



17 September 2026

Dear EIB Group Directors,

As civil society organisations with experience working with communities impacted by the EIB Group's investments, as well as evaluating the policies and practices of the independent accountability mechanisms that have produced improved outcomes for communities affected by internationally financed projects, we welcome the latest draft of the new EIB Group Complaints Mechanism Policy. We wish to commend the informed and meaningful public consultation process organised by the EIB Group Complaints Mechanism during which the views of the Mechanism's intended users, civil society organisations and other contributors have been extensively taken into account.

Preliminarily, we welcome a more integrated and clarified Policy, and we support that its entering into force will not be contingent on the development and adoption of Procedures. Nevertheless, if Procedures are to be developed in the future, we urge the EIB Group to follow best practice and present a draft for public consultation in the interest of public accountability and trust-building.

After having engaged with the EIB-CM's consultative efforts, we write to express appreciation for the ways that the latest draft improves upon the previous iteration, taking into consideration many of the comments and recommendations from the contributors. At the same time, and as explained in more detail below, some critical gaps remain. In that context, we request the Board to ask for additional necessary amendments to support the EIB-CM's legitimacy. These changes will underpin the EIB Group's commitment to and reputation for sustainability and accountability.

1. The EIB Group Boards must have a more substantive role to support accountability and remedy.

We welcome the ways that the new Policy establishes the EIB Group Boards as guardians of the EIB-CM's independence, including by requiring that they be consulted during the selection of the Head of the EIB-CM, and that they ensure that adequate resources and budget to the mechanism so that it may work effectively and pursue its mandate. We also strongly commend improvements that will help the EIB-CM

facilitate effective remedy. By allowing the EIB-CM to relay concerns about projects not yet approved, requiring Complainant views to be factored in the development of SRAPs, and strengthening the EIB-CM's monitoring mandate, among other things, the proposed policy can help the EIB Group avoid potential harm, craft appropriate responses, and ensure follow-up.

Nonetheless, the proposed policy is missing a critical component to ensure trust: a sufficient authorizing environment from the Boards of Directors as guarantors of the EIB-CM's independence. As is true of the independent accountability mechanisms of peer institutions, the EIB-CM should be empowered in practice by the Boards in exercising its impartiality and independence. We therefore call on the EIB Group Boards of Directors to fulfil their statutory role of supervising the Management Committee and discharging overall responsibilities to ensure that the Bank is properly run. The EIB-CM policy must allow the Boards to receive timely, regular, and substantial information directly from the EIB-CM, to be apprised about cases, especially where there has been a disagreement between the EIBG Services and the EIB-CM regarding the sufficiency of SRAPs. It is wholly insufficient for the Board to support accountability through semi-annual reports only.

The Boards should be informed when the Management Committee takes steps that differ from or contradict the EIB-CM's recommendations, and the rationale underlying such choices. Deference should not be blindly afforded to the Management Committee as to the need for, or the sufficiency of, an SRAP. Particularly with respect to high-risk projects, the EIB-CM should be able to escalate objections to the Boards as the ultimate arbiters of what's right for remedy.

The EIB Group Boards' involvement in the delivery of accountability and remedy would establish a clear and transparent authorisation process fully in line with their competence under the EIB Group governance structure. We stress that the Boards of Directors are the ultimate decision-making bodies that authorise financing for individual projects, and are responsible for ensuring compliance with the EIB Group's Environmental and Social Policy. It only makes sense that the Boards exercise greater oversight of the steps taken to address significant non-compliance identified by the EIB-CM.

2. The EIB-CM's advisory function should be embraced by the EIB Group Boards.

We are also pleased to see that the advisory role of the EIB-CM towards the EIB Group Governing Bodies has been strengthened. We urge the Boards to frequently and regularly make use of the Policy provision by allowing and encouraging the EIB Group Governing Bodies to ask the EIB-CM for advisory products, to facilitate learning.

3. The "Rules of Conduct" for the EIB-CM should be made explicit.

The updated policy should retain as an annex, verbatim, the well-articulated "[Rules of Conduct](#)" for EIB-CM members presently within the 2018 EIB-CM Procedures. Those already deliberated and negotiated rules of conduct are important for assessing whether complaints have been handled appropriately, and are therefore critical to identifying potential maladministration.

4. The EIB-CM should be leveraged to help bring resolution to issues raised in parallel proceedings.

The EIB Group should be willing to leverage the EIB-CM regardless of other ongoing processes if doing so might help address and settle matters more efficiently than in other fora. Allowing the EIB-CM to receive and process complaints raising issues brought in “pending or ongoing” proceedings is prudent because no other fora have the mandate or authority to assess the EIB Group's compliance with its own policies and provide institutional insight and learning on environmental and social performance. If all parties are willing to engage, the CM should be equipped to readily facilitate constructive problem-solving that supports project and programme sustainability better than litigious or zero-sum processes. We therefore recommend striking proposed paragraph 37(e), which restricts consideration of complaints concerning issues raised in parallel proceedings.

5. The updated policy should clarify the flexible application of dispute resolution and compliance review functions.

While case history makes it apparent that the EIB-CM has approached dispute resolution and compliance review holistically to respond to problems, policy language should be clarified to help potential complainants better understand the practice. We recommend the following simple red-line edit to paragraph 42 of the proposed policy:

"If an Environmental and/or Social Complaint is found admissible, the EIB-CM will perform a screening of the Complaint, the purpose of which is for the EIB-CM to determine the most appropriate way forward to handle it (Early Resolution, Initial Dispute Resolution Assessment **and**/or Initial Compliance Assessment) taking the Complainant's preference into account. For this purpose, the EIB-CM will engage with the Complainant to explain the EIB-CM's different functions and options."

Conclusion

We call on the EIBG Boards of Directors, in the context of their competence to approve the EIB-CM Policy, to order these further amendments to address the shortcomings of the present draft. We remain at your disposal should you wish further explanation.

Yours sincerely,

CEE Bankwatch Network
Accountability Counsel
Inclusive Development International
Recourse

Counter Balance
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