be directly affected by an EIB Group decision, action or omission, or for a stakeholder to identify specifically the applicable rule or policy that may have been breached.

The EIB CM cannot handle complaints concerning international organisations, Community institutions or bodies, or national, regional or local authorities. Nor can it investigate complaints concerning the working relations between the Group and its staff. The EIB-CM cannot deal with complaints that have already been brought to and/or settled with other administrative or judicial review mechanisms.

Independence

The operational *independence*, *impartiality* and *effectiveness* of the EIB-CM are key for its functioning. The EIB-CM bears final responsibility for (i) the admissibility of complaints, (ii) the type of investigation and/or mediation to be performed for a particular complaint and (iii) the issuing of its Conclusions Report. In terms of *integrity*, all staff of the Complaints Mechanism are expected to apply and uphold specific Rules of Conduct.

Functions

The EIB-CM has the following functions:

- Investigate Complaints – it is responsible for investigations & compliance reviews regarding registered complaints.
- Mediate, providing different forms of conflict resolution processes between, on one side, the Complainants/Requestors and on the other side, the Bank's Management/Services and/or Project Promoter and/or national authorities as appropriate.
- Provide advice to senior management, within the scope of the EIB-CM responsibilities, on systemic issues related to policies, standards, procedures, guidelines, resources, and systems, on the basis of lessons learnt from complaints handling.
- Monitor the follow-up and implementation of proposed corrective actions and recommendations, inasmuch as these have been accepted by the EIB.

Compliance

Through its complaints investigation part, the EIB-CM addresses non-compliance by the EIB to its policies and procedures as well as significant harm that has not been properly mitigated or compensated. However, the EIB-CM increasingly tries to solve implementation problems raised or identified in the context of EIB projects, upstream in the EIB project appraisal process.

Maladministration

Maladministration happens when the EIB Group fails to act in accordance with the applicable legislation and/or established policies, standards and procedures, fails to respect the principles of good administration or violates human rights. Examples, as set by the European Ombudsman, include administrative irregularities, unfairness, discrimination, abuse of power, failure to reply, refusal of information, unnecessary delay. Maladministration may also relate to the environmental or social impacts of the EIB Group activities and to project cycle related policies and other applicable policies of the EIB.

The Lisbon Treaty of December 2009, made the Charter of Fundamental Rights of the European Union legally binding. Article 41 of this Charter defines the right to good administration as the right to have one's affairs handled "impartially, fairly and within a reasonable time by the institutions, bodies, offices and agencies of the Union." This concept of good administration includes the right of all people to be heard before a decision on any individual measure is taken and the right to have access to one's file. The Charter recognises the rights of every person to have the European Union make good any damage it causes.

Two-tiered mechanism

As a body of the European Union, and uniquely among other International Financial Institutions, the EIB implements the EU model of accountability¹, which has two-tiers – the internal Complaints Mechanism (EIB-CM) and the European Ombudsman (EO). The EO is independent from the EIB and part of the EU institutional framework. In providing a tool for alternative and pre-emptive resolution of disputes, the EIB Complaints Mechanism is evidence to the EIB's efforts for continuous improvement and to maintain high standards of good administration.

Memorandum of Understanding with the European Ombudsman

In order to strengthen EIB accountability, the EIB and the EO signed a Memorandum of Understanding, (MoU) of which the key elements are:

- The EO's commitment to use its own initiative power for handling complaints brought by non-EU complainants, (when the complainant is not a citizen or resident of the European Union);
- The existence of an effective internal Complaints Mechanism (EIB-CM), with adequate engagement of stakeholders and adequate internal procedures;
- The starting point and the scope of the EO's review, with the recognition of the EIB's internal mechanism as the prior administrative approaches required by Article 2.4 of the EO's Statute.

Cooperation with peers

Since the 2004 the Independent Accountability Mechanisms (IAMs) of the International Financial Institutions (IFIs) have formed a network for exchanging and sharing knowledge, experiences and challenges (see § 5). The EIB-CM has been a member of the network since 2007 and the EO joined in 2010.

¹ The 1992 Maastricht Treaty strengthened the openness and democratic accountability of the Union's Institutions in various ways, notably by the establishment, and the election by the European Parliament, of the European Ombudsman (EO), an EU institution to which any EU citizen or entity may appeal to investigate any EU institution or body on the grounds of maladministration.

3. 2013, AN OVERVIEW

2013 saw, for the first time, a reduced stock of outstanding complaints at the end of the year due to a record number of complaints closed, and increasingly handled within the timeframe prescribed by the policy as the EIB-CM recruited more staff during the year. This happened despite a continuation of the trend, reported in the 2009-2012 Activity Report of more complex cases in increasingly complex situations.

Casework Statistics

During 2013 63 new cases were received (55 in 2012). Of these 63 complaints 57 were declared admissible (52 in 2012) and 2 were brought to the EO (7 to the EO in 2012, 1 to the EDPS).

Incoming complaints:

	2011	2012	2013
Complaints received	54	55	63
Inadmissible	(8)	(3)	(6)
	46	52	57
Complaints brought to other Institutions:			
European Ombudsman	(3)	(7)	(2)
European Data Protection Officer	-	(1)	-
Aarhus Convention Compliance Committee	-	-	-
Complaints registered EIB-CM	43	44	55

Admissible complaints are complaints relating to a decision, action or alleged omission by the EIB - even at the stage the EIB is only considering offering support.

Inadmissible complaints may be complaints:

- *concerning fraud or corruption (which are dealt with by the Fraud Investigations Division);*
- *from EIB staff;*
- *concerning international organisations, EU bodies, or national and local authorities;*
- *that have already been brought with, or settled by, other administrative or judicial review mechanisms;*
- *that have been brought anonymously (confidentiality is assumed, anonymity is inadmissible);*
- *seeking an unfair competitive economic advantage; and complaints that are excessive, repetitive or clearly frivolous or malicious in nature.*

Complaints Handled

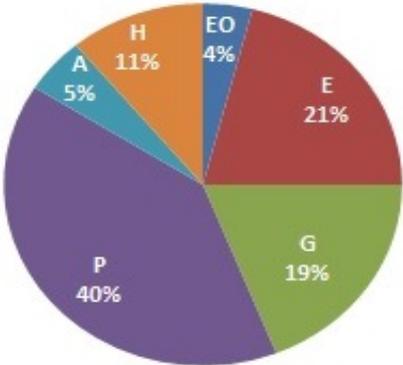
	2011	2012	2013
Complaints received	54	55	63
Outstanding year end	37	54	43
Complaints dealt with	82	92	117

With the 63 new incoming cases in 2013 (55 in 2012) and 54 (37) cases outstanding at the end of the prior year, the EIB-CM handled 117 cases in the year 2013 (92 in 2012). This reduced the 'overhang' of open cases from 54 at the end of 2012 to 43 at the end of 2013. The high number of cases dealt with and closed in 2013 is due to the gradual allocation of the required resources. The EIB-CM is continuing to pursue the reduction of the 'overhang' in 2014.

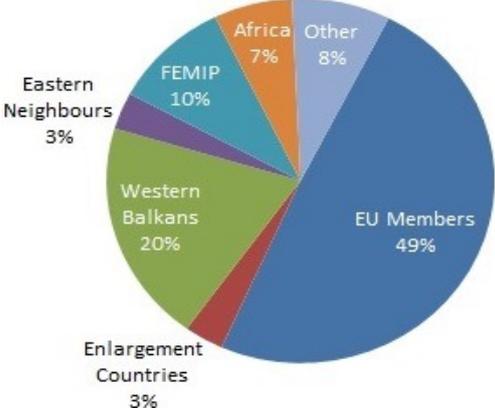
Breakdown of complaints by type:

Breakdown of Admissible Complaints (EIB-CM)	2011	%	2012	%	2013	%
Environment/Social/Developmental impacts (E)	18	42	14	32	12	22
Governance (G)	4	9	7	16	11	20
Procurement-related complaints (P)	14	33	19	44	23	42
Access to Information (A)	2	4	1	2	3	5
Human Resources (H)	3	7	2	3	6	11
Customers' Relations (C)	2	5	1	2	0	0
Total	43	100	44	100	55	100

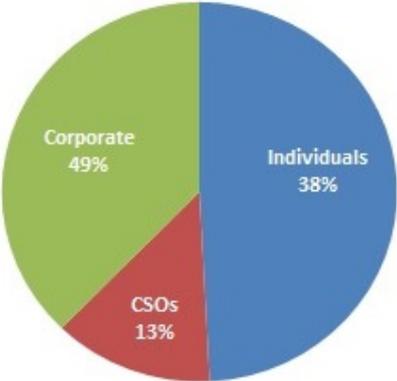
Breakdown of complaints by type:



Breakdown of complaints by region:



Breakdown of complaints by origin



The number of cases increased while the number of procurement related cases approximately stabilised at 42% of the total in 2013 (44% in 2012). The percentage of complaints regarding the environmental, social and developmental aspect of financed projects was 22% in 2013 (32% in 2012). These percentages relate merely to the number of handled cases and leave the increased complexity out of the comparison.

The outcomes of the cases:

In 2013 68 complaint cases were closed (33 in 2012):

Outcome of complaints closed	2012	%	2013	%
No grounds	12	37	23	34
Partially grounded	1	3	-	0
Friendly solution	2	6	7	10
Prevention *	9	27	13	19
Areas of improvement	3	9	11	16
Dropped by the complainant	1	3	7	10
<i>Financing request dropped by the Promoter</i>	-		-	0
Inadmissible	5	15	7	10
Total	33	100	68	100

**Resolved / handled by the EIB services with support from the EIB-CM*

Overall, the EIB-CM has been effective in addressing legitimate concerns raised by stakeholders. In almost half of the cases, 40%, the EIB-CM found no grounds for the complaint, which does not mean that the EIB-CM would not report *per se* on relevant issues that may have come up during the handling of the complaint. In a growing number of cases the EIB-CM mediated in a friendly solution of the issues involved in the complaint or agreed that the response to the complainant would be handled by the services², with the support of the EIB-CM, the so-called “prevention”. This also contributes to a culture of service and accountability across the Bank’s services.

In 16% of the cases the EIB-CM found, and reported on, areas of improvement and in 10% a friendly solution was found. 10% of the complaints received were considered inadmissible. (One out of the 7 inadmissible complaints was declared inadmissible following initial registration).

EIB-CM staffing

2013 saw the development of the EIB-CM Mediation Office, with the appointment of a dedicated Mediation Officer, and the successful selection and integration of two new staff members to fill new posts, As a result of the allocation, a record number of cases could be handled in 2013.

EIB-CM staffing at 31.12.2013:

- Head of Division
- 1 Senior Advisor (part-time external)
- 5 Case Officers (one being the Deputy Head of Division)
- 1 Mediation Officer
- 1 Senior Officer Communication & Outreach
- 3 Assistants

² within well-established criteria (in some of the cases when the Bank’s decision has not yet been taken)

European Ombudsman

The EO closed six cases in 2013 that had been brought against the EIB in prior years, all with no maladministration found. In one case a “further remark” was made and in three cases the EO specified that there were no grounds for the complaint as the EIB had undertaken steps to address the relevant issues.

The outcome of EO cases against the Bank and closed between in 2011 and 2013 is summarised in the Table below.

EO's Conclusion	2011	2012	2013
Maladministration by the EIB (critical remarks ³)	-	-	-
Recommendations / further remarks ⁴ to the EIB	-	-	1
No maladministration by the EIB	-	1	5
Case dropped by the complainant		1	
Simplified telephone procedure (settled by EIB)	2	1	
Total	2	3	6

In 2013 a new complaint was brought against the EIB to the EO in an escalation of a previous complaint with the EIB-CM, concerning the alleged EIB's breach of the applicable regulatory framework (Aarhus) regarding the pro-active dissemination of environmental information of a project in Ukraine.

Outlook

A formal review of the EIB-CM policy and procedures – EIB-CM Principles, Terms of Reference and Rules of Procedures, and Operating Procedures is planned for 2015. This process will include a public consultation process.

In the work and the activities of the EIB-CM the trend of increasing numbers and ever greater complexity of cases can be expected to continue. Also, the number of cases where projects are co-financed by more than one Multinational, or bi-lateral, Financial Institution may increase. It is worth emphasising that, as part of the IAMs' network, the EIB-CM is not only participant, but notably driver, of agreements, 'principles', for cooperation among IAMs and for inclusion of 'Citizen-driven' accountability mechanisms of other, multilateral and bi-lateral financial institutions⁵ to better answer to challenges of this kind.

Also the higher degree of complexity of financing products, the delegation of accountability and safeguard roles of the IFI to intermediating entities in the public as well as in the private sector, is expected to provide further challenges. This will notably be a driver for a possible step-change in the functioning and activities of the IAM from reactive to pro-active research as e.g. the seminal publication of the *CAO's Audit of a Sample of IFC Investments in Third-Party Financial Intermediaries* in February 2013.

³ *Critical remark*: synthetic expression of the EO's criticism in decisions acknowledging the maladministration committed by the institution/body complained against.

⁴ *Further remark*: (in case of no maladministration) indication of good practices to the institution/body complained against with a view to enabling it to enhance its culture of service, thus preventing further escalation of complaints to the EO.

⁵ The 'Principles for Cooperation among Independent Accountability Mechanisms (IAMs)' and 'Basic criteria for participation in the IAM network' both adopted in the IAM AGM in Washington in 2013.

4. EXAMPLES OF CASES

Cases closed in 2013

Réseaux ferroviaire rapide, Tunisia

In 2013, the EIB-CM closed a complaint concerning the unfair handling of the procurement procedure regarding the Réseaux ferroviaire rapide in Tunisia. The case was complex as the operation was co-financed with KfW and AFD. A mutual reliance agreement for the contested operation was in place and the EIB did not exercise the role of lead financier. The inquiry of the EIB-CM showed that the contested procurement procedure was not compliant with EIB standards in the field of procurement; the EIB-CM also took note of the fact that the operational services finally considered the contested lot (and an additional one pertaining to the contested procurement procedure) as not eligible for EIB financial assistance. As a result, the EIB-CM did not detect any maladministration and emphasised the prompt reaction of EIB to the EIB-CM inquiry and its analysis of the management of the contested procurement.

Corridor V C-Second Phase section Vlakovo-Lepenica, Bosnia and Herzegovina

In this complaint regarding the Corridor V C-Second Phase section Vlakovo-Lepenica in Bosnia and Herzegovina, the complainant alleged that it had lost its bid to another construction company only because it had applied a different method for the construction of road viaducts, a method which had not been precluded in the Tender Documentation (TD), and despite the fact that it had offered an 11.6% (some EUR 18m) more economical bid. On the basis of its finding that there had been ambiguities in the TD, the EIB-CM recommended that, the Bank review its position regarding its decision to not-object to the outcome of the bidding procedure that the company complained against with a view to ensuring that the funds are used in the most economic, fair, transparent and efficient possible way, and in accordance with the provisions of the EIB Guide to Procurement (GtP).

TES Thermal Power Plant, Sostanj, Slovenia

Three complaints were brought against the EIB regarding the alleged negative impacts off the TES Thermal Power Plant, project, in Sostanj, Slovenia, against the economic & financial viability of the project, the procurement and environmental aspects of the project.

Concerning the economic feasibility of the project, the EIB-CM recommended that the EIB operational services pro-actively engage in the monitoring of the Project's compliance with the Finance Contract and that the EIB operational services shall ensure an improved and systematic communication on profitability figures of the project to the EIB Board of Directors, as key element for the decision-making process of the Bank.. In aside-letter to the Finance Contract, dated 25 February 2013, the specifically commits to comply with the conditions of the Slovenian State Guarantee legislation (the national regulatory framework on the expected rate of return on investments)

Concerning the procurement, the inquiry of the EIB-CM showed that the Complainants had lodged an identical case with the EC concerning the project's failure to comply with EU law in the field of procurement and that the EC had dismissed the substance of the Complainant's case.

The inquiry of the EIB-CM into the environmental allegations against the TES Thermal Power Plant is ongoing, following further correspondence/allegations from the complainant.

Municipal and regional Infrastructure, Serbia

The EIB-CM received two complaints concerning alleged unfair treatment of two occupants of private apartments during the works of reconstruction of the students' dormitory "Patris Lumumba" in Belgrade. The EIB-CM engaged in a mediation process between the occupants of the apartments and Serbian authorities responsible for the project.

An agreement was reached with one of the occupants whereby the Serbian authorities committed to compensate the damage (both material and non-material) suffered as a result of the works on the EIB-financed project while the complainant accepted to permanently leave the apartment without any further financial claims.

It was not possible to reach a mediation agreement with the second complainant and the EIB-CM proceeded with the compliance review of the project. The compliance review found that the risks and adverse impacts of the concerned sub-project had not been adequately identified and thus avoided/mitigated. Therefore, the EIB services and the Promoter agreed to develop an action plan to strengthen the Project Management Unit (PMU) and to ensure compliance with the contractual agreements, notably as far as operation, composition, scope and working methodology of the PMU were concerned, as well as coordination of the Technical Assistance by the PMU.

Given the identified non-compliance, the EIB accepted the Promoter's proposal to withdraw the sub-project Reconstruction of the Students' Dormitory Patris from the list of projects financed under the Municipal and Regional Infrastructure Loan

Rivne-Kyiv High Voltage Line, Ukraine

On 5 July 2012 the EIB-CM received a complaint concerning the Rivne-Kyiv High Voltage Transmission Line Project. The Bank approved a EUR 150 million loan to finance the Project in July 2007, and the Finance Contract was signed with the Ukraine Government in October 2008.

The complaint consisted of two main allegations: (i) the failure of the EIB to comply with its own Project Cycle for projects located outside the EU, and (ii) the failure of the Bank to provide reliable and updated access to environmental information.

The EIB-CM concluded that there had been no maladministration, but recommended that the Bank ensures that Environmental Impact Assessments (EIA) are carried out in compliance with EU Directives and that relevant information is uploaded on the EIB web-site and that the Bank in general regularly updates Environmental Information on its web-site.

ICL, Spain

This complainant, in the context of a EUR 100 million loan for R&D activities to ICL, concerned ICL's activities in Spain, mainly the extraction, processing and marketing of potassium chloride and sodium carried out by its subsidiary, Iberpotash. The Bank had allocated EUR 10.8 million from the total loan amount to finance Research, Development and innovation activities to be carried out in Súrria.

The assessment of the EIB-CM focused on the complainant's allegations that the Bank had failed to ensure that the operations of Iberpotash meet the EU environmental regulations and was broken down in (i) the Bank should not have renounced to carry out the environmental due diligence of this project given the significant environmental impact of Iberpotash' activities; (ii) the activities of Iberpotash in Spain have a major environmental impact that the company will never be able to resolve, challenging the potential positive environmental aspects of the expansion and modernization plans of the company.

The EIB-CM concluded that the Bank had analysed the environmental aspects related to the ICL loan at the time of the appraisal, in general, as well as to the allocation made to Iberpotash. Although Iberpotash' core activities do have an impact on the environment, the EIB-CM welcomed the Bank's efforts to explore new processes that would i.a. contribute, amongst other objectives, to improve the impact of the project on the environment. Given the environmental sensitivities of activities conducted at the Súria site, the EIB-CM recommended the Bank to carry out a site visit to complement the monitoring of the project component in Súria.

Bujagali Mediation, Uganda

As part of a comprehensive catalogue of allegations from 4 international NGOs and legal representatives of locally affected people, received by the EIB-CM in 2009 on the Bujagali Hydroelectric Power project (2007) the EIB-CM concluded in 2012 that regarding the complaints on the issue of compensation and/or reparation of the effects of rock blasting in the river bed of the River Nile, there would be room for dialogue facilitation and/or mediation. The EIB-CM offered the facilitation of a Mediation process, bringing affected peoples and project stakeholders round a table with Mr. Alex Muhweezi of Future Dialogues International Ltd as an independent Mediator. The Mediation process was initiated in March 2012 with to obtain fair and reasonable reparation and/or compensation for justified complainants that would be acceptable for all the Mediation Parties:

The Mediation process concluded on 7 May 2013 that complainants with cracks on buildings that satisfy the criteria agreed by the Mediation Parties, would be eligible for settlement of the damages "in kind", i.e. in the form of repairing cracks on the buildings. The Government of Uganda approved a budget for supporting repairs and corresponding agreements were signed by the Parties i.a. to extend the process to ensure that the implementation of Mediation outcome would be completed. The EIB-CM is currently facilitating and monitoring the implementation of the Mediation agreement.

This Mediation process constituted an important milestone in the dispute management for the Bujagali Hydro Electric Power project and for Uganda. Mediation assures the "ownership" of the solution by the stakeholders as it involves them directly and actively as partners in the Mediation. This pioneer process in Uganda addressed a potentially delicate dispute.

EIF Jeremie, Slovakia

In this EIF Jeremie⁶ case, the complaint concerned the alleged unprofessional handling and communication by the EIF's representatives of the expression of interest submitted for the Call No. JER 005/2.

The EIB-CM found that the EIF had acted in accordance with its normal business practice and that the EIF's assessment of the complainant's proposal was consistent throughout the whole process. However and in line with previous recommendations suggesting formal safeguards in the communication with applicants for selections processes as JEREMIE's, the EIB-CM recommended that the EIF should avoid, wherever possible, any informal communication with applicants and that any communication with applicants be in a form of a standard template which is reviewed and approved internally.

Poland Motorways

The complaint concerned the allegation that part of the land for the motorway A2 sections Swiecko- Nowy Tomyl and for the A4 section Zgorzelec-Krzyżowa had been illegally expropriated without compensation and that national and EU environmental law had been breached in several instances. This should have led to the cancellation of the project development consent. The EIB-CM undertook an extensive review of the comprehensive documentation provided by the complainant, also with the help of external and specialised

⁶ Joint European Resources for Micro to medium Enterprises.

legal advice regarding the compliance with the national law, and concluded that the complainant's allegations were not grounded.

Guipuzkoa Waste Management, Spain

This complaint was brought against the EIB by Greenpeace Spain regarding the Gipuzkoa Waste Management Project. The complainant alleged (i) Non-compliance with EU law and in particular with Directive 2008/98/CE as well as with the waste hierarchy principle; (ii) Non-compliance with Gipuzkoa Integral Waste Processing Plan (2002-2016) (PIGRUG); (iii) Failure of considering alternatives such as door to door, selective waste collection, waste recycling and composting; (iv) Over-estimation of quantities of waste to be incinerated; (v) non-economic viability of the project; and urged the Bank to reconsider its decision with regard to the financial analysis but also with regard to the social and environmental implications enshrined by the Equator Principles.

The EIB-CM concluded that, in deciding to finance this project, the EIB had acted fully according to its mandate and had properly assessed compliance with applicable laws, regulations and policies. In terms of potential areas for improvement it seemed that the Project WtE (Waste to energy) and MBT (Mechanical and Biological Treatment) plants were dimensioned with a relatively large safety factor in view of project forecasts. The need to continuously supply these plants with homogeneous waste might potentially conflict with the waste recycling objectives, unless properly managed. Also, the proposed size of composting plants at the time of the appraisal could be seen as being too small for industrial biological processing.

In May 2013, the Provincial Government informed the Bank that it will not go ahead with the Project. In this context, the EIB-CM report presents its Finding and Conclusions regarding the project as approved by the Bank, but without Recommendations.

Cairo Metro Line, Egypt

In November 2012, the EIB-CM registered a complaint from residents raising objections to the construction works related to the expansion of the Cairo Metro Line in the Zamalek Island, Cairo, Egypt from 33 complaints. The project consists of the expansion of the existing metro line of Cairo. Phase 3 of this expansion involves the construction of 17.4 km of railways, and 15 stations. The design of the metro line includes a station in the Ismail Mohamed Street, in the Northern part of the Zamalek Island. The promoter of the project is the National Authority of Tunnels (NAT), a public sector company under the responsibility of the Ministry of Transport.

In its Initial Assessment Report (IAR), after an on-site fact finding mission in September 2013, the EIB-CM concluded that design alternatives have been fully considered by the project promoter, the reasons for the choice of the current design clearly communicated and public consultation was in line with Bank's policies. In this context, the EIB-CM proposed to appoint a professional, independent, mediator to facilitate the discussion of the issues raised between the complainants and the Promoter. This proposal was refused by the complainants.

In parallel and in terms of way forward, the EIB-CM recommended that (i) NAT puts in place an effective and equitable grievance mechanism that will enable NAT to assess and manage potential complaints and concerns that might arise in future; (ii) in line with international best practices, NAT ensures that a full ex ante building survey is carried out and a register of buildings along the metro line is established, as is mentioned in the ESIA. These recommendations have been agreed at service level and are currently being implemented by the services in close cooperation with the EIB-CM.

Cases on-going

Valencia Centros Escolares, Spain

On 13 April 2012 the EIB-CM received a complaint concerning the Valencia Centros Escolares project, “Crea Escola”, an investment programme of the Valencia regional Government for building new schools or for rehabilitating existing ones for primary education in the Valencia region. The programme was due to be implemented by December 2013 and was supported by the Bank in 2005 respectively 2007. Mainly due to budgetary constraints of the promoter, the implementation of the “Crea Escola” programme is experiencing delays with, as a result, more than 100 out of the 400 schools originally planned, not being built within the expected timeframe. The Complaint was brought by the Parents’ Association of one of the schools and by the end of 2013, the Bank had received two additional complaints from the Parents Association of two other schools and 4 more complaints were received in early 2014.

The complaints of the various parents’ associations concern mainly the appalling current state of educational facilities, including, i.a., buildings that are overdue for renovation and modernisation, the continued use of prefabricated modules as classrooms, limited space to host a growing student population and absence or too small common recreational areas. The Complainant requested details of the implementation of the “Crea Escola” programme and challenged the EIB lending operations notably regarding the monitoring of the loans and the use of funds by the promoter.

In order to assess progress with the project implementation, the realised investment cost and planned investments for project completion, a monitoring mission had been conducted in July 2012, engaging an expert to help in providing a full report on the local situation. As a result of this visit, the EIB-CM recommended that the promoter prepare an action plan for a number of critical school sub-projects and present this to the EIB in the context of the implementation of the Bank loan. Based on these findings, the EIB-CM concluded in February 2013 in its report on the first complaint, that the EIB should consider conducting a full and detailed assessment of the “Crea Escola” project in the near future.

The EIB-CM received several similar complaints during 2013 and given the sensitivity of the issue related to public primary education the EIB-CM conducted a fact finding mission to Valencia to meet with the major stakeholders, the Complainants, the Promoter, the federation of parents’ associations and the regional ombudsman, in December 2013. During this mission, the EIB-CM emphasised the need to develop a realistic Action Plan to address the needs of the schools as well as the need to establish an appropriate communication strategy on the prioritisation of the investments and the calendar of implementation of the works.

Ambatovy Nickel Mining, Madagascar

This complaint concerns the Ambatovy Nickel Mine project in Madagascar, the development, construction and operation of a Nickel mine with associated infrastructure and processing plants. The project foresees the production of some 60 000 tonnes of LME grade 1 nickel and 5 600 tonnes of cobalt metal per year, which makes it one of the largest nickel mining and processing developments in the world. The project consists of five components: Mine Site, Slurry Pipeline, Process Plant and Port Expansion.

In relation to Process Plan component, the complainants alleged: (i) that the project had a negative impact on the population of bees in the area of the project, leading to a serious economic impact; (ii) failure to ensure that the operations of the Ambatovy Nickel Project comply with the EIB environmental regulations; (iii) failure to ensure that the operations of the Ambatovy Nickel Project comply with the EIB regulations regarding Community Health and Safety; and the (iv) failure to ensure the compliance with the Resettlement Action Plan (RAP)

The EIB-CM conducted a first fact-finding mission in November 2012. Given the complexity of the issues under discussion, the EIB-CM is at the stage of collecting and analysing the relevant information. An Initial Assessment Report was under consultation at the end of the reporting period.

Canal Extension, Panama

On 27 March 2011, Panamanian NGOs brought a complaint to the EIB-CM regarding the Panama Canal Expansion project in Panama, which the EIB is part financing. The complaint was lodged with a number of Independent Accountability Mechanisms of peer Financial Institutions of the EIB, i.a. the JBIC Panel of experts and the IDB MICI and IFC CAO. The complainants raised concerns regarding the design of the project, the environmental and social impacts, and the failures to properly evaluate the seismic risk and alleged that the project promoter was acting in breach of the EIB Statement of Environmental and Social Principles and Standards.

During the Initial Assessment phase, which included a fact –finding mission, the EIB-CM has identified the areas for further action, and a full investigation was performed in September 2013 in coordination with JBIC and with IDB Independent Review Mechanism (IRM). The final Conclusions Report is currently being written.

At the initiative of JBIC Independent Environmental Examiners a “dialogue between the parties” took place in December 2013, with the participation of the promoter, complainants, IADB IRM and EIB-CM

Mariscina, Croatia

This is a complaint brought to the Bank on 1 March 2013 by the NGO Udruga Krizni Eko Stožer Marišćina (KESM) against the scheme "County Waste Management Centre Marišćina" located in the hills above Rijeka and the Municipality of Viškovo in the County of Primorsko-Goranska, Croatia, funded –indirectly- by the EIB under a Framework Loan agreement with the Croatian Ministry of Finance (2010). The complaints concern the application of an outdated waste management technology, an inadequate implementation of the project, failure to properly implement project parameters as foreseen for the project and inadequate disclosure of the ultimate project cost its financing and its definition. The EIB-CM fact-finding mission took place in December 2013

European Ombudsman cases

Kyiv High Voltage Line, Ukraine

Case OI/3/2013/MHZ, regarding the Kyiv High Voltage Line, constitutes the first application of the EO's commitment, established by the MoU, to open an own initiative on complaints against the EIB raised by individuals which are not EU citizens and do not reside in the EU. The case concerns the alleged breach of the regulatory applicable framework given the insufficient pro-active dissemination ensured by the EIB.

On 11 November 2013 the EIB replied to the EO's request for opinion. At the end of the reporting period the case was still ongoing, even though the EIB has meanwhile published its Public Register of Environmental Information since January 2014

Bujagali Dam

On 15 November 2011 the NGO Counter Balance brought a complaint with the European Ombudsman concerning the *handling process* of the Bujagali Dam complaint case. In its decision of 25 September 2013, the EO concluded on the allegation **1**) that the EIB failed to finalise the assessment of a complaint and related claim within a reasonable time, that there are no grounds for further inquiries and **2**) on the allegation that the EIB had wrongly continued to finance the project despite the lodging of a complaint,

that there had been no maladministration as the complainants had not demonstrated that the EIB had acted wrongly by not suspending its financing of the project while it was examining the complaint.

Torun Bridge, Poland

On 19 February 2013 the EO concluded that there had been no maladministration in the Bank's handling of the complaint on a breach in the EU law and unnecessary slicing up of the Torun Bridge project in order to avoid a perception of environmental aspects for an EIA. The complaint had been escalated to him in 2012. The EO did accompany his conclusion with a further remark that the EIB-CM could consider providing reason for any delays in the complaint handling when communicating that there will be a delay to the complainant.

Educational Allowances

A retired employee of the EIB brought a case against the EIB before the EO, alleging the EIB's unlawful deduction of part of the education allowances for the complainant's children. In its decision of 17 June 2013, the EO concluded that there had been no maladministration by the Bank and welcomed the EIB's readiness to continue its efforts to strengthen inter-institutional co-operation with CEDIES⁷ and to inform its present and former staff accordingly.

⁷ The Luxembourg authority for financial assistance for higher education students

5. INSTITUTIONAL COOPERATION

Since the 1992 Rio Conference - the "Earth Summit" - International Financial Institutions (IFIs) have established Independent Accountability Mechanisms (IAMs) as part of their governance structures. Most of these IAMs vary in their size, scope, and structure, but their shared underlying *raison d'être* is to provide recourse for citizens and communities adversely affected by IFI-funded projects, particularly in instances when IFIs are alleged to have failed to follow their own social and environmental safeguard policies, guidelines, standards, or procedures, the so-called 'Citizen-driven Accountability'. Moreover, the IAMs have formed a network for exchanging and sharing knowledge, experiences and challenges, seeking to identify and promote ways and means for cooperation within their respective mandates, to contribute to the regular exchange of ideas and best practices, and to assist with institutional capacity-building in accountability as components of corporate governance. The IAM Network was established in Washington, D.C. in May 2004 and grown to 16 members.

The EIB-CM has been a member of the network since 2007 and the EO joined in 2010. The network interacts on a continuous basis and holds annual meetings alternatively in the respective head-quarter cities of the IFI and its relevant IAM.

In 2013, the 10th annual meeting of the IAMs was held in Washington DC, hosted by the World Bank's Inspection Panel, combined the 10th annual IAM meeting with its own 20th anniversary. This 20th anniversary was celebrated publicly in an event chaired by WB-IP chair Eimi Watanabe with key-note addresses of retired US House Representative Barney Frank (one of the primary promoters in US Congress for the creation of the Inspection Panel in the 80s/90s⁸) and WB President Jim Yong Kim. This public event further consisted of a panel discussion with international (Cambodia and Congo) and local Civil Society, IAMs' representatives and the World Bank board and senior management before an audience of a wide spectrum of stakeholders, activists, academe, politicians, students and representatives of IAMs.

During the IAMs AGM, a set of basic criteria for participation in the IAM network was agreed, describing a simple process through which *citizen-driven complaint and response mechanisms; operating at the international level; for a publicly held institution which finances or supports development-related activities; which is operationally independent; and considers social and environmental impacts/concerns*, may join the existing IAM network and participate in its Annual Meetings. Secondly the Principles for Cooperation among IAMs were agreed to advance opportunities for IAMs to cooperate with each other within their respective mandates. This cooperation is intended to enhance the effectiveness and efficiency of the work of the IAMs and of citizen-driven accountability as a foundation for their work

⁸ At the time of the capital increase debate in the US House of Representatives.

6. OUTREACH

The EIB-CM regularly organises Outreach meetings and events in Luxembourg and Brussels and participates in outreach events organised by peer IAM organisation as/when appropriate. The objective of the EIB-CM outreach is to increase awareness of EIB-CM, internally and externally and builds on the existing profile. Internal outreach included new staff, through the compulsory EIB Control Mechanisms' course for all newcomers. For existing, longer serving, staff, ad-hoc outreach events are organised on specific themes and with invited speakers/presenters. Other internal outreach events can be Specific Directorate's awareness raising seminars on the EIB-CM.

The IAM Annual General Meetings are combined with awareness raising events for the Civil Society and academia. These events, at the headquarters of the IAM hosting the AGM in any given year, create opportunities for the IAMs, Civil Society and Academia to meet, discuss and network beyond the normal boundaries and geographical focal areas of all three groups. In 2013, in Washington, the IAMs met with US Congresswoman Nancy Pelosi as honorary key-note speaker for a dinner, hosted by the 'Bank Information centre', a key Civil Society Organisation and "a watchdog group for the World Bank", and the World Wildlife Fund. In addition, a number of Civil Society Organisations had organised a meeting entitled "*A Conversation with IAMs about the Promise of Remedy and Accountability*" chaired by Professor David Hunter, of the American University in Washington DC, Natalie Bridgeman Fields, of the 'Accountability Counsel' and Kristen Genovese of the Centre of International Law (CIEL), with the IAMs present in Washington for the Annual General Meeting.

In September 2013 the EIB-CM participated in a Transparency International's Climate Finance Integrity Talks event in Warsaw, an event that was set up to prepare the path for the establishment of grievance mechanisms in the context of the various developing Climate Change international funds and organisations and TI's ongoing efforts to promote greater transparency, integrity and accountability for the effective use of climate finance.

In November/December 2013 the EIB-CM accompanied two working groups in a Master's program "Applied Ethics" at the Utrecht University in the Netherlands. Interesting awareness raising and insights into the material presented as well as the EIB, its CM as well the students' and faculty approach were gained in this process which is envisaged to be continued on a case-by-case basis as the opportunity may present itself.

During the year further contacts were established with ACCESS, an international grievance mechanism mapping project which intends to assemble basic and practical information about non-judicial grievance mechanisms, specifically in the context of company-community conflicts in one single online platform and with SOMO, Stichting Onderzoek Multinationale Ondernemingen, (Centre for Research on Multinational Corporations), of the Netherlands, an independent, non-profit research and network organisation, working on social, ecological and economic issues related to sustainable development. Further networking possibilities were exploited with i.a., Amnesty International Brussels, the Quaker Organisations' Council for European Affairs and the European Peacebuilding Liaison Office (EPLO) in order to include these CSO in the EIB-CM regular Outreach meetings.

In 2013 the full EIB-CM Website was finalised (www.eib.org/complaints) and made available to the public; ongoing cases are being up-loaded.

As part of internal outreach, the EIB-CM regularly makes presentations for new and existing staff, often at the specific request of the Directorates. It also actively participates in internal work groups such as the Environmental Assessment Group, Social Working Group, Human Rights Working Group, Procurement, Transparency and Corporate Responsibility.

Annex: List of cases

ANNEX I – LIST OF CASES

(As of 31/12/2013)

Cases Open

Cases Closed

FORMAL COMPLAINTS DEALT WITH IN 2013

Environmental and social impacts and governance aspects of financed operations

Reference	Project	Country	Received	Work performed						Recommendations	Closed/Status	Outcome
				Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up			
SG/E/2010/05	Gipuzkoa waste Management Project	Spain	06/07/10	✓	✓		✓	✓				
SG/E/2011/02	TEŠ	Slovenia	28/02/11	✓	✓		✓					
SG/E/2011/03	Subconcessao Pinhal Interior	Portugal	04/03/11	✓	✓	✓						
SG/E/2011/05	Panama Canal Expansion	Panama	28/03/11	✓	✓	✓	✓					
SG/E/2011/09	KTK Motorway PPP - Greece	Greece	18/05/11	✓	✓			✓		✓	Areas for improvement	
SG/E/2011/11	Belgrade By-Pass	Serbia	23/09/11	✓	✓		✓					
SG/E/2011/12	Roads Rehabilitation VI	Romania	30/09/11	✓	✓			✓		✓	No grounds	
MC/E/2011/13	NFC Forestry Project	Uganda	20/10/11	✓							On hold	
SG/E/2011/14	Municipal and Regional Infrastructure Loan	Serbia	27/10/11	✓	✓	✓	✓	✓		✓	Friendly solution.	
SG/E/2012/01	Autoroute Sfax-Gabes 2007-0491	Tunisia	13/02/12	✓		✓	✓	✓		✓	No grounds	
SG/E/2012/02	Municipal and Regional Infrastructure Loan	Serbia	01/03/12	✓	✓	✓	✓					
SG/E/2012/03	Waste Disposal Plan t2005-0579	Croatia	14/03/12	✓						✓	Withdrawn by complainant	
SG/E/2012/05	Valencia Centros Escolares 2004-0726 and 2006-0215	Spain	13/04/12	✓	✓			✓		✓	Areas for improvement	
SG/E/2012/06	Eastern Poland Roads Ten-T 2011-0362	Poland	02/05/12	✓	✓			✓		✓	Areas for improvement	
SG/E/2012/07	Larnaca Sewerage and Drainage I	Cyprus	21/05/12	✓	✓	✓	✓	✓				
SG/E/2012/08	Rivne-Kyiv High Voltage Line 2006-0447	Ukraine	06/07/12	✓	✓			✓		✓	Areas for improvement	
SG/E/2012/09	Poland Motorways 2005-0428	Poland	09/05/12	✓	✓			✓		✓	No grounds	

Reference	Project	Country	Received	Work performed						Recommendations	Closed/Status	Outcome
				Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up			
SG/E/2012/10	DTS Expressway Poland	Poland	12/07/12	✓	✓			✓				
SG/E/2012/11	ICL Specialty Chemicals R&D 2009-0479	Spain	19/10/12	✓	✓		✓	✓		✓	✓	Areas for Improvement
SG/E/2012/12	Cairo Metro Line 3 (Phase 3)	Egypt	05/01/12	✓	✓		✓					
SG/E/2012/13	Transit Roads V Lot 17	Bulgaria	14/12/12	✓	✓							
SG/E/2012/14	N11-N7 Motorway PPP 2009-0577	Ireland	07/12/12	✓				✓			✓	No grounds
SG/E/2013/01	Mariscina County Waste Management, framework loan "Co-financing EU IPA ISPA 2007-2011" - 2011-0486 - 2010-0280	Croatia	06/03/13	✓	✓		✓	✓				
SG/E/2013/02	Belgrade By-Pass -2006-0385	Serbia	22/03/13	✓	✓	✓	✓					
SG/E/2013/03 Confirmatory	Terminal Contenedores Cadiz - 2010-0591	Spain	16/07/13	✓	✓			✓			✓	No grounds
SG/E/2013/04/PR	Mauritius Waste Water	Mauritius	17/07/13	✓							✓	Prevention
SG/E/2013/05	Valencia Centros Escolares II - 2 2006-0215	Spain	05/08/13	✓	✓		✓					
SG/E/2013/06	Secondary and Local Roads Programme – 2007-0519	Albania	03/09/13	✓	✓							
SG/E/2013/07	Valencia Centros Escolares El Bracal	Spain	04/09/13	✓	✓		✓					
SG/E/2013/08/PR	Medio Ambiente Water Infrastructure - 2012-0423	Spain	09/10/13	✓							✓	Prevention
SG/E/2013/09	Puerto Sevilla - 2005-0115	Spain	16/07/13	✓	✓			✓				
SG/E/2013/10	Railroad Gilje-Paracin	Serbia	22/10/13	✓							✓	Withdrawn by complainant
SG/E/2013/11	Electricity Network Upgrading - 2005-0462	Gaza West-Bank	24/10/13	✓	✓		✓					
SG/E/2013/12	Castor Underground Gas Storage	Spain	04/12/13	✓								
SG/F/2012/01	Thermal Power Plant Sostanj	Slovenia	09/01/12	✓	✓		✓	✓		✓	✓	Areas for improvement
SG/F/2012/02	Clinical Centers Rehabilitation Project	Serbia	21/05/12	✓	✓			✓			✓	No grounds
SG/F/2012/03	Autoroute Sfax-Gabes	Tunisia	04/04/12	✓		✓						
SG/F/2012/05/PR	Igape Loan SMEs & Galicia Automotive	Spain	22/08/12	✓				✓			✓	Prevention
SG/F/2012/06	Professional harassment	Azerbaijan	27/11/12	✓				✓			✓	Withdrawn by complainant

Reference	Project	Country	Received	Work performed						Recommendations	Closed/Status	Outcome
				Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up			
SG/F/2013/01	Sulina Canal Bank Protection - 2000-0540	Romania	30/04/13	✓	✓							
SG/F/2013/02	Poor level of response	UK	21/05/13	✓							✓	Friendly solution
SG/F/2013/03	Feasibility Study & Designs	Georgia	17/05/13	✓	✓							
SG/F/2013/04	Voiries Prioritaires V - 2007-0119	Tunisia	24/06/13	✓								
SG/F/2013/05	Roads Rehabilitation VI - 2003-0153	Romania	21/06/13	✓							✓	Withdrawn by complainant
SG/F/2013/06	North East Finance Limited	UK	18/11/13	✓				✓				

Administrative governance issues

Reference	Project	Country	Received	Work performed						Recommendations	Closed/Status	Outcome
				Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up			
SG/G/2010/04	Africap Investment Fund - Mozambique	Regional-Africa	01/12/10	✓	✓	✓	✓					
SG/G/2013/01/PR	Renewable Energy Lebanon	Lebanon	07/06/13	✓							✓	Prevention
SG/G/2013/02	Erroneous phone number	Luxembourg	18/06/13	✓	✓			✓			✓	Friendly solution
SG/G/2013/03	Application EIB Prize	Germany	31/07/13	✓				✓			✓	No grounds
SG/G/2013/04/PR	Solar Plants Croatia	Croatia	02/09/13	✓							✓	Prevention
SG/G/2013/05 Confirmatory	Erroneous phone number	Luxembourg	03/12/13	✓	✓			✓			✓	No grounds

Procurement

Reference	Project	Country	Received	Work performed						Recommendations	Closed/Status	Outcome
				Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up			
SG/P/2010/08	Road Rehabilitation - Bosnia Herzegovina	Bosnia and Herzegovina	10/08/10	✓	✓			✓			✓	No grounds
EIF/P/2011/01	JER-002/2	Ireland	11/11/11	✓	✓			✓		✓	✓	Areas for improvement
SG/P/2011/01	Moldova European Roads	Moldova	03/02/11	✓	✓			✓			✓	No grounds
SG/P/2011/08	Réseau Ferroviaire rapide	Tunisia	27/05/11	✓	✓			✓			✓	Friendly solution
SG/P/2011/11	Corridor X E-80	Serbia	15/11/11	✓				✓			✓	No grounds
EIF/P/2012/01	JER 005/2-03 Jeremie	Slovakia	20/07/12	✓	✓			✓		✓	✓	Areas for improvement
SG/P/2012/01	TES-Thermal Power Plant Sostanj - 2006-0319	Slovenia	09/01/12	✓				✓			✓	No grounds
EIF/P/2012/02	JER 005/2-02	Slovakia	10/10/12	✓	✓			✓		✓	✓	Areas for improvement
SG/P/2012/02	Larnaca Sewerage and Drainage I - 2006-0155	Cyprus	13/02/12	✓				✓			✓	Withdrawn by complainant
SG/P/2012/03/PR	Rail Rehabilitation	Turkey	15/03/12	✓								
SG/P/2012/05	Valencia Centros Escolares II - 1 and II-2 2004-0726 and 2006-0215	Spain	13/04/12	✓				✓			✓	No grounds
SG/P/2012/07	ONEE - Projet Eolien - 2012-0174	Morocco	28/06/12	✓	✓			✓		✓	✓	Areas for improvement
SG/P/2012/10	Corridor Vc and Corridor Vc first phase-North – 2009-0782 and 2007-0168	Croatia Bosnia and Herzegovina	07/09/12 21/09/12	✓							✓	Withdrawn by complainant
SG/P/2012/11	ONAS IV - 2004-0151	Tunisia	02/08/12	✓	✓			✓			✓	No grounds
SG/P/2012/13	Croatian Roads Rehabilitation II	Croatia	29/10/12	✓				✓				
SG/P/2012/16	Technopoles- 2004-0150	Tunisia	27/11/12	✓	✓			✓			✓	No grounds
SG/P/2012/17	Corridor Vc-Second Phase - 2008-0045	Bosnia and Herzegovina	04/12/12	✓	✓			✓		✓	✓	Areas for improvement
EIF/P/2013/01	WB EDIF/ENIF/2013	Croatia	04/10/13	✓	✓			✓				

Reference	Project	Country	Received	Work performed						Recommendations	Closed/Status	Outcome
				Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up			
SG/P/2013/01	Sorek Desalination Project - 2009-0589	Israel	13/01/13	✓	✓			✓			✓	No grounds
SG/P/2013/02	Railways Rehabilitation Project II - 2004-0338	Serbia	14/01/13	✓	✓			✓			✓	No grounds
SG/P/2013/03/PR	Corridor X (E-80) Motorway Phase I - 2008-0546	Serbia	13/02/13	✓							✓	Prevention
SG/P/2013/04	Water and Sanitation RS - 2008-0556	Bosnia and Herzegovina	19/02/13	✓	✓							
SG/P/2013/05	Railways Rehabilitation II - 2004-0338	Serbia	04/04/13	✓	✓			✓				
SG/P/2013/06/PR	South Lebanon Waste Water - 2002-0096	Lebanon	04/04/13	✓							✓	Prevention
SG/P/2013/07	Corridor X (E-80) Motorway Phase I - 2008-0546	Serbia	17/05/13	✓	✓							
SG/P/2013/08	Croatian Roads Rehabilitation II - 2004-0560	Croatia	10/05/13	✓				✓			✓	No grounds
SG/P/2013/09/PR	Hanoi Metro Line - 2009-0317	Vietnam	17/05/13	✓				✓			✓	Prevention
SG/P/2013/10/PR	Hanoi Metro Line - 2009-0317	Vietnam	27/05/13	✓				✓			✓	Prevention
SG/P/2013/11/INA	Sofia Municipal Waste Project - 2009-0313	Bulgaria	23/07/13	✓							✓	Inadmissible
SG/P/2013/12	Bursa Wastewater II - 2007-0513	Turkey	23/07/13	✓								
SG/P/2013/13	Electricity Transmission - 1991-2052	Egypt	06/08/13	✓								
SG/P/2013/14	Emergency Flood Relief and Prevention - 2010-0479	Bosnia and Herzegovina	18/09/13	✓	✓			✓				
SG/P/2013/15/PR	Hydro Power Plants Rehabilitation	Ukraine	11/10/13	✓				✓			✓	Prevention
SG/P/2013/16	Water and Sanitation RS - 2008-0556	Bosnia and Herzegovina	27/09/13	✓	✓							
SG/P/2013/17/PR	Water and Sanitation RS - 2008-0556	Bosnia and Herzegovina	19/09/13	✓							✓	Prevention
SG/P/2013/18/PR	Montenegro Water and Sanitation - 2005-0221	Montenegro	10/10/13	✓							✓	Prevention
SG/P/2013/19	Corridor Vc Section section Svilaj-Odžak	Croatia	21/10/13	✓								
SG/P/2013/20	TA - NRW	Seychelles	22/10/13	✓								
SG/P/2013/21	TA - NRW	Bulgaria	22/10/13	✓	✓			✓		✓		
SG/P/2013/22	Water and Sanitation RS - 2008-0556	Bosnia and Herzegovina	22/11/13	✓	✓			✓			✓	No grounds

Access to information

Reference	Project/Allegation	Country	Received	Work performed						Recommendations	Closed/Status	Outcome
				Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up			
SG/A/2013/01	Mopani Copper Project - 2004-0101	Zambia	24/06/13	✓	✓			✓				
SG/A/2013/02	Conquerors Christian Foundation-Brupay Venture	Nigeria	06/09/13	✓				✓			✓	No grounds
SG/A/2013/03	Lack/delays in sending booking doc. for complainant's accounting	UK	24/09/13	✓							✓	Friendly solution

Human Resources

Reference	Allegation	Country	Received	Work performed						Recommendations	Closed/Status	Outcome
				Assessment	Investigation	Mediation	Site visits	Consultation	Follow-up			
SG/H/2012/02	Taxation consultant	Australia	07/10/12	✓				✓			✓	Withdrawn by complainant
SG/H/2013/06	Job opportunities website issues	Italy	23/11/13	✓	✓			✓			✓	No grounds
SG/H/2013/01/PR	Technical problems with the EIB online recruitment application	Luxembourg	22/04/13	✓							✓	Prevention
SG/H/2013/02	Explanation refusal for not shortlisting for vacancy	Bulgaria	11/06/13	✓				✓			✓	Friendly solution
SG/H/2013/03	No EIB response to job applications	Sweden	30/07/13	✓				✓			✓	No grounds
SG/H/2013/04	No response to job applications.	Luxembourg	05/08/13	✓				✓			✓	Friendly solution
SG/H/2013/05	Application process	Portugal	28/10/13	✓	✓			✓			✓	No grounds

European Ombudsman

<i>Reference</i>		<i>Allegation</i>	<i>Date Received</i>	<i>Decision</i>	<i>Date decision</i>
EO/0015/2013/MHZ	Larnaca Sewerage and Drainage I	1 st allegation: Failure to respect deadlines for the handling of a complaint; 2 nd allegation: Failure to prevent the Promoter from pursuing an allegedly illegal project	09/01/13	1 st allegation settled; 2 nd allegation: insufficient grounds	20/03/13
EO/OI/3/2013/MHZ	Rivne-Kyiv High Voltage Transmission Line	Failure to pro-actively disseminate environmental information	27/06/13		
EO/0048/2012/MHZ	Torun Bridge	Alleged failure to comply with the EU and national environmental law	02/02/12	No instance of maladministration	29/08/13
EO/0526/2012/ER	EIB's education allowances	Non-compliance of EIB decisions concerning the education allowances of the complainant's children	13/04/12	No instance of maladministration on the EIB's part	17/06/13
EO/2271/2011/OV	Expatriation allowance	No compliance with EIB's expatriation allowance	06/12/11	The EIB has taken steps to settle the matter	27/09/2013
EO/2288/2011/MMN	Bujagali Hydroelectric Project	Alleged failure to finalise within a reasonable time the assessment of a complaint lodged by the complainants approximately two years ago. Alleged wrongly finance the project despite the on-going complaint, which rendered this complaint meaningless because the project is almost finished now. SG/E/2009/09 - Bujagali Hydroelectric Project.	08/12/11	There are no grounds for further inquiries as regards the first allegation and the related claim. No maladministration has been found as regards the second allegation.	25/09/2013
EO/2510/2011/CK	Failure to reply	Request for access to data	05/01/12	The EIB has settled the matter and thereby satisfied the complainant.	25/07/2013
EO/0863/2012/RA	Bielsko Biala Municipal Project	Refusal to provide public access to environmental information	22/05/12		

EDPS

<i>Reference</i>	<i>Allegation</i>	<i>Date Received</i>	<i>Decision</i>	<i>Date decision</i>
EDPS/2012/0778	Breach of the Regulation (EC) No 45/2001 on the processing of personal data by the Community institutions	05/12/12		



Contacts

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