



PUBLIC
SIMULTANEOUS DISCLOSURE

DOCUMENT OF THE INDEPENDENT CONSULTATION
AND INVESTIGATION MECHANISM

CO-MICI002-2011

CASE CLOSURE

EL DORADO INTERNATIONAL AIRPORT PROJECT

(CO-L1029)

(2477A/OC-CO)

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In accordance with the Access to Information Policy, this document is being released to the public and distributed to the Bank's Board of Executive Directors simultaneously.

ELECTRONIC LINKS

1. Case Record in MICI's Public Registry
<https://idblegacy.iadb.org/en/mici/complaint-detail-2014,1804.html?ID=CO-MICI002-2011&language=English>
2. Compliance Review Report for loan 2477A/OC-CO of the "El Dorado International Airport Project" (MI-23-8)
<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=40872691>
3. Report of the Chairperson of the Policy and Evaluation Committee (MI-23-9)
<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=40872692>
4. Transition Plan (MI-48-1)
<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39428565>
5. Progress Report on IDB Management's Actions to Address MICI Compliance Review Report Recommendations on El Dorado International Airport Project (Loan 2477A/OC-CO) (MI-23-10)
<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=EZSHARE-407512550-4769>
6. Final Report on IDB Management's Actions to Address MICI Compliance Review Report Recommendations on El Dorado International Airport Project (Loan 2477A/OC-CO) (MI-23-11)
<http://www.iadb.org/document.cfm?id=EZSHARE-407512550-4787>

ACRONYMS AND ABBREVIATIONS

Bank	Inter-American Development Bank
Board of Executive Directors	Board of Executive Directors of the Inter-American Development Bank
Management	The Bank manager or managers in charge of the El Dorado International Airport Project (CO-L1029) or any delegate thereof.
MICI	Independent Consultation and Investigation Mechanism
MICI Policy	Policy of the Independent Consultation and Investigation Mechanism (MI-47-6)
Operation and Project	Operation 2477A/OC-CO “El Dorado International Airport Project (CO-L1029)” of the IDB

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I. BACKGROUND

- 1.1 On 12 August 2011, MICI received a Request relating to the “El Dorado International Airport Project,” a non-sovereign guaranteed loan operation approved by the Board of Executive Directors on 3 December 2010. The Project consisted of the modernization and expansion of Bogota’s El Dorado Airport in order to promote improved passenger and cargo transportation services, as the Airport had a number of problems caused by heavy terminal congestion.
- 1.2 The Request¹ expressed concern over the findings of the Environmental and Social Management Report issued by the IDB in 2010, and alleged an increase in noise generated by additional air traffic as a result of the Project, causing impacts in the health and quality of life of the communities surrounding the Airport, without any measures having been taken to manage and mitigate these impacts. The Requesters further stated that they had not been consulted about the Project or informed of its impacts or mitigation measures.
- 1.3 The Request was declared eligible for the Consultation Phase on 3 November 2011, in accordance with the provision of the Policy Establishing the Independent Consultation and Investigation Mechanism (GN-1830-49). However, the process concluded without an agreement in March 2014, upon MICI’s consideration that the conditions did not exist to ensure that its continuation would yield positive results.²
- 1.4 In keeping with the Requesters’ wishes, on 21 July 2014 the Request was transferred to the Compliance Review Phase and was declared eligible for that Phase in November 2014.
- 1.5 At the same time, in December 2014, the Bank’s Board of Executive Directors approved the new MICI Policy, which entered into force immediately and required the development of a transition plan for the management of requests received under the previous policy that were still active. In accordance with the Transition Plan of 4 February 2015, the management of the case at that phase would be governed in accordance with the MICI Policy approved in December 2014.
- 1.6 The investigation was approved by the Board of Executive Directors in December 2015 and commenced on 22 February 2016 following the establishment of the Compliance Review Panel. MICI completed the Compliance Review Report in March 2017 and submitted it to the Board of Executive Directors.

¹ The original Request is available for consultation through the MICI Public Registry, which can be accessed from the Electronic Links section of this document.

² Consultation Phase Report, para. 4.25. The case background and public documentation relating to its management by MICI can be accessed in the case file available in the Public Registry.

II. THE COMPLIANCE REVIEW REPORT

- 2.1 In its Compliance Review Report, MICI concluded that Management had failed to meet several requirements of the Environment and Safeguards Compliance Policy (OP-703), and the Access to Information Policy (OP-102).³
- 2.2 Taking account of MICI’s conclusions regarding noncompliance with the aforementioned Operational Policies and the particularities of the case, especially the fact that the Project was already closed and thus there was no longer any contractual relationship with the Client, MICI submitted the following 8 recommendations to the Board of Executive Directors for consideration:

Recommendations specific to the El Dorado International Airport Project	
Recommendation 1.	Publish all mandatory disclosure documents on the Bank’s website, including the ESMP for the El Dorado International Airport project, preferably in the Spanish language.
Recommendation 2.	Disclose this Compliance Review Report to Bank staff, with a specific focus on the design, execution, and supervision of operations.
Recommendation 3.	In coordination with the relevant authorities, explore ways to support a strengthening of the environmental and social sustainability of the Airport.
General recommendations to the Bank	
Recommendation 4.	Clarify and/or create guidelines to help the Bank teams in cases in which third-party actions are a factor to be considered in the context of risk and impact management.
Recommendation 5.	Promote continuous updating of the “Guidelines for Public Consultations and Participation by Interested Parties in IDB-financed Projects,” incorporating the lessons learned by project teams during these years as well as relevant international best practices.
Recommendation 6.	Broadly disseminate these guidelines among executing agencies, clients, and Bank staff and, in collaboration with the appropriate areas of the Bank, produce training courses in consultation and participation that include Bank case studies.
Recommendation 7.	Include the ESMP and its updates on the list of documents subject to mandatory disclosure under OP-102, providing for their routine disclosure in all projects, even those not requiring an environmental impact assessment.
Recommendation 8.	Introduce provisions that expand the accessibility of information to ensure that the environmental and social information disclosed by the Bank is available in the language of the country in which the operation is being implemented.

³ The public documentation on the case is available for consultation through the MICI Public Registry, which can be accessed from the Electronic Links section of this document.

III. DECISION OF THE BANK'S BOARD OF EXECUTIVE DIRECTORS AND SUBSEQUENT ACTIONS

- 3.1 The Policy and Evaluation Committee (PEC) of the Bank's Board of Executive Directors held a meeting on 17 March 2017 to consider the Compliance Review Report, at which the members highlighted the quality of the Report and thanked Management for its comments on MICI's findings and recommendations. The members of the Committee supported seven of the eight recommendations and asked Management to present them with an action plan. With regard to recommendation three, it was clarified that its implementation depended exclusively on national authorities and should not be part of the action plan. On 17 May 2017 the Board of Executive Directors considered and approved the PEC Chairperson's Report recommending the approval of seven of the eight recommendations contained in the Report.
- 3.2 On this occasion, the Board of Executive Directors did not ask Management to develop an Action Plan in consultation with the MICI (see paragraph 47 of the MICI Policy), or ask the Mechanism to monitor implementation as provided for in paragraph 49 of the Policy; rather, it instructed Management only to adopt seven of the eight recommendations presented in the Report.
- 3.3 MICI reports that Management submitted two reports to the Board of Executive Directors:⁴ one progress report dated March 2018 and one final report dated September 2018. In these reports, Management describes its implementation of the recommendations. For transparency purposes, and with Management's agreement, MICI has sent these reports to the Requesters and disclosed them to the general public through the Public Registry, but their disclosure does not entail any monitoring action by this Mechanism.

IV. CLOSURE OF THE CASE BEFORE MICI

- 4.1 In view of the foregoing, the Board of Executive Directors is informed that MICI will be closing case file CO-MICI002-2011 relating to the El Dorado International Airport Project (CO-L1029) following the disclosure of this report to the Requesters, Management, and the general public.

⁴ The Progress Report and the Final Report on IDB Management's Actions can be accessed from the Electronic Links section of this document.