

## A guide to the EIB Complaints Mechanism (EIB-CM)

If the European Investment Bank Group (EIB Group) has acted in a way that you believe involves wrongdoing by the Bank - such as failing to follow its own policies or legal obligations - you may be able to file a complaint with their accountability mechanism, the Complaints Mechanism (EIB-CM).

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### ▶ Understanding the EIB Group and EIB-CM

#### WHAT IS THE EIB?

The [European Investment Bank Group \(EIB Group\)](#) is the lending arm of the European Union (EU), established in 1958 by the Treaty of Rome. It is headquartered in Luxembourg. It consists of two main entities: the European Investment Bank (EIB) and the European Investment Fund (EIF) (together, the **EIB Group**). Together, they work to support the EU's economic, social and environmental objectives through various financial products and services.

##### EIB

The [European Investment Bank \(EIB\)](#) is one of the world's largest development banks. The EIB is the main lending arm of the EU, providing long-term loans for projects that support EU policy goals. The EIB focuses on large-scale projects and infrastructure development. It emphasizes sustainability, innovation, and regional development. Clients of the EIB are primarily large corporations, public sector entities, and other financial institutions. Around 10% of EIB's funds go towards projects located outside of the EU.

##### EIF

The [European Investment Fund \(EIF\)](#) specializes in supporting Europe's micro, small, and medium-sized enterprises (SMEs) by enhancing their access to finance. It provides risk finance to benefit SMEs and mid-caps across Europe, primarily through venture capital and private equity, as well as guarantees and microfinance. Clients of the EIF are primarily financial intermediaries, such as banks, guarantee institutions, and venture capital funds, which then on-lend or invest in SMEs.

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#### WHAT IS THE EIB-CM?

The EIB Group has an independent accountability mechanism: the [Complaints Mechanism \(EIB-CM\)](#).

The EIB-CM was established in 2008, and receives complaints related to the Bank's performance, including its adherence to environmental and social standards and good administrative practices. **If you believe the EIB Group has not followed its own rules in its operations, you can file a complaint with the EIB-CM.**

To file a complaint, you need to explain how the EIB Group's actions, decisions, or omissions failed to meet its policies, procedures, or legal obligations, as outlined in the "How to file a complaint" section.

! If your complaint is found to be eligible, the EIB-CM has two functions to try to resolve the complaint: [dispute resolution](#) or [compliance review \(also known as investigation\)](#). The EIB-CM will review the issues raised during the initial assessment phase and decide whether dispute resolution, compliance review, or both (in sequence) are appropriate. While dispute resolution typically occurs first, the processes are tailored to the circumstances of your complaint. You can learn more about these two processes and which might be more suitable for your complaint in the relevant sections below.

#### DISPUTE RESOLUTION

The EIB-CM's voluntary Dispute Resolution process aims to resolve issues collaboratively. The EIB-CM facilitates dialogue, negotiation, and joint fact-finding between the affected communities and the project promoter to reach a mutually acceptable solution.

Dispute Resolution is a flexible process and depends on the willingness of all parties to participate. If an agreement is reached, the EIB-CM will formalize it and monitor its implementation. If no agreement is reached, the complaint may proceed to Compliance Review.

You can learn more about this phase below.

#### COMPLIANCE REVIEW

The Compliance Review process, also referred to as "investigation," focuses on whether the EIB Group complied with its own policies, procedures, or legal obligations, including its environmental and social standards.

During this phase, the EIB-CM investigates whether the Bank's actions or omissions amount to "maladministration": a concept which means poor or failed administration or governance. This could include things like delays, lack of transparency, or failure to follow the Bank's own rules, procedures, or legal commitments. It can also relate to the environmental or social impacts of a project if those impacts result from

the Bank not following its own policies or standards.

The findings are compiled in a Compliance Report, which may include recommendations to address any non-compliance.

EIB Management will then have the opportunity to respond to the report, and agree or disagree with its recommendations. If EIB Management agrees with the findings, an implementation plan will be developed. If Management disagrees, a committee of the Board will decide on next steps. The EIB-CM monitors the implementation of any agreed actions.

You can learn more about this phase below.

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## How to file a complaint



### CAN YOU COMPLAIN TO THE EIB-CM?

Before filing a complaint, ask yourself the following questions. If your answer is **yes** to all of the questions, then you can complain to the EIB-CM.

#### **Project:** Is the project supported by the EIB Group?

The EIB-CM accepts complaints about EIB-financed projects as long as the EIB has an active financial interest in the project. This includes:

- Projects that have been approved for financing and are ongoing.
- Projects where the EIB retains a financial interest.

If the EIB no longer has a financial interest in the project (e.g. through repayment or disposal), the EIB-CM will still accept complaints submitted within one year from the date when the issues described in the complaint could reasonably be known.

If a project is under consideration for financing, but not yet approved, a complaint may be filed to the CM but it will be transferred to the relevant EIB project team for their response. If the EIB project team does not respond, or dismisses the complaint, the EIB-CM will conduct a shortened assessment of the issues. A full investigation or dispute resolution process is possible for such projects (pre-approval), but only in exceptional cases.

**Tip:** To check a project's status, visit the [EIB's project page](#) or contact us or the EIB-CM directly for help.

### **Maladministration:** Is the issue related to how the EIB Group followed its environmental, social, or governance-related policies or obligations?

You can file a complaint to the EIB-CM if you believe the EIB Group's decisions, actions, or omissions failed to follow its own rules, policies or legal obligations - this is known as maladministration. The EIB-CM has a broad mandate, and can receive complaints about any "maladministration" by the EIB Group.

Maladministration means poor or failed administration. It occurs when the EIB Group does not act in accordance with a rule or principle that is binding upon it, including its own policies, standards and procedures. This can include:

- Failure to follow EIB's environmental and social standards
- Violations of human rights
- Administrative irregularities
- Unlawful discrimination
- Unjustified refusals to provide information
- Abuse of power
- Unnecessary delays
- Failure to properly assess or monitor projects financed by the EIB Group.

Maladministration can also relate to how the EIB Group addresses environmental or social impacts during the project cycle.

### **Complainant:** Are you someone affected by or concerned about the EIB's actions?


Any natural or legal person who alleges a case of maladministration by the EIB Group in its decisions, actions and/or omissions can lodge a complaint. This includes individuals, communities, civil society organizations, and other interested parties.

- **Important:** Your complaint cannot be anonymous, but you can request confidentiality regarding your identity or other information you submit to EIB-CM. If you are facing reprisals or fear retaliation be sure to tell the EIB-CM to discuss how you can move forward to address the risk of reprisals.

Duly appointed representatives can represent affected communities.

## **MODEL COMPLAINT LETTER**

We have developed a model complaint letter tailored for the EIB-CM. This template provides a practical starting point for your complaint, designed to help you effectively convey your concerns. Once submitted, the EIB-CM will acknowledge receipt of your complaint.

 [Download complaint letter](#)

## COMPLAINT FILING CHECKLIST

 Download checklist

- ☐ **Format:** Submit your complaint in writing. There is no specific format required. Complaints can be submitted via letter, email or the online form (available on the EIB-CM website). Complaints must be submitted in one of the official EU languages, or the official national language of the country of the project.
- ☐ **Complainant details:** Your complaint should include the name and contact details of each person or organization filing the complaint. If you have a representative, include signed written authorization providing authority for the representative to represent you.
- ☐ **Project details (if your complaint relates to a project):** Name, location and any available details (e.g. sector, company name, project name). You can find information about projects on the [EIB project finder](#) or through the [DeBIT tool](#) or [Early Warning System](#) (databases you can search).
- ☐ **Description of "maladministration":** Explain how the EIB's decisions, actions, or failures to act went against its own policies or good administrative behavior.
- ☐ **Timing:** Complaints must be submitted within one year from the date when the issues described in the complaint could reasonably be known.
- ☐ **Confidentiality:** Indicate if you require confidentiality of your complaint or your identity, due to fear of reprisals or for any other reasons.
- ☐ **Preferred outcome:** Describe your preferred outcomes or remedy.
- ☐ **Optional:**  
Including the following can strengthen your complaint:
  - References to specific EIB policies or guidelines that were not followed.
  - Indicate whether you prefer dispute resolution, compliance review, or both.
  - Additional supporting material: maps, photos, media reports, communication with the bank or company (even if they are unanswered) etc.
  - Your preferred communication method (e.g. email or post).
  - Any concerns about risks of retaliation.
  - If you have tried to resolve the issue with the EIB or project promoter, provide evidence showing your efforts to resolve the issue.
  - Description of harm you are experiencing or anticipate.

## STRENGTHEN YOUR COMPLAINT BY REFERENCING EIB POLICIES

When filing your complaint to EIB-CM, you may want to reference specific EIB policies that you believe were not followed. Environmental and social safeguard policies play an important role in your complaint. These safeguards are rules and policies designed to identify and mitigate risks associated with bank activities, and ensure that the EIB Group's

operations align with international norms and principles. Understanding these safeguards is essential for anyone seeking to hold banks accountable for their investments.

EIB-CM receives complaints related to all complaints of maladministration by the EIB Group, ensuring the EIB Group has complied with its [Environmental and Social Standards](#) and [Transparency Policy](#) which can be found below.

! Including specific reference to the policies that were not followed is **optional**.

## EIB GROUP POLICIES

### EIB Group's 2022 Environmental and Social Standards

Effective February 2022

The EIB Group requires its projects to comply with the following [requirements](#):

#### Standard 1: Environmental and Social Impacts and Risks

This standard mandates an Environmental and Social Impact Assessment (ESIA) to identify, assess and mitigate environmental and social risks. It adopts a mitigation hierarchy approach to anticipate, avoid, minimize, and compensate for or offset residual adverse impacts. Meaningful stakeholder engagement and the integration of human rights considerations are required throughout the project lifecycle.

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#### Standard 2: Stakeholder Engagement

This standard establishes the requirement for effective, inclusive, and continuous engagement with stakeholders, including vulnerable groups and Indigenous Peoples. Projects must disclose relevant environmental and social information, consult meaningfully with affected communities, and ensure access to grievance mechanisms to address concerns and impacts.

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#### Standard 3: Resource Efficiency and Pollution Prevention

This standard promotes resource efficiency and pollution control in projects. It requires adopting best practices to minimize greenhouse gas emissions, manage hazardous substances, prevent pollution, and ensure the sustainable use of resources. Climate resilience and biodiversity conservation measures are also emphasized.

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#### Standard 4: Biodiversity and Ecosystems

This standard seeks to conserve biodiversity, promote the sustainable use of natural resources, and maintain ecosystem services. It emphasizes no net loss of biodiversity and, where feasible, net gains. It also requires a precautionary approach to project planning and implementation.

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#### Standard 5: Climate Change

This standard integrates climate change adaptation and mitigation measures into projects. It requires assessing climate-related risks and vulnerabilities, enhancing resilience, and aligning projects with the Paris Agreement goals and the EU's climate objectives.

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#### **Standard 6: Involuntary Resettlement**

This standard aims to avoid or minimize physical and economic displacement caused by land acquisition and restrictions on land use. It requires fair and timely compensation, meaningful consultation with affected communities, and efforts to improve or restore livelihoods and living standards of displaced persons.

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#### **Standard 7: Vulnerable Groups, Indigenous Peoples and Gender**

This standard protects the rights of vulnerable and marginalized groups, including Indigenous Peoples. It emphasizes free, prior, and informed consent (FPIC) when Indigenous Peoples are affected. Projects must identify and address risks of discrimination, exclusion, and adverse impacts on vulnerable groups.

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#### **Standard 8: Labour Rights**

This standard ensures the protection of workers' rights in EIB-financed projects. It requires compliance with national labor laws and ILO standards, including provisions on fair treatment, non-discrimination, equal opportunities, and workplace safety. It prohibits forced and child labor and requires effective grievance mechanisms for workers, including those employed by contractors and in the supply chain.

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#### **Standard 9: Health, Safety and Security**

This standard mandates the identification and management of health, safety, and security risks to workers and affected communities. It includes measures to prevent workplace accidents, mitigate risks from natural and technological hazards, and address gender-based violence. Private and public security forces involved in projects must act in line with international human rights standards.

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#### **Standard 10: Cultural Heritage**

This standard protects tangible and intangible cultural heritage from project-related impacts. It requires a mitigation hierarchy to avoid, minimize, and mitigate adverse impacts, as well as procedures for managing chance finds. Projects involving cultural heritage must ensure meaningful consultation and equitable benefit-sharing with affected communities.

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#### **Standard 11: Intermediated Finance**

This standard sets requirements for financial intermediaries (FIs) that on-lend EIB funds to sub-projects. FIs must assess and monitor environmental and social risks, ensure sub-project compliance with EIB standards, and promote sound labor and environmental practices. Sub-projects with high risks must be reviewed by the EIB.

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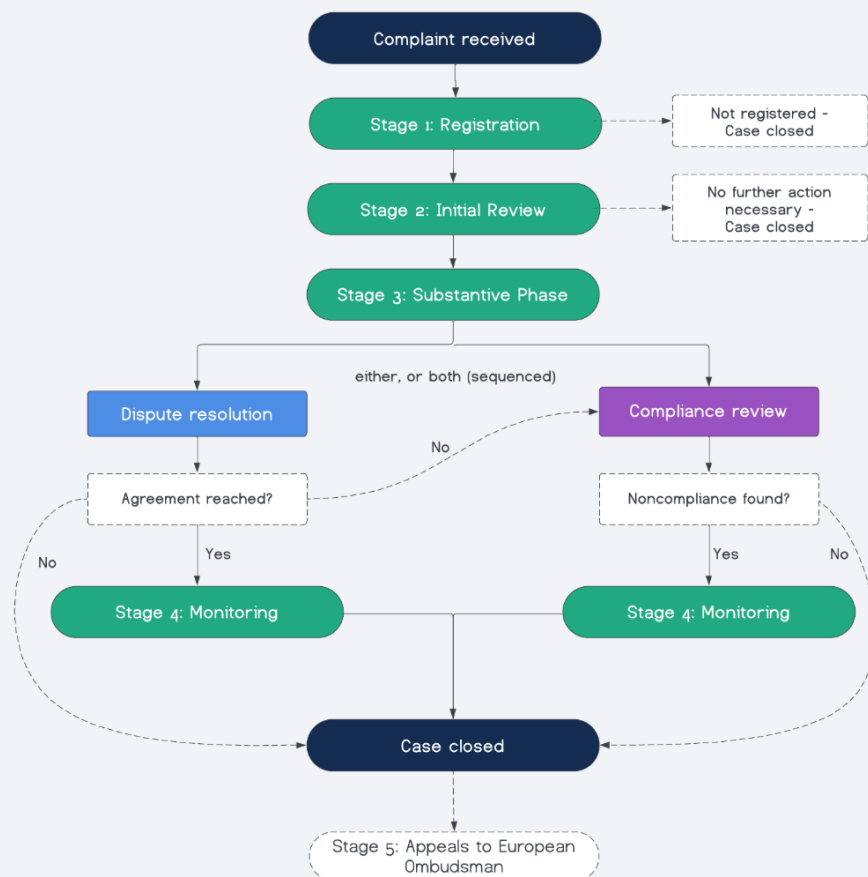
### **EIB Group's 2022 Transparency Policy**

Effective January 2022



The EIB has implemented [policies](#) to promote transparency, maximize access to information about its operations (with defined exceptions), and provide clear, accessible procedures for addressing complaints and reviewing decisions.

## ⌄ What happens after you file a complaint?



### Stage 1: Registration

After filing your complaint, the EIB-CM will decide whether the complaint is eligible for assessment/registration.

To be eligible, your complaint must meet the following criteria:

1. **Identification of complainant(s):** Does the complaint identify, and provide contact details for, at least one complainant?
2. **Financing:** Does the project or activity involve EIB Group financing?
3. **Maladministration:** Does the complaint raise concerns about the EIB Group's decisions, actions, or failures to act in accordance with its own policies or good administrative behavior?
4. **Timing:** Complaints must be submitted within one year from the date when the issues described in the complaint could reasonably be known.
5. **Excluded complaints:** The EIB-CM cannot handle allegations of fraud (which will be handled by another office within the EIB), or complaints that have "already been brought against a member of the EIB Group before other administrative or judicial tribunals".



If your complaint meets these criteria, it will be registered and move to the next stage. If it does not, you will be told why and may be asked to provide additional information for reconsideration.

## Stage 2: Initial Assessment

If your complaint is registered, the EIB-CM begins an initial assessment to understand the problem and decide the way in which it will address them. This involves reviewing project documentation, and gathering input from you, the EIB Group, and other stakeholders. This stage is not a full investigation, but rather a preliminary assessment to determine whether the EIB actions or omissions raised warrant further review through an investigation or dispute resolution.

The next steps depend on the complexity of the complaint:

- **Standard procedure:** For simpler complaints, the case moves quickly to an investigation or dispute resolution.
- **Extended procedure:** For more complex complaints, such as those with environmental and social impacts or governance aspects of operations / projects financed by the EIB Group, a more detailed initial assessment is conducted to clarify the issues, assess potential solutions, and decide whether further investigation or dispute resolution is needed.

The EIB-CM, with the agreement of the EIB Inspector General, will then decide what happens next:

1. **Dispute resolution:** Try to help solve the problem through a facilitated dialogue or other forms of mediation between you and the project promoter.
2. **Compliance review:** Investigation into whether EIB followed its policies.
3. **Case closure:** If no further action is decided to be necessary.

EIB-CM will publish an assessment report explaining its findings and recommendations for next steps.

## Stage 3: Substantive Phase

All complaints that proceed beyond initial assessment then enter a substantive phase: **dispute resolution** or **compliance review**. In some cases, both processes are used sequentially. The EIB-CM will always encourage and offer dispute resolution first, but this depends on the parties' willingness to participate.

### DISPUTE RESOLUTION

Dispute resolution is a voluntary process where the EIB-CM helps facilitate dialogue or other forms of mediation between you (the complainant) and the project promoter (the organization implementing the project). Although the EIB-CM Policy allows for the EIB Group Services and other stakeholders to join such a dispute resolution process, in practice this is rare.

### COMPLIANCE REVIEW

The compliance review is a fact-finding process where the EIB-CM investigates whether the EIB followed its policies when financing the project, and whether any non-compliance has occurred.

After investigating, EIB-CM prepares a compliance report with its findings on whether the EIB complied with its policies, and recommendations to address any identified instances of non-compliance.

This process can involve dialogue, mediation, negotiation, or joint fact-finding. This process can and should be designed and implemented together. The aim of a dispute resolution is to reach an agreement between all the parties, and find a mutually agreeable solution to your concerns.

Since dispute resolution is voluntary, any party can choose not to participate.

If parties agree to participate, communities can share their concerns about the project directly with EIB's client, and advocate for specific solutions to their concerns. If the parties agree on solutions, EIB-CM will help them to formalize those solutions in a signed agreement and will monitor its implementation.

If no agreement is reached or the process is terminated early, the EIB-CM may close the case or transfer it to compliance review.

For more details on the dispute resolution process, refer to the [EIB Group Complaints Mechanism Procedures](#).

If the EIB is found to be in compliance, EIB-CM will generally close the investigation. If the EIB is found to be non-compliant, EIB-CM may recommend corrective actions to bring the EIB into compliance and address the issues identified.

If EIB Management agrees with those findings and recommendations, an implementation plan with timelines should be developed. If EIB Management disagrees with the EIB-CM's report, the EIB Management Committee will make a final decision on any corrective actions.

For more details on the compliance review process, refer to the [EIB Group Complaints Mechanism Procedures](#).

## Stage 4: Monitoring

If your complaint goes through a dispute resolution process and results in an agreement, or identifies non-compliance during a compliance review, then the complaint will enter a monitoring phase.

### DISPUTE RESOLUTION

If an agreement is reached, EIB-CM will typically help the parties by monitoring the implementation of the agreement. Ideally, the agreement will set timelines, indicators and goals for monitoring. If the parties have requested the EIB-CM's involvement in monitoring, the EIB-CM will publish a monitoring report unless confidentiality is requested. Cases are closed once the EIB-CM determines that the commitments made by parties in the agreement have been fully implemented.

### COMPLIANCE REVIEW

The EIB-CM will monitor the implementation of any agreed corrective actions arising from its investigation. Currently, the EIB-CM does not routinely publish monitoring reports for individual cases - unless they believe that there is a strong public interest - and only provide updates once the case is closed. We believe that, under the EIB-CM Policy, they should regularly publish monitoring updates, either as standalone reports or as updates to their case page.

## Stage 5: Appeals

The EIB-CM process is unique in that, if you are dissatisfied with the handling or outcome of your complaint, you can appeal to the European Ombudsman.

You can file an appeal if:

1. You believe the EIB-CM mishandled your complaint or did not follow its procedures.
2. You disagree with the EIB-CM's findings or recommendations.

The Ombudsman reviews whether the EIB-CM acted fairly and in line with its policies. It can recommend actions for the EIB to take if maladministration is found, but these recommendations are not legally binding.

## Real stories from communities who have filed complaints



Olkaria I & IV Geothermal  
Extension A, Kenya

 DISPUTE RESOLUTION

 COMPLIANCE REVIEW

## COMPARISON TO BEST PRACTICE

✗ **Independence:** EIB-CM's reporting line is not independent from bank management; it reports to the [Inspector General](#).

✓ **Transparency:** The EIB-CM makes [complaints](#), [eligibility reports](#), [final compliance reports](#) and [dispute resolution reports](#) public, although it will withhold such documents if there are privacy or confidentiality concerns.

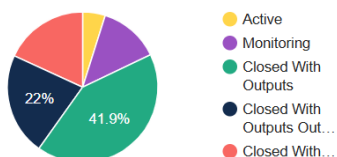
✗ **Transparency:** Compared to other mechanisms, the EIB-CM does not provide regular updates on its monitoring of dispute resolution agreements and compliance review recommendations.

✗ **Remedy:** EIB-CM [can](#) make recommendations for corrective measures to address areas of non-compliance, but does not explicitly have a mandate to recommend remedy for communities.

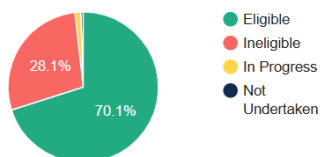
## A LOOK AT THE DATA

We have brought together some charts, based on the latest data available in the Complaint Dashboard, to offer a deep dive into the EIB and EIB-CM's performance.

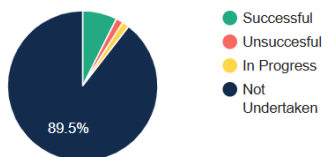
### Complaint Outcomes



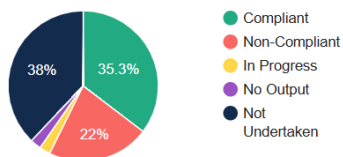
### Eligibility



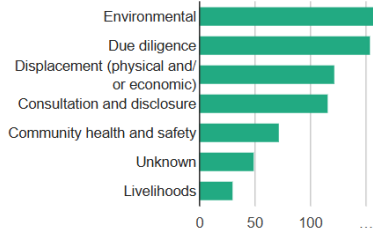
### Dispute Resolution Outcomes



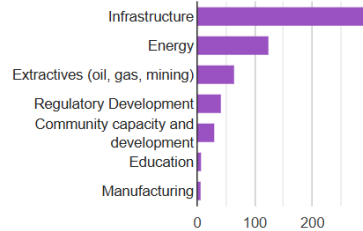
### Compliance Review Findings



### Complaint issues




### Complaint sectors




## RECOMMENDATIONS TO IMPROVE THE EIB-CM

- 🚩 EIB-CM should reinstate the availability of concurrent compliance investigation and dispute resolution for efficient and holistic delivery of remedy. (GPP 38)
- 🚩 Complaints should be admissible for a period of at least 2 years after the financial institution has ended its relationship with the client or 2 years after the complainant first became aware of the harm, whichever is later. (GPP 31)
- 🚩 Complaints should be admissible even if parallel proceedings have been brought against a member of the EIB Group before other administrative or judicial review mechanisms. (GPP 34)
- 🚩 EIB-CM should ensure greater equity of process by allowing complainants to comment on draft Conclusion Reports at the same time as EIB Management. (GPP 52)
- 🚩 EIB-CM's policy should include an express mandate to monitor all compliance review cases until all instances of non-compliance have been remedied. (GPP 57)
- 🚩 EIB-CM should be required to publish and share with the Board all monitoring reports and inform any instances of failure to address harm to the Board. (GPP 59)

## Contact the EIB-CM

 EIB Complaint Mechanism (EIB-CM):  
<https://www.eib.org/en/about/accountability/complaints/submit/index>

 +352 437914005

 To send complaints:  
[complaints@eib.org](mailto:complaints@eib.org)

 Online complaint form:  
<https://www.eib.org/en/infocentre/complaints-form.htm>

 European Investment Bank  
Complaints Mechanism Division  
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