COMPLAINTS MECHANISM

SG/E/2025/03

BOGOTÁ SUSTAINABLE TRANSPORT (COLOMBIA)

INITIAL ASSESSMENT REPORT

19 NOVEMBER 2025

SG/E/2025/03
bogotá sustainable transport (colombia)
Initial Assessment Report

Complaint confidential: No

External distribution

Complainant

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Inspector General
Relevant EIB services

Disclaimers

This report is based on the information made available to the EIB Group Complaints Mechanism up to July 2025.

In case of linguistic discrepancies, the English version prevails.

The EIB Group Complaints Mechanism

The EIB Group Complaints Mechanism (Complaints Mechanism) is a tool enabling the resolution of disputes if any member of the public feels that the European Investment Bank (EIB) might have done something wrong, that is, if it has committed an act of maladministration. The Complaints Mechanism is not a legal enforcement mechanism and will not substitute the judgment of competent judicial authorities.

Maladministration means poor or failed administration. It occurs when the EIB fails to act in accordance with a rule or principle that is binding upon it, including its own policies, standards and procedures. The concept of maladministration includes failure by the EIB to comply with human rights, applicable law or the principles of good administration. Maladministration may relate to the EIB Group's decisions, actions or omissions and may include the environmental or social impact of the EIB's projects and operations.

One of the main objectives of the Complaints Mechanism is to ensure the right to be heard and the right to complain. The mandate of the Complaints Mechanism includes the resolution of problems raised by complainants in cooperation with relevant internal and external stakeholders. Where possible, the Complaints Mechanism also actively promotes and supports local resolution efforts (for example, through project-level grievance mechanisms). For more information on the Complaints Mechanism please visit: https://www.eib.org/en/about/accountability/complaints/index.htm.

The Initial Assessment Report

The initial assessment generally aims to[1]:

- Clarify the concerns raised by the complainants and gain a better understanding of the complainants' position as well as the views of other stakeholders, whenever appropriate (e.g. project promoter, national authorities).
- Understand the validity of the concerns raised.
- Assess whether and how the stakeholders (e.g. the complainants, the relevant EIB Group project team and the project promoter) could seek resolution of the issues raised by the complainants.
- Determine if further work by the EIB Group Complaints Mechanism Division is necessary and/or possible (investigation, compliance review or collaborative dispute resolution between the parties) to address the allegation or resolve the issues raised by the complainants.

[1] As outlined under § 2.2 of the EIB Group Complaints Mechanism Procedures, available at: EIB Group Complaints Mechanism Procedures dated November 2018.

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GLOSSARY

EIB	European Investment Bank
EIB-CM	European Investment Bank Group Complaints Mechanism
EMB	Empresa Metro de Bogotá
FL	Framework Loan
IBRD	International Bank for Reconstruction and Development, part of the World Bank Group
IDB	Inter-American Development Bank
MDB	Multilateral Development Bank
ML1	Metro Línea 1 S.A.S

EXECUTIVE SUMMARY

This report presents an initial assessment of a complaint lodged with the Inspector General Directorate of the European Investment Bank (EIB or "the Bank") concerning the **Bogota Sustainable Transport Framework Loan** approved for financing by the Bank in 2018. The major scheme under the framework loan is the construction of Bogotá's first metro line being developed by Empresa Metro de Bogotá SA, a public company fully owned by the municipality of Bogotá.

The principal issues raised in the complaint concern two themes: (1) **economic displacement** and (2) **stakeholder engagement**.

With respect to **economic displacement**, the complainant alleges that project civil works have led to business disruptions, resulting in a significant loss of profit and high risk of insolvency. More specifically, the complainant considers that road closures and traffic congestion as of May 2024 have reduced client access to their shop leading to a reduction in sales, product maturation and the dismissal of employees. According to the complainant, project-affected business owners along Calle 72 have been excluded from the project's Resettlement Action Plan.

With respect to **stakeholder engagement**, the complainant considers that, as a project-affected business owner, they were inadequately informed and consulted about the risks and impacts of the project. While acknowledging that some degree of information was provided prior to the start of works, the complainant notes that this information did not make clear the nature and scale of project activities nor the duration of these proposed activities. The complainant also notes that a lack of, or delay in, receiving road closure and detour information further complicated client access to the shop.

Over the course of the initial assessment phase, and having conducted a review of the available information, the EIB Group Complaints Mechanism (EIB-CM) explored the suitability of dispute resolution as an appropriate option for resolving the complaint at issue. Among the primary considerations in determining whether a dispute resolution process is a suitable option for resolving a particular dispute is the willingness and interest of the parties to engage in said process. In this particular instance, this criterion has not been met.

The EIB-CM will therefore proceed with a compliance review of the issues as raised in the complaint.

1 PROJECT

1.1 On 17 July 2018, the European Investment Bank (EIB or "the Bank") approved financing of **Bogota Sustainable Transport Framework Loan** (FL) in Colombia in the amount of up to USD 480m[2].

1.2 The schemes under the FL[3] are expected to generate long-term benefits by improving public transport in Bogotá. They aim to improve access to services, markets and economic opportunities by generating travel time and travel cost savings; improved safety and reduced emissions of pollutants and greenhouse gases; better managed public spaces; and increase of overall user satisfaction with public transit, among other benefits.

1.3 On 5 February 2025, the EIB approved financing of **Metro Line One** (referred to in Spanish as Primera Linea del Metro de Bogotá — PLMB), the major scheme under the FL comprising a 24km long elevated metro with 16 stations, a depot and a supply of thirty trains ("the project"). The preparatory tasks included the preparation of the legal and technical framework of the project to multilateral development bank (MDB) standards, including environmental and social studies to accommodate the urban integration works, among others.

1.4 The project is being developed by Empresa Metro de Bogotá SA, a public company fully owned by the municipality of Bogotá (EMB or "the promoter"). The design, construction, operation and maintenance of the project will be carried out by Metro Línea 1 S.A.S (ML1 or "the concessionaire").

1.5 The project costs a total of USD 4.3bn and will be partly financed by further loans from the Inter-American Development Bank (IDB) and the International Bank for Reconstruction and Development (IBRD, part of the World Bank Group).

1.6 A first tranche of the EIB loan was signed on 6 August 2018 in the amount of USD 56m and a second, signed on 8 May 2023 in the amount of USD 50m[4]. As of the issuance of this report, the first tranche of USD 56m has been disbursed.

2 COMPLAINT

2.1 On 31 December 2024, a complaint was referred by the Fraud Investigations Division of the Inspectorate General Directorate to the EIB-CM in relation to the project (¶3.2). The complainant identifies themselves as a shop owner adversely affected by the project. Over the course of this initial assessment, the complainant has provided supplemental information via telephonic and written means.

2.2 The principal issues raised in the complaint concern two themes: (1) economic displacement and (2) stakeholder engagement.

2.3 With respect to **economic displacement**, the complainant alleges that project civil works have led to business disruptions, resulting in a significant loss of profit and high risk of insolvency. More specifically, the complainant considers that road closures and traffic congestion as of May 2024, have reduced client access to their shop leading to a reduction in sales, product maturation and the dismissal of employees. The complainant notes that client access by car is essential given their client demographic and product offerings.

[2] The EIB project summary sheet is available at: https://www.eib.org/en/projects/all/20170904.
[3] This includes, amongst others, the construction of the city's first metro line, the restructuring of some of the existing Bus Rapid Transit lines together with related infrastructure works and preparatory tasks.
[4] The first tranche relates to Bogota Metro Line 1, while the second relates to Bogota Metro Line 2.

2.4 According to the complainant, project-affected business owners along Calle 72 and adjacent areas have been excluded from the project's Resettlement Action Plan.

2.5 With respect to **stakeholder engagement**, the complainant considers that, as a project-affected business owner, they were inadequately informed and consulted about the risks and impacts of the project. While acknowledging that some degree of information was provided prior to the start of works, the complainant notes that this information did not make clear the nature and scale of project activities nor the duration of these proposed activities. The complainant also notes that a lack of, or delay in, receiving road closure and detour information further complicated client access to the shop.

2.6 In addition, the complainant alleges instances of non-compliance with the EIB Environmental and Social Standards, with particular emphasis on Involuntary Resettlement.

2.7 The complainant is requesting monetary compensation for the economic losses described above.

3 WORK PERFORMED

3.1 The EIB Group Complaints Mechanism Policy[5] and the EIB Group Complaints Mechanism Procedures[6] ("the Procedures") require the EIB-CM to carry out an initial assessment of the complaint[7]. The objectives of the initial assessment are to (i) clarify the concerns raised by the complainant to better understand the complainant's position as well as the views of other project stakeholders; (ii) understand the validity of the concerns raised; (iii) assess whether and how the project stakeholders could seek resolution of the issues under complaint; and (iv) determine if further work by the EIB-CM is necessary and/or possible in order to address the allegation(s) or resolve the issue(s) raised by the complainant (refer to page iii)[8]. This further work may include a compliance review or dispute resolution process. This report contains the results of the EIB-CM's initial assessment.

3.2 The complaint at issue, having been transferred by the Fraud Investigations Division of the Inspectorate General Directorate on 31 December 2024, was deemed admissible by the EIB-CM on 14 February 2025, following the receipt of some clarifying information from the complainant which confirmed fulfilment of the admissibility criteria. The registration of the complaint was communicated to the complainant via email on 27 February 2025.

3.3 Subsequently, the EIB-CM began exploring the suitability of dispute resolution as an appropriate option for resolving the complaint at issue. In doing so, the EIB-CM undertook numerous virtual conference calls with the complainant, the promoter and the project concessionaire (ML1) between March and July 2025. In addition, and as required by the EIB-CM Procedures[9], an initial meeting was carried out with the EIB relevant services on 13 March 2025, within 20 working days from notification of the complaint. This meeting was the first of a number of engagements with the EIB relevant services, including their participation in a number of calls involving the promoter and the concessionaire.

[5] Available at: EIB GROUP COMPLAINTS MECHANISM POLICY, § 4.2.1
[6] Available at: EIB GROUP COMPLAINTS MECHANISM PROCEDURES, § 2.1.3
[7] Please note that this complaint concerns social impacts of an EIB-financed project. As noted in § 2.1.2 of the Procedures, complaints related to social impacts of financed projects usually raise complex issues. For this reason, and because of the sensitivity of the relations involving the project promoter, national authorities, civil society organisations and project affected people, particular attention needs to be paid to the specific processes regarding these types of complaints. In line with § 2.1.3 of the Procedures, for such complaints, the normal process is formally structured in two phases: an initial assessment phase and a compliance review or collaborative resolution process phase.
[8] § 2.2.1 of the Procedures.
[9] The EIB Group Complaints Mechanism Procedures, November 2018, paragraph 1.4.1, available at: https://www.eib.org/en/publications/complaints-mechanism-procedures.

3.4 Over the course of the initial assessment, numerous exchanges of correspondence between the EIB-CM and the parties transpired. The EIB-CM has reviewed this documentation, including supplemental information provided by the complainant and the promoter, as well as internal EIB documentation.

3.5 As an additional step, in line with §7.1 of the EIB Group Complaints Mechanism Policy, the EIB-CM informed both the Independent Consultation and Investigation Mechanism of the IDB as well as the Inspection Panel of the World Bank Group of the registration of the complaint at issue. In addition, the EIB-CM also undertook virtual conference calls with the Environmental and Social Grievance Protocol of the IDB, given that the service is actively involved in a grievance-handling process with the complainant at the time of report publication.

3.6 Among the primary considerations in determining whether a dispute resolution process is a suitable option for resolving a particular dispute is the willingness and interest of the parties (the complainant and the promoter/concessionaire, in this instance) to engage in said process[10]. In this particular instance, this criterion has not been met.

3.7 While the parties did express, at some point over the course of the initial assessment, a willingness and interest to engage in a dispute resolution process, discussions with the respective parties revealed that they had markedly divergent views regarding the appropriate scope for the dialogue. This disparity ultimately led one party to express their preference for a compliance review.

4 WAY FORWARD

4.1 On the basis of the above, the EIB-CM will proceed in conducting a compliance review.

4.2 The objective of the review is to allow the EIB-CM to form an independent and reasoned opinion regarding the allegations of maladministration by the EIB raised in the complaint. This will include the project's compliance with the EIB's applicable environmental and social standards including, inter alia, the assessment and management of environmental and social impacts and risks; involuntary resettlement; and stakeholder engagement.

4.3 The EIB-CM will continue to liaise with the grievance-handling services of the IDB and that of the IBRD during its compliance review (§3.5).

4.4 The outcome of the compliance review will be communicated to the complainant through the EIB-CM's conclusions report.

EIB Group Complaints Mechanism

[10] § 2.2.5 of the EIB Group Complaints Mechanism Procedures.