EIB Complaints Mechanism

20th meeting of the Working Group of the Parties under the Aarhus Convention

Geneva, 16 June 2016
European Investment Bank

Key figures (in euros)

- EIB shareholders: 28 EU Member States
- Subscribed capital: EUR 243 bn
- Lending in 2015: EUR 78 bn
  (outside the EU: EUR 8 bn)
- Active in more than 130 countries
- Borrowing in 2015: EUR 62bn

Working within an institutional setup:

- Council, Parliament, Commission
- Court of Justice, Court of Auditors, Ombudsman, OLAF
- Commission
- Aarhus Convention Compliance Committee

Working on the basis of EU environmental and social legal framework

Subject to principles and practices laid down by Treaties and Conventions to which the EU subscribed.
EIB Complaints Mechanism (EIB-CM)

- The “right to appeal” as a fundamental right of all EIB stakeholders
- Based on a Memorandum of Understanding signed between the EIB and the European Ombudsman
- Two tiers mechanism:
  - Internal – Complaints Mechanism Division (operationally independent)
  - External – European Ombudsman (fully independent)
- Complainants are obliged to use the first tier and then may escalate if not happy with the outcome.
- Founding principles - Recognition of EU institutional framework, Independence, Effectiveness, Accessibility, Transparency, Timeliness, Consultative
EIB Complaints Mechanism (EIB-CM)

Established in 2008

Reviewed in 2010 (with public consultation)

Under review in 2016 (with public consultation)

Functions:

- **Investigation / Compliance Review**
- **Mediation / Problem Solving**
- **Advisory** Function – within the scope of responsibilities
- **Monitoring** Function – in the context of past complaints
EIB Complaints Mechanism (EIB-CM)

What is “unique”?

- One physical or legal person is enough
- No need to be directly affected nor to know the policies
- Two tiers approach (independent external review)
- Concept of “maladministration”
- Any EIB action and/or decision (not only project-related)
- Problem solving oriented
- Participation to the decision-making process
**EIB-CM Statistics**

<table>
<thead>
<tr>
<th></th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints received</td>
<td>63</td>
<td>60</td>
<td>56</td>
</tr>
<tr>
<td>Inadmissible</td>
<td>6</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td>Other Institutions</td>
<td>2</td>
<td>5</td>
<td>-</td>
</tr>
<tr>
<td>Admissible Complaints</td>
<td>55</td>
<td>43</td>
<td>49</td>
</tr>
<tr>
<td>Complaints dealt with</td>
<td>117</td>
<td>103</td>
<td>92</td>
</tr>
<tr>
<td>Outstanding year end</td>
<td>42</td>
<td>35</td>
<td>33</td>
</tr>
</tbody>
</table>

**Breakdown of complaints registered by the EIB-CM**

<table>
<thead>
<tr>
<th>Category</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environment/Social/Developmental aspects</td>
<td>12</td>
<td>11</td>
<td>17</td>
</tr>
<tr>
<td>Governance of financed operations</td>
<td>6</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>Procurement related complaints</td>
<td>23</td>
<td>12</td>
<td>10</td>
</tr>
<tr>
<td>Own governance &amp; administration</td>
<td>5</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>Access to information</td>
<td>3</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Human resources</td>
<td>6</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Customer relations</td>
<td>-</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>55</td>
<td>43</td>
<td>49</td>
</tr>
</tbody>
</table>
EIB-CM Policy Review

- External Quality Review;
- Consultation of internal (EIB Group) stakeholders;
- Consultation of external tier of the EIB-CM (EO);
- External consultation
EIB-CM External Quality Review (EQR)

- Requested and performed under the authority of the EIB Inspector General;
- In line with similar exercises carried out by other IAMs and by other EIB control functions;
- Commissioned to a panel of three world recognised experts in IFIs public accountability;
- Carried out in fully independence from EIB’s Management and from the EIB-CM.
Thank you!

https://www.linkedin.com/in/robertorando