



About the dispute resolution work of the Complaints Mechanism of the EIB Group

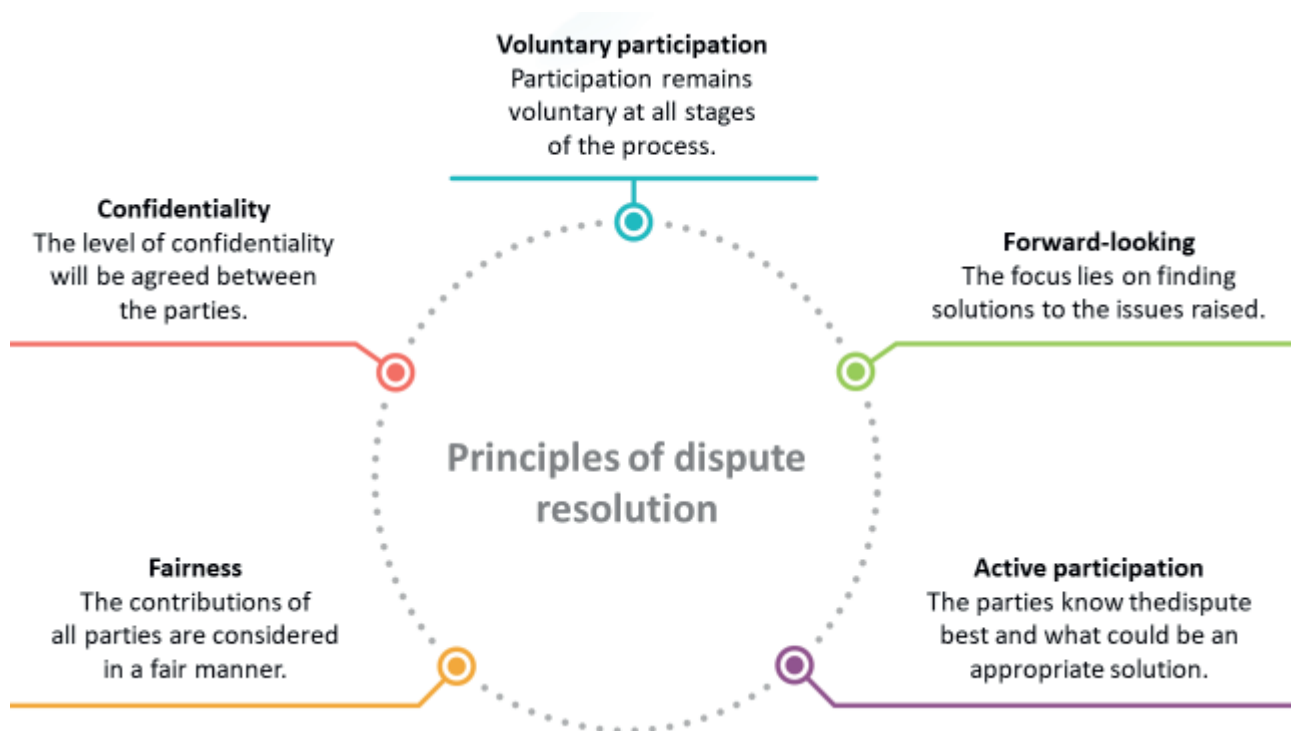
Any member of the public who is or feels adversely affected by the EIB Group's activities, decisions or omissions can lodge a complaint with the **EIB Complaints Mechanism**. Complaints may be about access to information or any aspect of the planning, implementation or environmental and social impacts of projects financed by the EIB Group. Complaints can be handled in a **compliance review** or in a **collaborative resolution process**.

If your main goal is to find workable solutions for the future as opposed to looking at past events, a collaborative resolution process might be appropriate.

As an independent and impartial function of the EIB Group's accountability mechanism, the **dispute resolution team** manages collaborative resolution processes, often with support from **local facilitators and/or mediators**. The collaborative process is tailored to each specific case, in agreement with the parties involved.

Our aim is to come to a mutual understanding of the issues at stake, improve trust between the parties and help them agree on sustainable solutions.

Our principles



The Complaints Mechanism and the local facilitators organise the process in a **fair, transparent and confidential** manner. Ensuring confidentiality provides a private, safe space, allowing the parties to engage openly and constructively. The exact degree of confidentiality is agreed with the parties.

Participation in dispute resolution remains **voluntary** during all stages of the process. The focus of the dialogue between the parties is **forward-looking and on finding solutions for the issues raised**.

All parties involved (such as communities, EIB staff, project promoters and representatives from the public sector, depending on the case) can be brought together to present their views, talk and find solutions. The parties in the dispute should be **actively involved** as the "owners of the dispute".

How we can help you

The dispute resolution team and our local facilitators help to improve communication between the disputing parties in different ways:

- We organise **meetings** with and for the parties so they can share information and increase their mutual understanding. At the meetings, we make sure that the dialogue remains **constructive** and **solution-oriented**. We can also help overcome **language barriers** and ensure that the more vulnerable persons or groups affected by the project are equally represented.
- We can organise a **joint fact-finding mission** with the parties, to verify information about a project's impact on the ground.
- If appropriate, we organise a **formal mediation**. In this case, mediators propose and agree with the parties on how to proceed, depending on the individual case.

How to lodge a complaint

You can send your complaint in any official EU language using the [online complaint form](#) or by **email**, **fax** or **mail** to the Complaints Mechanism's address or any EIB Group external office. The Complaint Mechanism also endeavours to deal with complaints submitted in the official national language of the country where the project is located. In your complaint, you can state whether you are willing to engage in a collaborative resolution process.

What happens after you lodge a complaint



I. Registration of your complaint

The Complaints Mechanism examines whether your complaint is admissible. Examples of complaints that we do not handle are:

- Anonymous complaints;
 - Complaints about fraud and corruption or other prohibited conduct¹;
 - Complaints on issues which are caused by a project not financed by the EIB Group;
 - Complaints related to project procurement².
- If needed, we might contact you for more information on the issue.
 - If requested, your complaint is treated as confidential.
 - You will receive confirmation by email or mail regarding the admissibility of your complaint.

II. Initial assessment

- We clarify the exact scope of your complaint and other facts connected to the project, its impact on you and your complaint.
- We might contact you by email or the Complaints Mechanism team might visit you and other stakeholders on the ground to gather the information needed.
- We prepare an **initial assessment report**, which explains the issues raised and the viewpoints of the parties involved and proposes how to proceed to find a mutually acceptable solution.
- If appropriate, this report includes advice on resolving the dispute with the help of a collaborative process.
- We share the report with you and the other parties involved. The report is published on the [website](#) of the Complaints Mechanism unless you have requested confidentiality.

¹The Fraud Investigations Division of the EIB receives all allegations of Prohibited Conduct, including fraud, corruption, collusion, coercion, obstruction, money laundering and financing of terrorism in connection with EIB Group-financed projects or activities, or concerning EIB Group staff. Allegations can be submitted via email to: investigations@eib.org.

² Procurement complaints can be lodged via email to: procurementcomplaints@eib.org.

III. Preparation

We help the parties decide:

- who should participate in the dispute resolution;
- how to organize the process (who, where, when);
- what the ground rules are;
- what is confidential information and what can be communicated in an open manner;
- whether additional support is needed (such as experts, translators, trainings on basic negotiation skills, local facilitators, further information etc.).

In a formal mediation process, the parties sign an agreement to mediate before starting the first meetings. This agreement usually includes the level of confidentiality required and the ground rules.

IV. Collaborative resolution process

It is our responsibility to organise the process, guide the parties through it and facilitate their communication. We help each side to understand the other's perspective, position and interests. If a dialogue between the parties is not feasible, we act as intermediary by using the information already available (for example in existing studies or reports).

Instead of imposing a solution, our role is to assist the parties in reaching their own agreement on a settlement of the dispute. We remain **impartial** and **independent** and usually work with local facilitators and translators. This can take place in an informal way or as a more formal mediation.

All parties participate **openly** and **honestly** to come to an agreement or partial agreement which is summarised in a settlement agreement.

The Complaints Mechanism summarises the dispute resolution process and its outcome in a **dispute resolution report**, which is provided to the parties and published on the website of the Complaints Mechanism³. The report describes the collaborative resolution process, the agreement and the concrete measures for implementing the agreement.

If the parties do not ask the Complaints Mechanism to monitor the implementation of the agreed measures (as they may choose another entity for the monitoring process), our involvement ends with the publication of the report.

V. Monitoring

If any specific actions were agreed in a settlement agreement or commitments made by the parties, the Complaints Mechanism can monitor its implementation and report on progress in **monitoring reports**. Our involvement ends upon full implementation of the agreed actions.



For more information, please contact
cm-dispute-resolution@eib.org

³ <https://www.eib.org/en/about/accountability/complaints/cases>