



**Did you know?** The Office of the Compliance Advisor Ombudsman (CAO) is the independent accountability mechanism for the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA), members of the World Bank Group. CAO addresses grievances from people impacted by IFC and MIGA projects with the goal of improving environmental and social outcomes on the ground. For more information, see [www.cao-ombudsman.org](http://www.cao-ombudsman.org).

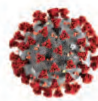
## Changes to CAO's Casework due to COVID-19

The rapidly evolving global situation with COVID-19 (Coronavirus) has impacted us all in unexpected ways. CAO, along with all other World Bank Group staff around the world, is now conducting home-based work and all mission travel is currently suspended. In light of these measures, CAO is making adjustments to its work. This includes adapting case handling, as needed, in discussion with the parties, and in a manner that seeks to minimize disruption without impacting important process requirements. We are adopting a flexible approach to active cases in assessment, dispute resolution, and compliance and will continue to manage cases remotely, wherever feasible, and guided by the availability and unique circumstances of the parties.

We are working to proactively communicate these changes with our stakeholders. This includes developing a one-pager for local communities about changes to CAO's work due to the pandemic and health information about COVID-19, using guidance prepared by the Pan-American Health Organization (PAHO). The one-pager is available **on CAO's website** in English, and CAO is working on additional translations which will be shared once available at [www.cao-ombudsman.org](http://www.cao-ombudsman.org).

While in-person outreach events are postponed, CAO is working with other accountability mechanisms and civil society partners on some virtual outreach events in the Latin America region during May and June 2020. More details about these events will be posted on CAO's website in due course.

As we navigate this unprecedented time, we send our support to all CAO friends, colleagues, and partners around the world who have been adversely affected by the pandemic. For more information about changes to CAO's work, see CAO's **COVID-19 hub**.



### COVID-19 (CORONAVIRUS) Adapting CAO's Casework Due to Pandemic

The rapidly evolving global situation with COVID-19 (Coronavirus) is impacting all of us in unexpected ways. CAO sends its sympathies and support to all our teams, friends, colleagues, and partners around the world who are being adversely affected by this outbreak. World Bank Group offices in Washington D.C. and the majority of country offices, are now conducting home-based work and all mission travel is suspended worldwide. These restrictions apply to all CAO staff and consultants. In light of these measures, CAO is making adjustments to its work, which are outlined below.

#### Case Handling:

Due to the unprecedented situation with COVID-19 and related travel restrictions, CAO is adjusting case handling as needed and in discussion with the parties:

- CAO will adopt a flexible approach and will continue to manage cases remotely, wherever feasible, and guided by the availability and unique circumstances of the parties.
- There may be cases in assessment, dispute resolution, and compliance processes that are subject to extended timeframes, delays or postponement of activities.
- CAO will communicate proactively with the parties about any such anticipated changes in case processing.

If you have questions or concerns related to the status of a new complaint, or cases in ongoing assessment or dispute resolution, please contact the relevant specialist or email us at [CAO@worldbankgroup.org](mailto:CAO@worldbankgroup.org) and we will direct your enquiry to the relevant staff member.

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The One-Pager on changes to CAO's casework due to COVID-19, with health information from PAHO, is available on CAO's website for download and printing, [www.cao-ombudsman.org](http://www.cao-ombudsman.org).

Banner photo caption: Fishermen's boats in the small port of Kribi, Cameroon, one community involved in the CAO dialogue process related to the Chad-Cameroon Pipeline, June 2019 (Rodrigue Mbock/CAO).

## CAO Closes Dispute Resolution Processes Related to the Chad-Cameroon Pipeline

After a period of monitoring the implementation of agreements and working to finalize the conclusion reports, CAO has closed dispute resolution processes in **Chad** and **Cameroon** related to the Chad-Cameroon Pipeline Project, a 1070 km pipeline that transports crude oil from southwestern Chad to the Cameroon coast. The project was supported by both IFC and the World Bank.

In May 2011, CAO received its **first complaint** related to the project when four Cameroonian NGOs, on behalf of several individuals and community groups in Cameroon, raised concerns regarding impacts from the Cameroon portion of the project. In 2012, the complainants and the Cameroon Oil Transportation Company (COTCO), the project operator in Cameroon, agreed to seek resolution through CAO's dispute resolution function, and between 2012 and 2017 CAO facilitated several distinct dialogue processes to address the complex issues raised by the various complainant groups — in all, four different individuals and three community-based groups. By 2014, agreements had been negotiated and fully implemented in the four individual cases contained in the complaint, and in 2016 and 2017, agreements were reached in the three community-based cases.

### **"Complaints by local fishermen led to an agreement for COTCO to support the fishermen's local cooperative, provide a cooling chamber, a gasoline pump, and fishing materials."**

The affected individuals and groups sought remedy for different types of impact, and, accordingly, the agreements reached, and the processes followed to get there, were diverse. Among them, an individual complaint regarding occupational health and safety was resolved by provision of medical care, in combination with support to establish an alternative livelihood. Another complaint, concerning runoff and erosion degrading a family's land, was addressed first through a joint fact-finding exercise. When the study confirmed the suspected impacts on the land, a plantation was then established in an alternate location with technical support, agricultural products, and help with clearing equipment.

Complaints by local fishermen led to an agreement for COTCO to support the fishermen's local cooperative, provide a cooling chamber, a gasoline pump, and fishing materials. Separately, dialogue between COTCO and members of local indigenous Bagyeli communities led to changes in the company's environmental management plan, as well as the establishment of agricultural plots with the security of tenure for interested community members. Finally, in the Ebaka community, which is adjacent to a project waste management

facility, complainants saw their concerns regarding impacts from asbestos addressed through joint fact-finding. The parties then agreed on a series of community development activities the company supported in a partnership agreement.

CAO remained involved in a monitoring capacity as the parties implemented the agreements reached, until conducting closure activities, including a closure ceremony held in June 2019. At the June ceremony, the parties reflected on their shared experience and acknowledged challenges around the sustainability of some of the agreements: even when both sides had fulfilled their commitments, they saw that it would require ongoing and joint effort to ensure that development projects would provide benefits to the communities over time.

*(Continued on page 3)*



A member of the Bagyeli community stands in his cocoa plantation in Cameroon during the first harvest. The plantation is one outcome of the CAO dispute resolution process, June 2019. (Rodrigue Mbéck/CAO).

(Continued)

In March 2020, CAO officially closed this case after publishing its Conclusion Report, which is available on CAO's website in both **English** and **French**.

In January 2020, CAO also issued a Conclusion Report detailing a **dispute resolution process** between Esso Exploration and Production Chad, Inc. (**EEPCI**), the operator of the Chadian portion of the pipeline, and representatives of local communities in Chad. On the Chadian side of the project, the dialogue process addressed five priority areas, including land use by EEPCI, compensation, access to jobs and in-migration of people, environmental impacts, and insufficient concrete signs of sustainable development. In this case, issues that were not part of the dialogue process, specifically concerns around security and resource management, have been transferred to CAO compliance for appraisal of IFC's performance. The dispute resolution Conclusion Report is available in both **English** and **French**.



Company and community representatives in Chad reflect on their experiences with the CAO dispute resolution process, November 2018 (CAO).

#### COMPLIANCE CASE

## CAO Releases Investigation Report of IFC's Investments in the Yanacocha Gold Mine in Peru

CAO released a **compliance investigation report** in February 2020 in response to two complaints (**09** and **10**) from current and former workers of Minera Yanacocha in Peru. Yanacocha operates open-pit gold mines, the development of which was supported by IFC through equity and multiple loan investments. In 2005, the company completed repayment of its IFC loans. In 2017, IFC sold its equity in Yanacocha, ending its investment relationship.



The investigation assessed issues related to occupational health and safety (OSH) conditions at the mine and alleged impacts on worker health. The report documents shortcomings in IFC's pre-investment review of the client's OSH systems, as well as the lack of binding environmental and social requirements as conditions of IFC's investment.

CAO notes that IFC did not possess or have access to occupational hygiene expertise sufficient to monitor the application of its requirements to a project of this scale and technical complexity. As a result, CAO concludes that IFC had limited assurance that the client was providing adequate occupational hygiene protection for workers.

On the question of impact, CAO reviewed documentation shared by the complainants, the Company and IFC. The evidence available to CAO was insufficient to verify the complainants' claims of adverse health impacts caused by the project. At the same time, CAO finds that shortcomings in IFC supervision of the project contributed to this lack of evidence.

IFC's management response acknowledges shortcomings in IFC's due diligence and supervision, as well as in the investment structure, identified in CAO's investigation. In its response, IFC included an action plan to address project- and systemic level CAO non-compliance findings. At the project level, IFC engaged with Yanacocha with respect to complainant concerns regarding access to individual medical records. At the systemic level, IFC is rolling out new procedures to engage proactively with clients early in CAO's complaint process and respond proactively to complaints directly received by IFC. IFC has also committed to updating its Health and Safety Guidelines as they relate to monitoring worker exposures to toxins, to be completed in 2021.

CAO is now monitoring IFC's actions in response to the findings and will issue a monitoring report no later than September 2020.



## CAO Closes Case Related to a MIGA-Supported Gas Pipeline in Azerbaijan After Appraisal

CAO has closed a second case regarding MIGA’s guarantee for the Trans-Anatolian Pipeline (TANAP) in Azerbaijan after completing a **compliance appraisal**, released in March 2020. During its appraisal CAO determined that an investigation was not the appropriate response to this complaint.

The complaint was filed by residents whose farmlands are affected by the South Caucasus Pipeline Expansion (SCPX) project in Azerbaijan. The SCPX is an associated facility of the TANAP project. In their complaint,

the complainants raised issues of land compensation, information disclosure, community engagement, and consultation concerning livelihood restoration and compensation. While evidence beyond the complainants’ account of events is limited, these issues are potentially substantial in nature in that they may have a material livelihood impact on a significant number of households.

In reaching the decision not to investigate, CAO’s appraisal considered: that the resettlement process that gave rise to this complaint occurred prior

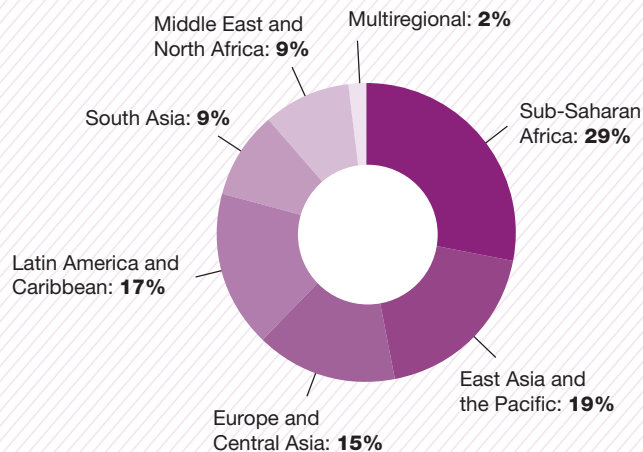
to MIGA providing a guarantee for the TANAP project in June 2018; that the MIGA guarantee was cancelled in August 2019; and that IBRD requested and received from its Board of Executive Directors a safeguard policy waiver for TANAP “associated projects,” including SCPX. In light of these factors, CAO has now closed the case. The appraisal report and **more information about the case** are available on CAO’s website.

## CAO CASE TRACKER FY20

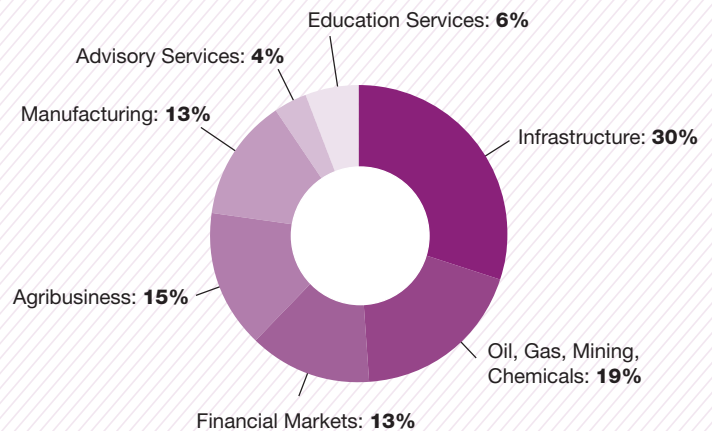
Status as of March 31, 2020. For more information about CAO cases, see [www.cao-ombudsman.org/cases](http://www.cao-ombudsman.org/cases)

During the third quarter of fiscal year 2020 (January 1, 2020 - March 31, 2020), CAO accepted five new complaints, including two from Kenya related to an IFC education project, one from Indonesia related to the mining investment of an IFC financial intermediary client, and two from Jordan, respectively related to a wind farm and a solar plant, both supported by IFC. CAO referred one case from **Cambodia** to dispute resolution following assessment, and one case from **Liberia** to compliance appraisal. CAO also closed three cases – two after compliance appraisals in Azerbaijan and Albania, and one after dispute resolution monitoring in Cameroon. At the end of the quarter, CAO was handling a total of 53 cases in 29 countries in the varying stages of assessment, dispute resolution, compliance, and monitoring.

### CASES BY REGION



### CASES BY SECTOR



## FOR MORE INFORMATION

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