

28 June 2017

Werner Hoyer

President
European Investment Bank
100, Bd Konrad Adenauer
L-2950 Luxembourg
Luxembourg

Re: The public consultation on the review of EIB Complaints Mechanism is flawed

Dear President Hoyer,

As NGOs committed to enhancing the accountability and transparency of public financial institutions, the 19 signatories of this letter take this opportunity to express major concerns about the ongoing review of the EIB Complaints Mechanism (EIB-CM).

In a previous [joint NGO letter](#) sent in July 2015, we made the following specific demands:

- The public consultation process must be open to all stakeholders, including civil society, and consist of two rounds;
- The report of the External Quality Review must be published and accessible to all stakeholders upon its conclusion. Access to this report and its recommendations is essential in order to ensure meaningful and informed public participation.

From the information publicized on the EIB consultation webpage, it appears that none of our recommendations have been addressed. In addition, we would like to highlight that the European Ombudsman, in its [contribution](#) to this revision process, also called on the Bank to include as relevant background document the report of the External Quality Review.

Even more concerning, the EIB Group Complaints Mechanism Procedures are excluded from the public consultation. This is simply unacceptable, as those Procedures are a key document providing all technical details about how the CM Policy will be implemented – for instance, timeline for complaints and internal consultation processes are described in the document. Without the procedures, it is impossible to understand how the EIB-CM would handle a complaint, rendering the whole consultation process meaningless. And here again, we would like to refer to the Ombudsman's contribution which highlighted the same issue, as well as the fact that the previous public consultation on the EIB-CM did include the Procedures. Indeed, we see no need for two separate documents. The consultation process should solicit feedback on the rules governing the handling of complaints. No further elaboration should be necessary.

The EIB Complaints Mechanism is a key accountability tool for citizens, NGOs and communities affected by the operations of the EIB. The mechanism is often the only way that the EIB hears the voices of the people who the EIB is intended to benefit. Hence, as NGOs we are willing to contribute to the revision process with a view to strengthen the EIB-CM.

However both process and content of the revision we have seen so far go in the wrong direction and will not provide for any meaningful participation. On the contrary it seems to be biased towards achieving certain determined outcomes for the Complaint Mechanism Policy.

In this context, we ask you, as President of the EIB, to address the three above-mentioned issues and ensure that this consultation process is open, inclusive and leads to a genuine improvement of the independence and efficiency of the EIB-CM. At this stage, the framework of the consultation does not provide any guarantee that this will be the case.

We hope to have a fruitful and beneficial collaboration with you and your services in this process and look forward to hearing from you soon on the points raised in this letter.

Sincerely,

Accountability Counsel

Bank Information Center

Both ENDS

Buliisa Initiative for Rural Development Organisation (Uganda)

CEE Bankwatch Network

Center for International Environmental Law

CNCD-11.11.11

Counter Balance

Eurodad

Friends with Environment in Development (Uganda)

Global Rights (Nigeria)

International Accountability Project

Lumière Synergie pour le Développement (Senegal)

Observatoire d'études et d'appui à la responsabilité sociale et environnementale (Democratic Republic of Congo)

Platform London

Polish Green Network

SOMO

Urgewald

WWF European Policy Office

Cc: Emily O'Reilly, European Ombudsman

Cecilia Wikström, Chair of the Petitions Committee, European Parliament

Jonathan Taylor, EIB Vice-President responsible for the Complaints Mechanism

Felismino Alcarpe, Head of EIB Complaint Mechanism