We work with you to make development better

Independent Consultation and Investigation Mechanism
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The IDB Group works to promote economic development by undertaking projects that will improve the lives of the people of Latin America and the Caribbean. The experience gained by its various development agencies and organizations shows, however, that, regardless of how rigorously and carefully these projects are designed and executed, there is always a possibility that they will have unwanted social and/or environmental effects, and we are committed to addressing those effects effectively, impartially, fairly, and transparently. The Independent Consultation and Investigation Mechanism (MICI) ensures transparency and responsibility in our operations and listens and responds to the concerns and grievances of the communities and other stakeholders affected by our development projects. The MICI is an extremely important strategic ally. It helps us to resolve conflicts and build consensus and, most importantly, to learn from its experiences and the good practices employed in its compliance reviews and dialogues, and to draw on those learnings to continually improve our operations and our relationship with civil society. The MICI’s results and activities in 2023 are a reflection of this. They attest to, on the one hand, its excellent complaints processing capacity, adaptability and innovativeness, its ability to maintain an ongoing dialogue with the communities concerned and to mainstream gender and diversity in its analyses, and on the other, the work it does to share knowledge and lessons learned, to partner with IDB and IDB Invest Management, and to strengthen its own team and its internal management procedures. We see the MICI as a key part of the IDB Group’s accountability ecosystem. It performs an essential role in ensuring that our actions are guided by the highest standards of social and environmental responsibility and that we actively listen to civil society and communities as we strive to continue improving lives in Latin America and the Caribbean.

Carlos Álvarez
Executive Director for Chile and Ecuador.
Chairperson of the Policy and Evaluation Committee of the IDB
In 2023, the MICI focused on advancing its vision of working with all to make development better. To do so, we worked closely with communities of the region, IDB project teams and Management, the Board of Executive Directors, civil society organizations, and many others.

A hallmark of this past year has been getting back into the field to speak directly with communities where IDB Group projects may be undertaken. We were able to interact with many different stakeholders, including the public sector, civil society organizations, and academia. We have heard how important mechanisms like the MICI are in forging effective tools for resolving social and environmental concerns, when a project may negatively impact communities. We have also heard how important it is to provide ready access to information about IDB Group development projects, their impacts, and the associated mitigation measures, and about the Group’s ecosystem for addressing adverse social and environmental impacts. We have also been able to gain a fuller picture of the landscape of stakeholders in the two countries where we have undertaken an innovative, more targeted outreach and active listening exercise in an effort to share information with those who may need it. We have relaunched our public information channels with a new website and other content, using a continuous improvement process approach, and will continue to build on that effort to further strengthen our response to the needs we have identified.

Within the IDB Group, we made a determined effort in 2023 to communicate with Management more effectively and to help them to gain a fuller understanding of our work with a view to identifying areas for improvement. We strove to provide the Board with a more complete picture of our day-to-day activities, our case portfolio, and the challenges we face. The Board’s support is a constant source of motivation for us as we go about our work.

The MICI has consolidated its team, and we are gaining ground in our effort to deepen our knowledge and reinforce our internal capacity for managing cases more effectively and efficiently. Thanks to these efforts and to the ongoing support of all our counterparts, we are becoming better equipped to continue working with all parties in furthering development in Latin America and the Caribbean.

Andrea Repetto
MICI Director
In 2023 the MICI processed a total of 39 complaints: 32 dealt with IDB projects, 6 with projects financed by IDB Invest, and 1 by IDB Lab.

In the course of the year, the MICI received **23 new complaints**. This was a record number of new cases and represented an increase of 9.5% over 2022.

18 of the new complaints (**78%) were closed at the registration stage** because they did not meet the necessary requirements.

**The Consultation Phase** processed **14 cases**: **10 from previous years and 4 new cases**. Agreements between the parties were reached in 3 cases. The implementation of agreements was monitored for 4 cases, and another case was closed after the agreed measures had been fully implemented.

**The Compliance Review Phase** processed **5 cases from previous years** and received **2 new cases**. During the year, the Phase produced four investigation recommendations, all of which were authorized by the Board of Executive Directors. In addition, **one of the most complex investigations ever undertaken was completed**.

Over 2,000 people took part in 40 external and IDB Group events in which the MICI was involved in 2023.

In 43% of the cases processed in 2023, the complainant communities expressed fear of possible reprisals (one percentage point more than in 2022).
A year of records

In 2023, a record number of new cases (23) were received in a single year, record numbers of cases were processed by each Phase, and a record overall number of complaints were processed (39). The Consultation Phase processed a total of 14 cases, while the Compliance Review Phase processed 7.

Six investigations in parallel

In the course of the year, the Compliance Review Phase had six cases under investigation, and another was in the monitoring stage. This was an all-time record in terms of both absolute numbers and the number of investigations carried out in a single year.

Three new agreements

Agreements were reached during the Consultation Phase for three complaints, a record matched only in 2019. The monitoring stage was completed in another case with the full implementation of the series of agreements reached by the parties.

More direct communication

In line with the strategic vision for 2021-2026, the MICI has reinforced its digital presence by joining social networks and launching its new website, which offers more accessible content. It has also revamped a number of different communication tools along with its visual identity.

Knowledge-building

As part of its knowledge program, MICI Reflections, the MICI launched two new publications this year. One analyzes the first steps of the MICI process and the requirements to be met for a case to continue through the various phases with special emphasis on case management with a human touch. The other takes a deeper look at the capacity of the MICI dispute resolution process to provide effective redress to complainant communities.

A closer relationship

In 2023 the MICI resumed organizing in-person outreach activities in the region. With the postpandemic return to normalcy, the MICI has piloted a new model that is intended to provide greater capillarity and assist in building more lasting relationships with key stakeholders in the countries.
In the Consultation Phase

14 processed cases
4 new and 10 from previous years

1 case finalized with full implementation of the agreements
3 agreements for 3 cases
7 cases in the monitoring of agreements stage

DURING THE YEAR:

Agreements reached for three complaints, which then moved to the monitoring stage.
At year's end, the Phase was monitoring agreements in seven cases.

One case was closed after determining that the agreements had been fully implemented.
Two cases are still in a dialogue process, and one other is still under assessment of the conditions for the start dialogue.

Three cases were transferred to the Compliance Review Phase.

Cases status as of December 31, 2023

Evaluation Dialogue Monitoring Closed

AGREEMENTS IN 2023 AGREEMENT IMPLEMENTED TRANSFERRED TO THE CRP
Individualized processing

Two of the principles of the Consultation Phase are that the parties must participate voluntarily and must codesign the process used to find mutually agreed solutions. A number of the cases processed in 2023 demonstrate the effectiveness of the application of these principles in reaching and implementing agreements. In two of the cases, the assessment and dialogue stages were conducted simultaneously in order to meet the needs of the parties. In another, which dealt with the construction of the Bogota metro, six different agreements were monitored separately until reaching full implementation in 2023. This was the first case in which a number of different agreements relating to the same complaint had been concluded. Lastly, for a case in Argentina, a final agreement was approved in 2023 thanks to the results achieved under a partial agreement reached in 2022.

The importance of implementing agreements

Apart from reaching agreements, it is essential for the Consultation Phase that those commitments be honored. In fact, in many instances, such monitoring is the part of the process that calls for the greatest and most protracted effort. In 2023, for the first time under the current MICI Policy, the Board of Executive Directors authorized a year’s extension of the monitoring process in connection with the complaint relating to the Caracol Industrial Park in Haiti, where the complexity of land titling procedures and the delicate situation in the country have hindered progress towards fulfilling the land component of the agreement. These difficulties notwithstanding, the other core components of the agreement have already been implemented.
One of the most complex investigations was completed, and the Board asked IDB Invest to prepare an action plan for addressing the MICI recommendations. Once IDB Invest finalizes the action plan, the MICI will begin to monitor it. The MICI continues to monitor the implementation of an action plan for addressing the recommendations of one investigation.

### DURING THE YEAR:

<table>
<thead>
<tr>
<th>2</th>
<th>field missions for investigations</th>
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<tr>
<td>3</td>
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<tr>
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<td>recommendations for investigations completed</td>
</tr>
<tr>
<td>1</td>
<td>investigation completed</td>
</tr>
</tbody>
</table>

The Compliance Review Phase developed investigation recommendations for four cases. All were authorized by the Board, and two commenced the same year.

**Cases status as of December 31, 2023**

- **SELECTION OF THE PANEL**
- **INVESTIGATION IN PROGRESS**
- **AWAITING FOR THE ACTION PLAN**

**DURING THE YEAR:**

- **Recommendation**
- **Investigation**
- **Monitoring of the Action Plan**

MICI Annual Report 2023
Process improvements

During a year in which this Phase received a record number of cases, the MICI team has continued to improve its working methodology in order to optimize its internal procedures and shorten processing times. Thanks to these efforts, in 2023 the Compliance Review Phase completed one investigation, carried out two investigation missions and prepared four recommendations for four compliance reviews, setting a record equaled only once before, in 2019. The four investigations were authorized by the Board of Executive Directors.

Listening to all parties

In line with the recommendations made for external evaluations by the Office of Evaluation and Oversight (OVE) in 2021, the Compliance Review Phase has worked to build stronger relationships with the parties involved in each complaint in order to align the process more closely with the individual characteristics of the case and thus provide a more effective response. In the case of the Ituango hydroelectric project, for example, the complainant communities requested a four-month extension of the deadline for sending in their comments to the investigation so that the findings and recommendations could be explained to the members of those communities. The MICI forwarded the request to the Board, which authorized the extension, the first time it has done so. Another example is the case of two hydroelectric projects in Guatemala, where, at the request of the parties, the MICI acted as an observer in meetings at which IDB Invest and the complainants worked to reach consensus with the aid of an outside mediator regarding a number of specific measures included in the action plan to comply with the recommendations of the MICI investigation.
Accessibility and transparency are two of the MICI's values that play an essential part in fulfilling our mission and helping to ensure that communities can access the MICI when needed. After three years during which the pandemic prevented it from organizing any events in the region, the MICI resumed its in-person outreach activities using an innovative approach involving the introduction of a number of changes in its main communication channels. Over the course of the year, more than 2,000 people participated in 40 activities led by the MICI or other entities. Some of those activities were for external audiences and some were for internal groups.
New communication products

This was a year of significant change in the communication tools used by the MICI. In 2023 we joined a number of social networks, issued a new information brochure, and redesigned our website. This makeover in terms of both content and visual presentation (including a new Web address: mici.iadb.org) highlights our autonomy as an independent office of the IDB Group. Going beyond the visuals, the technological overhaul of our virtual space allows us to make gradual, ongoing improvements in our online presence in order to make the MICI increasingly accessible and to make our expertise and experience available to those who need it.
A new model for strategic relationship-building

As the MICI emerged from its three-year involuntary suspension of in-person activities in the region, the MICI worked out a new strategy for building its relationships with key stakeholders in each country. To test this new approach, two rounds of activities were carried out in June and October 2023 in two countries: Peru and Ecuador. This new model is based on a detailed map of the various key audiences in each country, which was drawn up with support from local consultants and inputs from a series of in-person workshops.

The first round of in-person meetings, in June, made it possible to identify opportunities for working more closely with key institutions in each country, such as ombudsperson’s offices, United Nations agencies, and Indigenous and civil society organizations. The meetings held in October provided an opportunity to develop these key partnerships and conduct more specific types of activities. In all, more than 300 people participated in these 12 events in the two countries.

Over 20 representatives of various nongovernmental organizations in Ecuador took part in a workshop held in Quito.
In Iquitos, in the Amazon-region province of Loreto, in Peru, the MICI and the law, environment, and natural resources advocacy group Derecho, Ambiente y Recursos Naturales (DAR) organized a breakfast meeting with local authorities and a workshop attended by more than 30 members of social-sector organizations representing more than 400 Indigenous populations.

All these activities paved the way for a closer, more direct working relationship with key institutions in these two countries. Learn more about these activities in the following videos:
The MICI’s presence in academia and its work with professional associations

The MICI participated remotely in the American Mediation Congress held in Corrientes, Argentina. Its activities in the academic world also included presentations to participants in a degree course on business-State-community negotiation, mediation, and conflict prevention and to participants in an online degree course on human rights and business.

Work with ombudspersons

In September, the MICI met with national ombudspersons from various countries of the region in an event organized in cooperation with the Ibero-American Federation of Ombudsmen.

Civil society discussion groups

In March and April, presentations on the results achieved in 2022 were given to civil society organizations at two virtual meetings and one hybrid event.
Eighth Regional Forum on Business and Human Rights
In October, the MICI gave presentations at the Eighth Regional Forum on Business and Human Rights in Latin America and the Caribbean, held in Santiago, Chile, and at a seminar on corporate social responsibility.

Second generation of the External Consultative Group (ECG)
The ECG, which is composed of six experts who advise the MICI on a pro bono and nonbinding basis, held one in-person meeting and one virtual meeting with the MICI team.

IDB Invest Knowledge Week
MICI Director Andrea Repetto shared her vision of how the MICI can contribute to IDB Invest’s mission during Knowledge Week, the year’s most important event held by the IDB Group’s private-sector arm, which brought together the entire IDB Invest team in Mexico City.
Institutional dialogue
Various forums and discussion groups were held in 2023 concerning different areas of the work of the IDB and IDB Invest. Topics of special interest included remedy, dispute resolution in remote contexts, and addressing complaints.

Gender and diversity training
The MICI team took part in a gender and diversity training workshop led by the Danish Institute for Human Rights.
Collaboration with peer mechanisms

The MICI has strengthened its collaboration and knowledge sharing with other independent accountability mechanisms. Activities in this area have included two workshops on advanced negotiating techniques held with the dispute resolution team of the Office of the Compliance Advisor Ombudsman (CAO) of the International Finance Corporation, and a knowledge-sharing week on reprisals, conflict resolution and investigative methodologies organized by the Independent Project Accountability Mechanism (IPAM) of the European Bank for Reconstruction and Development.

Twentieth Annual Meeting of the Independent Accountability Mechanisms Network (IAMnet)

In October, the MICI participated in an exchange of knowledge and good practices at the Twentieth Annual Meeting of the Independent Accountability Mechanisms Network (IAMnet) in London. Key topics included reprisal management, relationship-building with parent institutions, and process improvement.
Access to remedy and dispute resolution

In December, the publication *Access to Remedy and Dispute Resolution: Contributions to the Conversation Based on the MICI’s Experience* was launched. This technical note examines to what extent accountability mechanisms do or do not provide an effective remedy for complainant communities. To answer this question, it looks at a number of cases processed by the Consultation Phase and the views of the requesters who initiated the complaints. The study concludes that, for a remedy to be useful and effective in the eyes of the complainants, the response must be flexible, prompt, and tangible.

Summaries of cases processed by the MICI

As part of the case analysis series launched in 2021, the Consultation Phase published a new brief on the complaint concerning the project for the reconstruction of electrical infrastructure in Ecuador following the 2016 earthquake: *Beyond Agreements: The Importance of Timing in Dispute Resolution.*
A human approach to complaints

Approximately one fifth of the 200 complaints that the MICI has received since its establishment have met the registration and eligibility requirements set out in the MICI Policy and therefore could be transferred to the Phases for the start of a dispute resolution process or an investigation. The new MICI Reflections publication, *A Human Approach to Complaints: Learning from the Early Stages of the MICI Process*, looks at the features of eligible complaints as a basis for drawing conclusions and lessons. One of the core ideas is that the response of complaint mechanisms needs to be personalized and agile with a human touch, especially during the initial interactions with complainant communities. The draft version of this publication was discussed in May in a focus group of the new complaints management teams of the IDB, IDB Invest, and other relevant departments. Their comments and input enriched the final version, which was launched in November at an in-house event.
The **2023 Portfolio of Complaints**

39 complaints

In 2023 the MICI processed **39** complaints: **16** from previous years and **23** received during the course of the year. Both numbers are higher than in 2022 and set a record under the current MICI Policy for new cases received and the total case count.

16 from previous years

23 received during the course of the year

Watch a video summary of the complaints portfolio in 2023
By sector, the number of complaints rose in relation to urban development and housing projects and agriculture and rural development projects, while falling in relation to energy projects.

The MICI set a double record in 2023: total number of cases processed (39) and new complaints received in a single year (23).

Of the 23 new complaints, 18 were submitted directly by individuals or communities, meaning that, proportionally, fewer complaints were lodged with the support of a civil society representative or organization.

Transport is the sector involved in the largest number of complaints, and one out of three new complaints also concern projects in this sector.

Projects entailing a medium environmental risk (B) accounted for the majority of complaints in 2023, renewing a trend that had changed in 2022.

Five highlights
## Portfolio of MICI complaints in 2023 (in order received)

### Complaints related to projects funded by:

<table>
<thead>
<tr>
<th>Case</th>
<th>Country</th>
<th>Complaint name and project number</th>
<th>Status as of December 31, 2023</th>
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<td>MICI-PE-2015-0094</td>
<td>Peru</td>
<td>Rural Land Titling and Registration Project in Peru – Third Phase (PTRT-3) (PE-L1026)</td>
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<td>MICI-BID-HA-2017-0114</td>
<td>Haiti</td>
<td>Productive Infrastructure Program — Request II (HA-L1055)</td>
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<td>MICI-CII-CO-2018-0133</td>
<td>Colombia</td>
<td>Ituango Hydropower Plant (11794-04)</td>
<td>COMPLIANCE REVIEW PHASE Awaiting for Management’s action plan</td>
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<td>MICI-CII-CO-2019-0152</td>
<td>Colombia</td>
<td>Ruta del Cacao 4G Toll Road (12252-01)</td>
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<td>Integrated Urban Solid Waste Management Program — Request II (AR-L1151)</td>
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<td>CONSULTATION PHASE Closed after the implementation of the agreements</td>
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<td>National Tourism Development Program - PRODETUR Nacional-Rio de Janeiro (BR-L1210)</td>
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<td>MICI-BID-PR-2023-0208</td>
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<td>Downtown Redevelopment, Modernization of Metropolitan Public Transport and of Government Offices — Request III (PR-L1104)</td>
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<td>Pamplona-Cúcuta Toll-road - Social Bond (14094-01)</td>
<td>CONSULTATION PHASE Completed, in transfer to Compliance Review</td>
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<td>CLOSED — Not registered</td>
<td>60</td>
</tr>
<tr>
<td>MICI-BID-AR-2023-0224</td>
<td>Argentina</td>
<td>Provincial Agricultural Services Program - PROSAP IV (AR-L1198)</td>
<td>CLOSED — Not registered</td>
<td>61</td>
</tr>
<tr>
<td>MICI-BID-BO-2023-0225</td>
<td>Bolivia</td>
<td>Rural Land Regularization and Tilling Program (BO-L1113)</td>
<td>ELIGIBILITY — In progress</td>
<td>57</td>
</tr>
</tbody>
</table>
Complaints: by the numbers

Trends in complaints received

The number of complaints received each year has been rising since 2020. Of the 23 new complaints received in 2023, 78% were not registered. This was one of the highest percentages in the last nine years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Eligible</th>
<th>Eligibility in progress at the end of the year</th>
<th>Not registered + Not eligible</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>1</td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>2016</td>
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<td>2018</td>
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<tr>
<td>2019</td>
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<td></td>
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<td>2022</td>
<td>6</td>
<td></td>
<td>15</td>
</tr>
<tr>
<td>2023</td>
<td>4</td>
<td></td>
<td>18</td>
</tr>
</tbody>
</table>

Where do the complaints come from?

The 39 complaints came from 13 countries of Latin America and the Caribbean. The most were received from Argentina (9), Colombia (9), and Brazil (6).

Complaints received in 2023

The 23 cases received in 2023 came from 10 countries, with the most coming from Brazil (5) and Colombia. Three of the five new complaints from Colombia relate to the same project.
Who is filing the complaints?
A majority of the 39 complaints processed in 2023 were submitted by individuals (24 total). Of the remainder, 8 were filed by community groups, and 5 by Indigenous communities.

A majority of the complaints (20 out of 39) were submitted directly by complainants to the MICI without assistance from any advisory organization or representative. Civil society organizations (CSOs) were involved in filing 11 cases (28% of the total). In the other 8 cases, the representative was an individual.

In 2023, CSOs assisted in 3 new complaints, whereas the majority of new cases (18) were filed directly by individuals.
What type of harm is alleged?

In the vast majority of cases, the harm alleged by complainant communities relates to impacts on their living conditions (28), followed by impacts on property (21), the environment (16), and health (14). No significant changes were noted in the types of harm alleged in 2023 as compared to earlier years.

What environmental risks do the projects pose?

Projects classified as posing a medium level of environmental risk (Category “B,” mostly local and short-term negative impacts for which effective mitigation measures are known) account for more than half of the complaints (22). Operations that can potentially cause significant negative environmental or social impacts or have profound implications affecting natural resources (Category “A,”) represented 39% of the complaints. These percentages are similar to those for recent years with the exception of 2022, when the percentage of category “A” projects rose by 11 points.
What types of projects give rise to complaints?

More than half of the complaints relate to either the transport sector (13 cases) or the water and sanitation sector (8 cases). In the 2023 portfolio, the number of complaints rose in the urban development and housing sector (5) and the agriculture and rural development sector (5), while the energy sector, with 3 complaints, fell from third to fifth place.

<table>
<thead>
<tr>
<th>Sector</th>
<th>2023 Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport</td>
<td>33%</td>
</tr>
<tr>
<td>Water and sanitation</td>
<td>20%</td>
</tr>
<tr>
<td>Urban development and housing</td>
<td>13%</td>
</tr>
<tr>
<td>Agriculture and rural development</td>
<td>13%</td>
</tr>
<tr>
<td>Energy</td>
<td>8%</td>
</tr>
<tr>
<td>Sustainable tourism</td>
<td>5%</td>
</tr>
<tr>
<td>Science and technology</td>
<td>2.66%</td>
</tr>
<tr>
<td>Private firms and SME development</td>
<td>2.66%</td>
</tr>
<tr>
<td>Reform and modernization of the State</td>
<td>2.66%</td>
</tr>
</tbody>
</table>

In all, 82% of the complaints concern IDB projects with governments and public administrations. The number of complaints related to the private sector fell somewhat (7): six of those complaints concern IDB Invest projects, and one, an IDB Lab project.

The transport sector had the most new complaints in 2023 (8, 34% of new complaints). Four new complaints related to the water and sanitation sector, and four others to the agriculture and rural development sector. For the first time, a complaint was filed in relation to the science and technology sector.
The MICI has a zero tolerance policy for any form of reprisal against persons or organizations for having filed a complaint or attempted to gain access to the MICI.

In 17 of the 39 cases processed in 2023 (43%), the complainants stated that they feared reprisals for having approached the MICI and requested that their identities be kept confidential.
Risk of reprisals in complaints processed in 2023

In 17 of the 39 cases processed in 2023 (43%), the complainants stated that they feared reprisals for having approached the MICI and requested that their identities be kept confidential. In such situations, requesters are not required to have previously contacted other entities within the IDB Group, and the MICI shields their identities at all stages of the process.

In 2019, after noting an increase in the number of complainants reporting reprisals, the MICI decided to publish a practical toolkit for all independent accountability mechanisms on ways of dealing with these kinds of situations. A year later, the MICI put operational guidelines in place with standards and principles applying to all MICI processes for handling these situations effectively.
Complaint management in 2023 case by case
Cases managed in the Consultation Phase
The complaint has been in the monitoring of agreements stage since December 2018. The overall situation in the country, in the wake of the instability triggered by the generalized fear for personal safety and the political crisis, has interfered with the full implementation of the agreement. Nevertheless, the strong commitment and flexibility of all the parties has allowed significant progress to be made in terms of the four main pillars of the agreement, which are now nearing completion. The commitments made regarding the distribution of specialized farming equipment and provision of vocational training have been fully met, while implementation of the graduation program and access to microcredit is at 89%. By the end of 2023, 51% of the commitments regarding access to land had been met, which was an increase of 21 percentage points over the preceding year.

In accordance with the MICI-IDB Policy, monitoring of this case was to be completed in December 2023. However, given the complexity of the land access component and the extent of the progress that has been made, the organizations assisting the complainants requested a one-year extension of the monitoring process. In September 2023, the Board approved this extension, the first time it has done so for a case received under the current MICI Policy.
The MICI’s case processing included the facilitation of four meetings of the monitoring committee (three virtual and one in person). The Consultation Phase team went to Caracol for two days of preparatory meetings with the parties. The MICI also kept in constant contact with the parties through bilateral meetings via videoconferencing and telephone, to track progress on the various points of agreement, as well as to identify challenges and actions to address them.

**Highlights**

Access to land is an issue of highly symbolic importance for this group of complainants, but there are significant challenges in its implementation. Given the complexity of the undertaking and in order to achieve the aim of restoring the complainants’ livelihoods, in 2023 the parties agreed upon a roadmap for achieving the objectives of this pillar. This roadmap includes deadlines for the delivery of the land and the analysis of the land registry documents. The people who could not be assured a land title within the agreed time period were offered a choice of alternatives (specialized equipment or a graduation program and access to microcredit). During the additional year of monitoring, attention will be focused on delivering pending land titles and implementing the alternative programs for those who chose one of the other options.
Reconquista River Basin Environmental Sanitation Program — Request III

**MICI-BID-AR-2019-0148**

**ARGENTINA**

Active — Monitoring of agreements

This IDB loan operation is aimed at restoring the environmental quality of the Reconquista River Basin through the implementation of a comprehensive management plan. The plan prioritizes investments for improving solid waste management; increasing water, sewer, and wastewater treatment coverage; improving connectivity and access to outlying neighborhoods; and strengthening the operational management capacity of the Reconquista River Basin Committee.

The complaint was filed by residents of several communities of the river basin in the provinces of Buenos Aires and Tigre, who allege that the program has failed to consider the basin as a territorial unit and the river's capacity as a receiving body. They report high levels of pollution and negative impacts on the quality of life and health of the inhabitants of the lower basin, which could worsen further if the issue of industrial and sewage pollution is not considered. They also cite the effects of the construction of the Drainage Canal/National Rowing Course, which altered water flows and made the delta the final destination of highly polluted water. They further allege that they have not had access to relevant information, nor has there been any consultation or participatory process for engagement of the affected population.

**MICI management in 2023**

The complaint has been in the monitoring of agreements stage since November 2019. In 2023, the MICI verified that progress continued to be made on three of the four components of the agreement: the availability of information on the quarterly monitoring of water quality, the effluent management program, and studies of cumulative impact in the delta.

By agreement of the parties, the National Water Institute (INA) was brought in as an impartial technical agency to help identify measures for mitigating the pollution of the islands in the Paraná delta. In July, the INA shared a provisional work plan and carried out two gauging exercises in which the complainants participated.

**Highlights**

The efforts and the flexibility of the parties and the process are of key importance in devising alternative paths for implementing the commitments that have been made. In this case, the selection of an impartial body like the INA and the direct engagement of the complainants in the gauging exercises have played a crucial role in building confidence in the outcomes of the process.
The IDB is supporting the plan for the restructuring of the complex comprising the Eva Perón Teaching Hospital and Juan Domingo Perón Boarding School in the Province of Santa Fe, Argentina, through a loan for the Development Program for Metropolitan Areas Outside the Capital II. The objective of the project is to enhance and rehabilitate a 53-hectare site in the city’s downtown area that is of historical and environmental value and of urban planning interest. The works include water, sewer, gas, and electricity infrastructure, street lighting, street furniture, the creation of stormwater reservoirs, and the afforestation of green areas.

In February 2021, 81 city residents, who requested confidentiality, filed a complaint with the MICI alleging negative environmental, health, and historical heritage impacts linked to the complex. According to the requesters, these impacts were not correctly identified before the intervention, nor were adequate consultation, information disclosure, and public communication processes carried out in respect of the population affected by the project.

**MICI management in 2023**

In 2023 the MICI continued to monitor compliance with the agreements reached in August 2021 while keeping in close contact with the parties, primarily on a bilateral basis.

The monitoring procedures indicated that progress was being made in the implementation of the agreements, especially in the afforestation of green areas and the provision of advisory services regarding the development of legal arrangements for the governance of the site. The transfer of streets to the municipio moved forward with the introduction of the relevant bill in the Chamber of Senators of the Province of Santa Fe. Headway was also made in installing signage, speed bumps, and guard rails. Full implementation of some of the pending commitments is dependent on the finalization of the works, which are 99% complete.
The objective of the Chascomús Environmental Eco Park project is to clean up and close the Chascomús landfill in the Province of Buenos Aires, Argentina, and to open an Eco Park designed to achieve the maximum recovery of materials and the minimum final disposal of waste. The Bank is financing a loan for US$150 million of the project’s US$187 million cost.

In July 2021, 30 residents of Chascomús, who requested that their identities be kept confidential, filed a complaint alleging potential environmental harm to the community, to their health, and to their property and economy, with a differentiated impact on the livelihoods of some women producers, farmers, and livestock breeders. Their main concerns are the drainage capacity of the land where the Eco Park is slated to be built, the potential pollution of the region’s wetland system, the impact on water wells, the potential loss of value and productive capacity of neighboring properties, and the potential impacts on native fauna.

In 2022 the parties signed a partial agreement that included commitments concerning the final design of the project and specific areas to be covered by the environmental and social impact assessment (ESIA) and the environmental and social management plan. In May the parties resumed their joint work as agreed, and a dialogue was facilitated regarding the ESIA. During that session, no new commitments were added to those already in the partial 2022 agreement, making it possible to sign the final agreement and conclude the dialogue.

Once the agreement was ratified, the monitoring stage opened with several bilateral meetings.

**Highlights**

The agreement includes provisions on the monitoring of groundwater and surface water bodies and the preparation of a qualitative study on potential impacts on property values in the project’s direct area of influence. The two-stage dialogue methodology used in this case made it possible to reach an agreement, make the EIAS more robust, and address the complainants’ main concerns.
Cantonal Road Network II Program

MICI-BID-CR-2021-0171

COSTA RICA
Active — Monitoring of agreements

The specific objectives of the IDB-financed Cantonal Road Network Program II are to improve the cantonal road network by means of rehabilitation and maintenance works that include climate change adaptations, resulting in reduced travel time and operating costs, and to strengthen the institutions responsible for road network management.

A group of 28 residents of the Canton of Buenos Aires, Province of Puntarenas, Costa Rica, filed a complaint concerning the implementation of two projects included in the program. The request describes the program’s impact on their living conditions as a result of damage to the access roads to the Indigenous territories of Salitre and Ujarrás and other roads in the canton’s road network; socioenvironmental impacts of the installation of a crusher; and a lack of public information and community engagement mechanisms.

MICI management in 2023

During the second year of monitoring the agreement, the MICI stayed in constant contact with the parties. Faced with an imminent further delay in the works still to be built, the parties agreed on a new participatory monitoring plan and a new timeline for the full and effective performance of the agreement. This new plan provides for the joint oversight of the competitive bidding process based on frequent updates and weekly onsite meetings during execution of the works.

After some delay, a final competitive bidding process was satisfactorily concluded, and the pending works commenced and are expected to be completed in the first quarter of 2024. While these delays were beyond the control of the parties and were the result of efforts to ensure that the bidding process would be comprehensive and transparent, they have nonetheless resulted in continuing reluctance on the part of the requesters and concerns on their part regarding the two roads on which work is still to be done.

Highlights

The new participatory monitoring plan agreed upon by the monitoring committee is a demonstration of the flexibility and constructive attitude of the parties, which is so necessary for the implementation of mutually agreed solutions.

Loan Operation: CR-L1065
Environmental Category: B
Sector: Transport
IDB Financing: 144,036,000 USD

Registration Eligibility Consultation Phase
Metro of Bogota First Line - First Tranch — Request IV

MICI-BID-CO-2022-0184

COLOMBIA

Closed after the implementation of the agreements

In this operation, the IDB is offering technical assistance and supporting the financing of the startup of works for the first line of the Bogota Metro through two components: preparatory activities, civil works, and inspections; and environmental and social management of the project.

On 15 February 2022 the MICI received a request from a group of 17 citizens with leases, real estate, or businesses on Calle 24 and Caracas Avenue in the Santa Fe neighborhood of the central district in the city of Bogota.

Although the situation of each requester was different, in general they all described potential economic damage and harm to their property, living conditions, and health stemming from the resettlement and expropriation processes involved in the project’s construction.

MICI management in 2023

In December 2022 the MICI verified compliance with the six agreements reached individually by the parties between June and August 2022 to address the specific issues of each of the complainants’ situations.

In March 2023 the Consultation Phase traveled to Bogota for bilateral meetings with the parties, and to inspect a sample of the properties covered by the complaint. The parties expressed satisfaction with the outcome of the process facilitated by the MICI.

After verifying full compliance with the agreements, the MICI prepared the case closure report.

Highlights

This is the first time that multiple agreements were reached in a single case, to resolve the specific issues of each of the complainants’ situations and restore their pre-existing living conditions. Thanks to the joint implementation of the evaluation and dialogue stages and the sequential monitoring methodology, the MICI facilitated the negotiation of six agreements and succeeded in verifying their effective implementation in just 10 months.

Loan Operation: CO-L1234
Environmental Category: A
Sector: Transport
IDB Financing: 70,000,000 USD

More information and public documents
Reconquista River Basin Environmental Sanitation Program — Request V

MICI-BID-AR-2022-0188

ARGENTINA
Active — In dialogue process

The program, which is financed through an IDB loan, seeks to restore the environmental quality of the Reconquista River Basin. The request relates to the “Branch Sewer Systems in Moreno: Catonas IV North and South” project under the program, to be built in the Moreno District in the river’s middle basin. The project involves building a system of sewers and collectors up to a discharge point at an existing collector for final conveyance to an effluent treatment plant.

On 8 July 2022 a group of 60 residents of Villa Anita, Moreno District, in the Province of Buenos Aires, accompanied by the Federal Prosecutor for Moreno District, filed a complaint with the MICI. They alleged potential harm to their quality of life, degradation of public spaces, and lack of access to public services due to the halt in construction on Section 2 of the project.

MICI management in 2023

This case has been in the dialogue process since November 2022. In line with the agenda agreed upon at the first session of the dialogue and the works timetable, the MICI facilitated two virtual dialogue sessions at which there was a direct exchange of information between the parties.

To allow enough time to complete the award process and sign the works contract, the Board approved a six-month extension for the Consultation Phase until 24 April 2024.

In November the executing agency reached the milestones communicated for the contract award. The works are scheduled to begin in the first half of the year.

Highlights

The central concern of the group of complainants has to do with access to information on the award and the construction of the works. Since this was a process in parallel with the MICI, it has been extremely important to stay in constant contact with the parties to share information about the process milestones, tentative dates, and any situation that could jeopardize meeting them.
Metro of Bogota First Line - First Tranch — Request V

**MICI-BID-CO-2022-0192**

**COLOMBIA**

Active — In dialogue process

In this operation, the IDB is offering technical assistance and supporting the financing of the startup of works for the first line of the Bogota Metro through two components: preparatory activities, civil works, and inspections; and environmental and social management of the project.

On 12 August 2022 the MICI received a request from three individuals who own an automobile service station business in the San Bernardo area of downtown Bogota.

The requesters allege potential harm to their living conditions and property stemming from the expropriation of their service station to make way for the construction of the metro. They also allege a lack of information and contradictions in their communications with the executing agency that have engendered uncertainty about their future.

**MICI management in 2023**

During the assessment stage of the Consultation Phase, which began in October 2022, it was agreed that an independent expert appraisal would be obtained for the assessed valuation, which was the main point at issue in the complaint. In May, the Consultation Phase facilitated in-person working sessions between the parties at which the Colombian Society of Engineers (SCI) presented its technical report and responded to the parties' questions and comments.

As a result of numerous exchanges with the requesters, the IDB, and the executing agency, as well as visits to the project target area, the Consultation Phase team identified a set of factors that could affect the dispute resolution process, such as the large amount of compensation being claimed, the conclusions of the SCI's comprehensive technical report, changes in the land management team of the project executing agency, EMB, the amount of time passed, the pretrial mediation process under way, and local elections in Bogota. Nonetheless, the parties did not indicate that they wished to give up the possibility of resolving the dispute by means of the dialogue. Furthermore, the exchanges and dealings in the working sessions among the parties have been respectful, sincere, and productive, as the parties have succeeded in reaching procedural agreements. Given all this, the MICI issued its assessment report, indicating that the necessary conditions were in place for starting a dialogue process.

**Highlights**

This case has shown that technical analyses, like the independent review of the assessed valuation proposed by the MICI, can help bring the parties to a dialogue closer together in their positions, making it more likely that they will reach an agreement.
Pamplona-Cúcuta Toll-road - Social Bond

MICI-CII-CO-2023-0210

COLOMBIA

Active — In transfer to Compliance Review

The objective of this project, which is financed by IDB Invest, is the construction, upgrading, repaving, and maintenance of the road between the cities of Pamplona and Cúcuta in the Department of Norte de Santander, crossing the municipios of Pamplonita, Chinácota, Bochalema, and Los Patios.

The complaint was filed by two residents of Cúcuta, who allege potential harm to their finances from the expropriation, without adequate compensation, of a strip of land where they hold a mining concession. The complainants, represented by an attorney in dealings with the MICI, allege a loss of potential earnings and claim that the destruction of infrastructure, limitation of access to the mine, and the cost of modifying environmental permits were not taken into account.

MICI management in 2023

The request was declared eligible in August and transferred to the Consultation Phase. Between August and December, the MICI held 10 bilateral meetings with the requesters, IDB Invest, and the client to assess the conditions for a dialogue process. The points analyzed included the interests of each party and their expectations regarding the results of such a process, possible agenda items to be addressed, and the conditions required as a minimum for opening a dialogue.

In October, the Board approved an extension of the assessment period until 20 December, to continue exploring the viability of a dialogue process. When that date arrived, it was determined that the necessary conditions for a dialogue were not present, and the Consultation Phase was closed. At year’s end, the case was being transferred to the Compliance Review Phase, which will take over the case in 2024.

Highlights

Before approaching the MICI, the requesters had sought to present their claim in various other venues, such as the Colombian courts and IDB Invest’s grievance mechanism, to find solutions for approximately eight months. The request therefore reached the MICI with a history of prior litigation concerning similar issues and failed attempts at dialogue.
Enhancing the Ecosystem for Entrepreneurship and Innovation in Bolivia — Request II

MICI-BID-BO-2023-0214

BOLIVIA

Active — Monitoring of agreements

The main objective of this IDB Lab technical cooperation project is to empower the entrepreneurship and innovation ecosystem in Bolivia by promoting innovative business ventures, events for increased connections among operators, and expanded service offerings for entrepreneurs.

The complaint was submitted in July by a group of requesters who asked that their identities be kept confidential. They alleged harm due to gender-based discrimination and censorship actions in the workplace and contended that this situation has had negative impacts on their living conditions.

MICI management in 2023

In September, the MICI determined that the request met all eligibility criteria and transferred it to the Consultation Phase. In October, The Consultation Phase carried out an assessment mission in Santa Cruz de la Sierra during which the parties expressed their willingness to engage in a dispute resolution process. Towards the end of the mission, the team discussed the possible content and structure of a preliminary agreement with the parties.

From October to December, the MICI had various exchanges with each of the parties in preparation for drafting the clauses of the agreement, which was signed virtually on 15 December. The parties agreed that the document should be confidential and asked the MICI to monitor it for a two-year period starting from the signature date. The MICI will send the combined Assessment and Consultation Phase reports to the Board in January 2024.

Highlights

This is the first complaint in which an agreement has been reached relating exclusively to gender equity issues; it is also the first concerning an IDB Lab project.

In view of the highly sensitive nature of the issue, the MICI designed a goodwill-based process and held approximately 15 bilateral meetings with the parties. The process was also expedited by merging the assessment and dialogue stages. The MICI wishes to recognize the efforts, contributions, and flexibility shown by the parties in order to reach this agreement.

Technical Cooperation: BO-T1346
Environmental Category: C
Sector: Private firms and SME development
IDB Lab Financing: 750,000 USD

More information and public documents
Curitiba’s Sustainable Urban Mobility Program — Request II

MICI-BID-BR-2023-0216
BRAZIL
Active — Monitoring of agreements

The project is a multiple-works operation to improve urban mobility in the city of Curitiba, State of Paraná, Brazil, via the mass public transport system.

The complaint was submitted in July by a group of residents of Curitiba, who allege potential harm to their living conditions stemming from their eviction from a commercial premises. They further allege that the project is only compensating the owners, without providing for any payment for loss of potential earnings or for the relocation of the occupants or leaseholders. This request is linked to complaint MICI-BID-BR20230213, which was not registered because no prior contact had been made with IDB Management. The group of complainants decided to turn to the MICI a second time because they believed their concerns had not been resolved.

MICI management in 2023

In September, the MICI determined that the request was eligible and transferred the case to the Consultation Phase, as requested by the complainants. In October, the Consultation Phase traveled to Curitiba and held numerous in-person bilateral and multilateral meetings to exchange information, analyze the case, and make preparations with the parties. The MICI also visited the building slated for expropriation during working hours, to assess its productive activity and level of complexity in terms of the required infrastructure and equipment.

After noting the parties’ interest and willingness to resolve the dispute by means of a facilitated dialogue, the MICI convened and facilitated a plenary work session. At that session, the three parties agreed on a set of supporting measures to ensure that the transfer of the requesters’ business to a new building would be efficient, well planned, and have as little impact on their productive activity as possible. In addition, separately from the MICI agreement, the parties agreed to terminate any parallel process under way. On 30 October the parties ratified these commitments and signed a final agreement. In December, after obtaining the no objection of the Board of Executive Directors, the Consultation Phase began monitoring of the agreement.

**Highlights**

This is the first agreement reached in Brazil since the current MICI Policy entered into effect in 2014.

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**Loan Operation:** BR-L1532  
**Environmental Category:** B  
**Sector:** Transport  
**IDB Financing:** 133,400,000 USD  

More information and public documents
This IDB Invest operation involves a loan to Procesadora Nacional de Alimentos C.A. (PRONACA) to finance the company’s 2019-2020 investment plan for organic growth in Ecuador and the refinancing of an existing investment loan, and to provide funds for acquisition of the firm Panavicola I, S.A. (“Toledano”) in Panama. Specifically, the investments in Ecuador would enable PRONACA to increase its installed capacity for chicken and swine production, retrofit its production facilities and increase productivity, and improve its internal policies and corporate efficiency.

The complaint was submitted in September by Tsáchila Indigenous communities in Santo Domingo de los Tsháchilas, Ecuador. These communities allege environmental harm arising from water and air pollution, health impacts, and impacts on their livelihoods that they allege are linked to the project. The complainants are represented for the purposes of the MICI process by the Ecuadorian Coordinator of Organizations for the Defense of Nature and the Environment (CEDENMA) and are being advised by the organizations Friends of the Earth and Bank Information Center.

**MICI management in 2023**

The complaint was declared eligible in November and transferred to the Consultation Phase. In November and December, the Consultation Phase held bilateral meetings with the parties in order to gain a fuller understanding of their positions, needs, and interests. In December, the MICI team traveled to Santo Domingo and Quito, to determine whether or not the conditions were present for a dispute resolution process. As part of that mission, the team met with the requesters under the leadership of the Governor of the Tsáchila Nation, and with PRONACA and IDB Invest.
Cases managed in the Compliance Review Phase
The complaint refers to the third phase of the Rural Land Cadastre, Titling, and Registration Project in Peru (PRTT-3) to enhance the security of rural land tenure in Peru, benefiting 220,000 agricultural producers, 190 campesino communities, and 403 native communities.

The complaint was submitted by the Interethnic Association for the Development of the Peruvian Amazon (AIDESEP), representing 64 Indigenous peoples and 1,809 communities of the Peru’s Amazon region. The request alleges that the execution of the project will cause irreparable harm to Indigenous peoples and will violate their property and usage rights to Indigenous territories by addressing the granting of land titles to settlers first. The complainants also allege environmental and socioeconomic harm such as the deforestation of ancestral lands, degradation of ecosystems, and Indigenous peoples’ loss of livelihoods as a result of potential noncompliance with the Environment and Safeguards Compliance Policy (Operational Policy OP703) and the Indigenous Peoples Policy (Operational Policy OP765).

**MICI management in 2023**

The case was transferred from the Consultation Phase in 2022 after little progress was seen in implementing the agreements reached. In January 2023 the investigation began with the formation of the investigation panel, which is composed of the Compliance Phase Coordinator, a social-sector expert, and an environmental expert. The investigation focuses on four key areas in reviewing compliance with IDB environmental and social policies: first, management of the consultation process and the participation of Indigenous peoples; second, the classification and subsequent reclassification of the environmental category for the project, especially in relation to the risks and impacts pertaining to Indigenous populations; third, investigation of the institutional capacity assessment to fully identify and manage the associated risks and impacts; and fourth, identification of the environmental risks and impacts associated with the project, including critical issues such as deforestation and natural habitat conservation, and determination of the corresponding measures for managing them.
In May the investigation team carried out a field mission in Lima and Iquitos. During that visit, it held numerous meetings and interviews with over 40 people, including requesters, IDB staff, national and local authorities, Indigenous community leaders, and members of civil society organizations.

In December the investigation was completed and the MICI forwarded the preliminary report to the parties for their comments prior to finalizing the MICI’s final report and recommendations.

**Highlights**

The Compliance Review Phase conducted this investigation in a much shorter time than is usually required, in line with the MICI’s commitment to expedite its processes and respond to the parties more promptly. This is also the first case to have been fully processed by the Compliance Review Phase since the pandemic.
Ituango Hydropower Plant

MICI-CII-CO-2018-0133

COLOMBIA

Active — Awaiting for Management's action plan

The Ituango Hydropower Plant, which is now in operation, has a 2,400 megawatt generating capacity. It harnesses the flow of the middle stretch of the Cauca River in the Department of Antioquia, some 170 kilometers from Medellin. IDB Invest financed the project with a corporate loan operation that began in 2016.

A complaint was submitted to the MICI by 477 residents of nine municipios (Briceño, Ituango, Toledo, Peque, Sabanalarga, Valdivia, Caucasia, San Andrés de Cuerquia, and Sopetrán) in the Department of Antioquia, Colombia, represented by the organization Movimiento Ríos Vivos and joined in the complaint process by three civil society organizations: Center for International Environmental Law (CIEL), Interamerican Association for Environmental Defense (AIDA), and International Accountability Project (IAP).

In their complaint they allege current and potential impacts of the project’s construction and operation related to the identification of the target area and affected population, poor management of disaster risks, increased conflict, insecurity, and violence in the area, and gender-differentiated impacts. They also claim that no adequate public consultations and participatory mechanisms or appropriate plans for resettlement or providing compensation for physical and economic displacement were in place.

MICI management in 2023

In March, the MICI sent the preliminary report on the investigation to the parties for their comments. At the request of the parties and with the Board’s approval, the period for receiving comments was extended from 21 business days to four months. During this time, the Phase facilitated a meeting with each party to get their views on the preliminary report, particularly regarding the viability of its recommendations.

In October the Board considered the Compliance Review Report, which identified instances of compliance and noncompliance with IDB Invest’s operational policies. The instances of noncompliance mainly had to do with the proper identification of the project target area and emergency areas, as well as the potentially affected population. The MICI indicated that differentiated impact management measures had not been adopted for vulnerable population groups, such as those affected by the territory’s history of violence.

The Phase offered 16 recommendations for improving compliance with IDB Invest’s environmental and social standards, all of which were approved by the Board. It also recommended a series of measures for the local communities that had filed the complaint.

Loan Operation: 11794-04
Environmental Category: A
Sector: Energy
IDB Invest Financing: 400,000,000 USD

More information and public documents

MICI Annual Report 2023
with the MICI. These recommendations focused on filling gaps in information about disaster risks and supporting local initiatives for building the productive, economic, and social capacity of these communities with a gender lens.

Pursuant to one of the recommendations, the Board tasked IDB Invest with preparing an action plan to be submitted in early 2024 and monitored by the Compliance Review Phase.
Generadora San Mateo S.A. and Generadora San Andrés S.A.

GUATEMALA
Active — Monitoring of Management’s action plan

This project consists of the construction and operation of two run-of-river hydroelectric power plants, Generadora San Mateo S.A. (GSM) and Generadora San Andrés S.A. (GSA), financed by two IDB Invest loan operations. GSM will use the waters of the Negro and Pojom rivers, and GSA will use the waters of the Primavera, Varsovia, and Palmira rivers. Both projects are located in the municipio of San Mateo de Ixtatán, Huehuetenango Department, Guatemala.

The complaint was submitted by residents of five communities (Ixquisis, Bella Linda, Yulchen Frontera, Nuevo San Mateo, and Pojom) in the Ixquisis microregion, who requested that their identities be kept confidential for fear of reprisals. They are represented by the Q'anjob'al, Popti, Chuj, Akateko, and Mestizo Plurinational Ancestral Government with the support of the Interamerican Association for Environmental Defense (AIDA) and the International Platform Against Impunity.

The complaint alleges that IDB Invest failed to fulfill its due diligence and supervision obligations, including the absence of a full environmental and social impact assessment or adequate procedures for consultation and access to information, considering the negative impacts on the interests and territory of Indigenous communities. The complaint also described environmental harm to water bodies that would adversely affect the household and agricultural activities of the communities, as well as the culture and traditional way of life of the Indigenous peoples of the area, with gender-differentiated impacts.

Additionally, the complaint details a serious fear for personal safety, unraveling of the fabric of family and community life, and violence and reprisals against opponents of the projects as a consequence of a climate of confrontation that the complainants say began with the arrival of the hydroelectric projects.

MICI management in 2023

In January 2023 the MICI released its plan for monitoring the action plan prepared by IDB Invest to address the recommendations in the Compliance Review Report. This plan detailed the “what, how, and when” for the annual monitoring of the 41 activities involved.

The first monitoring report, issued in May, showed that 24 actions have been compliant, although two have been compliant after the expected deadline. Most of these actions relate to institution-strengthening in the areas of contextual risk, Indigenous peoples,
gender, security and human rights, grievance mechanisms, and risk of reprisals. It also noted that the preparation of IDB Invest’s responsible exit plan and transition plan was partially compliant. Three of the five actions relating to internal IDB Invest procedures were noncompliant, and one was partially compliant.

The action plan is being monitored by means of desk review and oral and written reports from Management and the requesters. This approach has provided more up-to-date information for use in the MICI analysis and has made it possible for the report to reflect the specific perspectives of the parties.

**Highlights**

This is the first time the Phase has used this monitoring methodology, making the process significantly more transparent and efficient and cutting the average time required to issue the monitoring reports in half.
IDB Invest is financing the Bucaramanga-Barrancabermeja-Yondó concession project, which is part of the second wave of the Fourth Generation of Concessions (4G Program) promoted by Colombia’s National Infrastructure Agency under a public-private partnership arrangement. The project consists of a road interconnection between Bucaramanga and the western part of the Department of Santander, the municipio of Yondó (Department of Antioquia), and the Ruta del Sol II concession.

Several communities in the project target area submitted a complaint through the Ruta del Cacao 4G Toll Road Citizen Watch Group (VCRC-4G), alleging environmental harm from water, soil, and air pollution and harm to local flora and fauna associated with the construction and subsequent operation of the road. The complainants also alleged damage to dwellings and properties, economic harm to the merchants working along the route, and failure to properly compensate the property owners adversely affected by the project.

**MICI management in 2023**

Despite the notable efforts of the parties during two years of dialogue, during which two partial agreements began implementation, the dispute resolution process failed to yield a final agreement, and the complaint was transferred to the Compliance Review Phase in December 2022.

The Phase prepared an investigation recommendation, which the IDB Invest Board approved in May 2023. In December the investigation panel was formed with the Phase Coordinator, Kattya Araya; Cristián Franz, a social expert; and Luis Enrique Sánchez, an environmental expert.

The main question to be addressed by the investigation is whether the project’s social, environmental, and economic displacement impacts properly identified, assessed, and characterized, and whether the measures to manage them were adequate. The investigation will also seek to determine whether IDB Invest performed adequate supervision. The investigation is to be completed in June 2024.
The project relates to the Luján Environmental Center in the Province of Buenos Aires, Argentina, which is part of an IDB-financed multiple-works program. Its specific objective is to improve the quality and operation of waste management services in the area through the construction of a waste sorting plant and a final disposal module with facilities for collecting and treating leachate and capturing biogas. The project also provides for cleanup and closure of an open dump located on municipal land and a number of privately owned lots.

The complaint was filed by a group of 60 residents of the municipio and concerns potential harm to the area’s environment and cultural heritage, as well as to residents’ health, property, and quality of life, which may be linked to the cleanup of the dump, which is currently still operating, and to the future construction and operation of a new sanitary landfill and ecopark.

In April the Board of Executive Directors approved the recommendation for an investigation into three main areas: the consultation processes; identification of possible environmental impacts and the measures to manage them concerning the monitoring of leachates, failure to provide for a protective layer to prevent leakage, and measures to prevent the pollution of groundwater and surface water; and the identification of possible social and economic impacts with their corresponding mitigation measures.

The investigation began in June with the formation of the panel, which is composed of the Compliance Review Phase Coordinator, a social-sector expert, and an environmental expert, supported by an advisor specializing in Argentine environmental law.

In December, the investigation team conducted a field mission to the cities of Buenos Aires and Luján. During the visit, numerous meetings and interviews were held with over 120 people, including requesters; IDB and executing agency staff; national, provincial, and municipal authorities and area residents; waste recyclers at the dump; supporters and opponents of the project; women...
working at a neighboring business; and staff of the Office of the National Ombudsperson and the Public Defender’s Office.

**Highlights**

The investigation has attracted a great deal of interest in the future of this project from the media and society, and execution has been halted several times after courts issued injunctions in ongoing litigation brought by the requesters. The new administration in Argentina has decreed that the Ministry of the Interior will be put in charge of the commitments and obligations of the project’s executing agency.
The IDB financed the PRODETUR Nacional-Rio de Janeiro program as part of its support for the tourism sector in Brazil. The State of Rio de Janeiro was the borrower, and the Federative Republic of Brazil was the guarantor for this operation, which was approved in 2010. The program sought to contribute to job growth and to an increase in the revenues and foreign exchange generated by the state’s tourism sector. One of the projects under this program, the “Project on Sanitation, Drainage, and Urban Development of Vila do Abraão, Ilha Grande, Angra dos Reis,” is the subject of the complaint filed with the MICI. The IDB has reported that the operation is no longer active, and the executing agency was dissolved following its closure.

The complaint was submitted by four members of a family residing in the community of Vila do Abraão, who claimed that the construction and subsequent suspension of the works had caused social and environmental harm. They alleged environmental and public health impacts, as well as loss of livelihood.

**MICI management in 2023**

The complaint had been in the assessment stage of the Consultation Phase since October 2022. Despite several attempts to open a dialogue, including two extensions, a series of obstacles remained. First, although the requesters had been attempting to resolve the situation with IDB Management since 2018, no active channels of communication were open. In addition, the Bank indicated that the main allegation in the complaint would be difficult to address because there was no longer an executing agency, and the operation was no longer active. The MICI also observed that the amount of time that had passed since the dispute had arisen, as well as the high levels of frustration, limited the scope for possible agreement. For these reasons, the Consultation Phase determined that reaching an agreement was not feasible, and transferred the case to the Compliance Review Phase.

The Compliance Review Phase team recommended an investigation, and the Board of Executive Directors approved that recommendation and its terms of reference on 15 December. The investigation will look at whether there was appropriate identification, assessment, and characterization of the social and environmental impacts and management measures to address them, in order to prevent, avert, and mitigate the potential adverse impacts and risks of the project, particularly related to the movement of materials and pollution from the unfinished works. The investigation will also determine whether IDB supervision was adequate. The investigation is expected to be carried out within six months after the formation of the panel.
Tacuarembó-Salto Green Transmission Line — Request II

URUGUAY

Active — Selection of the investigation panel

The operation is financed by IDB Invest and consists of the design, construction, operation, and maintenance of a 350-kilometer high-voltage transmission line (500 kV), construction of an electrical substation, and delivery of auxiliary services that will interconnect substations in Uruguay’s departments of Tacuarembó and Salto. The objective is to ensure the reliability of the nation’s electrical system and to support the integration of renewable energy.

The request was submitted by two residents and owners of a property located in the Department of Paysandú, who are being represented by two attorneys and an environmental expert in their dealings with the MICI. The complaint alleges harm to their property arising from the construction and installation of around 20 metal towers that are 48 meters in height for the transmission line. The complainants contend that impacts were not properly analyzed and identified, specifically in relation to the protection of historic monuments, nor was there a comprehensive analysis of alternatives or adequate protocols implemented for protecting sites of cultural significance. They further allege that there were no consultation processes or information made available.

MICI management in 2023

In December 2022 the MICI declared the request eligible and transferred it to the Consultation Phase. To expedite the process, bilateral dialogues with the parties began immediately, to determine whether the conditions were present for a dispute resolution process. However, the necessary conditions for a dialogue were not present because of the amount of time that had passed, the narrowing of the window of opportunity for reaching an agreement, the existence of parallel legal proceedings, and the extreme mistrust between the parties.

The case was transferred to the Compliance Review Phase in February 2023. The team’s recommendation for a compliance review was approved by the Board of Executive Directors in August. The investigation will address two core issues (consultation and citizen engagement process and cultural heritage) and will determine whether the IDB performed its supervisory role satisfactorily.

The investigation is to begin in January 2024 and is expected to be completed within six months.
Complaints reviewed in the eligibility stage

6 cases reviewed

In 2023 six cases were reviewed for eligibility determination; one received in 2022, and five registered in the course of the year. At this stage, the MICI reviews the allegations made in the complaints and gathers more information from the complainants and project staff to provide perspective on the questions raised in the complaint.

Of the six cases examined in this stage:

- Four cases were declared eligible and transferred to the Consultation Phase by choice of the requesters.
- One complaint received in 2022 was deemed ineligible because several exclusions were applicable (MICI-BID-AR-2022-0201).
- At year-end, one complaint received was still under eligibility review in December (MICI-BID-BO-2023-0225).

Result of the eligibility process

<table>
<thead>
<tr>
<th>Not eligible</th>
<th>In progress</th>
<th>Eligible</th>
</tr>
</thead>
<tbody>
<tr>
<td>17%</td>
<td>17%</td>
<td>66%</td>
</tr>
</tbody>
</table>

17% Refers to a complaint received in 2022
General San Martín Railroad Improvement Project: Retiro-Pilar Branch Line

MICI-BID-AR-2022-0201
ARGENTINA
Closed — Not eligible

The complaint was submitted by 176 residents of the city of Buenos Aires, Argentina, who requested that their identities be kept confidential for fear of reprisals. In their request they describe potential future environmental, social, and economic harm and harm to their living conditions due to the electrification works and construction of underpasses to improve the Retiro-Pilar Branch Line of the General San Martín Railroad.

The group of requesters state that the project, as designed, will adversely affect the urban grid, making their neighborhood less accessible for pedestrians and persons with disabilities. They also allege that the construction would interfere with access to commercial sectors, negatively impacting small businesses and their workers, as well as hindering access to hospitals and other services. The complainants also state that the project has undergone various changes, and because the most recent public consultation was in 2017, the only information available to them is out of date and unclear.

MICI management in 2023

The complaint was received in 2022 and declared ineligible for a MICI process on 23 February because the allegations of harm could not be connected to Bank-financed operations.
Rural Land Regularization and Titling Program

**MICI-BID-BO-2023-0225**

**BOLIVIA**

Eligibility — In progress

The IDB-financed operation consists of a program for land regularization, titling, administration, and registration in Bolivia with the objective of increasing the legal certainty over rural property. The program beneficiaries are small and medium-sized agricultural producers and Indigenous communities.

The group of requesters, who have asked that their identities be kept confidential, allege potential harm to the living conditions and heritage of Indigenous communities throughout the country, potentially linked to incomplete and flawed land titling and management processes that were not transparent and did not provide for fair compensation.

Additionally, they allege potential environmental harm resulting from the conversion of forest land into farmland, a process involving the clearing of land, use of fire, and soil depletion. They claim that these changes in land management and use have had a negative impact on the traditional ways in which these communities use their territories. They further allege that information about the operation has not been made accessible for the communities, nor have meaningful public consultations been held with the population affected by the operation.

**MICI management in 2023**

The complaint was registered on 18 December, when all the information required for its processing had been received. The eligibility determination deadline is 26 February 2024.
When the MICI receives a new complaint, it reviews its contents within five business days in order to check whether it meets the requirements and provides the information required for its initial processing (paragraph 14) and to determine whether any of the specified exclusions apply (paragraph 19).

Of the 23 complaints received in 2023, 18 failed to meet one or more requirements or an exclusion applied. In those cases, the MICI did not register the complaints and terminated their processing at that point.
Reasons why complaints were not registered

Six complaints were not registered because the requesters had made no prior contact with the IDB, IDB Invest, or IDB Lab project team. Since the complainants did not express fear of reprisals, they were referred to Management.

Six complaints related solely to corruption, which does not fall within the MICI’s scope. The MICI referred these complaints to the Bank’s Office of Institutional Integrity.

Three complaints provide insufficient information for registration, even after the MICI granted an extension of 10 business days.

Two complaints related to issues outside the MICI’s scope and were referred to the Bank’s Procurement Office.

Lastly, one complaint was not registered because it was not submitted within 24 months after the IDB’s last disbursement.
Eight requests were not registered because they dealt solely with prohibited practices, corruption, procurement or bidding, all of which fall outside the MICI’s scope (exclusion 19.a). In such cases, the request is transferred to the Bank’s Office of Institutional Integrity or Procurement Office, as applicable.

<table>
<thead>
<tr>
<th>MICI-BID-BO-2023-0206</th>
<th>Cultural Heritage Tourism Management Program (BO-L1182)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MICI-BID-PR-2023-0208</td>
<td>Downtown Redevelopment, Modernization of Metropolitan Public Transport and of Government Offices — Request III (PR-L1044)</td>
</tr>
<tr>
<td>MICI-BID-EC-2023-0209</td>
<td>Water and Sanitation Program for Portoviejo Canton (EC-L1248)</td>
</tr>
<tr>
<td>MICI-BID-SU-2023-0215</td>
<td>Water Supply Modernization Program (SU-L1058)</td>
</tr>
<tr>
<td>MICI-BID-DR-2023-0217</td>
<td>Program to Improve Connectivity for Digital Transformation in the Dominican Republic (DR-L1147)</td>
</tr>
<tr>
<td>MICI-BID-GU-2023-0219</td>
<td>Office of the Public Prosecutor Strengthening and Modernization Program (GU-L1095)</td>
</tr>
<tr>
<td>MICI-BID-BR-2023-0220</td>
<td>Urban Resilience and Revitalization Program in Socially and Environmentally Vulnerable Areas – ProMorar Recife (BR-L1609)</td>
</tr>
</tbody>
</table>

One of the requirements for registering a complaint is that the requesters must have attempted to work with IDB Group Management to resolve their concerns before approaching the MICI, unless the complainants fear that they may be subject to reprisals for expressing their concerns. When this requirement is not met, the MICI provides information for complainants and the IDB Group project team to establish initial contact via the IDB’s Protocol for Environmental and Social Grievances or IDB Invest’s Grievance Management Mechanism. Complainants are also informed that they can always return to the MICI, if they believe their concerns have not been properly addressed within a reasonable time. This was the case for six complaints in 2023.

<table>
<thead>
<tr>
<th>MICI-BID-BR-2023-0222</th>
<th>Integrated and Sustainable Urban Development Program of The Municipality of João Pessoa (BR-L1421)</th>
</tr>
</thead>
</table>
Complaints not registered because incomplete information

When a request does not contain all the information necessary for its registration (paragraph 14), the MICI Policy grants the requesters an additional 10 business days to supplement their original request. The processing of the complaint is terminated if the requirements are not met after that deadline. The requesters are also informed that they may approach the MICI again with a new complaint that includes all the necessary information.

<table>
<thead>
<tr>
<th>MICI-BID-AR-2023-0207</th>
<th>Water and Sanitation Program for Metropolitan Areas — Request II (AR-L1162)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MICI-BID-AR-2023-0211</td>
<td>Water and Sanitation Program for Metropolitan Areas — Request III (AR-L1162)</td>
</tr>
<tr>
<td>MICI-BID-AR-2023-0224</td>
<td>Provincial Agricultural Services Program - PROSAP IV (AR-L1198)</td>
</tr>
</tbody>
</table>

Complaints not registered because outside the reception period

One request was not registered because it was received more than 24 months after the last disbursement of the relevant Bank-financed operation, and therefore was subject to exclusion 19(f) of the MICI Policy.

| MICI-BID-BR-2023-0203 | São José dos Campos Urban Structuring Program — Request IV (BR-L1160) |
## Annex I: 2023 budget

### Approved and Executed Budget for 2023
Figures in US Dollars

<table>
<thead>
<tr>
<th>Budget Items</th>
<th>IDB</th>
<th>IDB Invest</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>2,342,015</td>
<td>-</td>
<td>2,342,015</td>
</tr>
<tr>
<td>Request management</td>
<td>483,039</td>
<td>404,225</td>
<td>887,264</td>
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<tr>
<td>Institution-strengthening</td>
<td>48,500</td>
<td>48,500</td>
<td>97,000</td>
</tr>
<tr>
<td>MICI team strengthening</td>
<td>30,000</td>
<td>30,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Outreach</td>
<td>79,000</td>
<td>127,588</td>
<td>206,588</td>
</tr>
<tr>
<td>Contingency fund</td>
<td>50,000</td>
<td>30,000</td>
<td>80,000</td>
</tr>
<tr>
<td><strong>Total executed + Contingency fund</strong></td>
<td><strong>3,032,554</strong></td>
<td><strong>640,313</strong></td>
<td><strong>3,672,867</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Execution 2023</th>
<th>IDB</th>
<th>IDB Invest</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total executed</td>
<td>2,693,086</td>
<td>543,470</td>
<td>3,236,556</td>
</tr>
<tr>
<td>Contingency fund executed</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total executed + Contingency fund</strong></td>
<td><strong>2,693,086</strong></td>
<td><strong>543,470</strong></td>
<td><strong>3,236,556</strong></td>
</tr>
</tbody>
</table>
## Annex 2: Outreach in 2023

### External outreach

<table>
<thead>
<tr>
<th>Month</th>
<th>Event</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>Presentation at Practitioners Dialogue on managing reprisals in the Latin American context</td>
<td>Virtual</td>
</tr>
<tr>
<td>March</td>
<td>Meeting with CSOs of Brazil</td>
<td>Virtual</td>
</tr>
<tr>
<td>March</td>
<td>Meeting with CSOs of Spanish-speaking countries</td>
<td>Virtual</td>
</tr>
<tr>
<td>April</td>
<td>Meeting with CSOs in Washington, D.C.</td>
<td>Washington, DC, USA</td>
</tr>
<tr>
<td>June</td>
<td>Event with the dispute resolution unit of the Compliance Advisor Ombudsman (CAO)</td>
<td>Washington, DC, USA</td>
</tr>
<tr>
<td>June</td>
<td>Workshop: “What can I do in response to possible environmental or social impacts of an IDB Group project?”</td>
<td>Lima, Peru</td>
</tr>
<tr>
<td>June</td>
<td>Breakfast: “Development projects with positive impacts: Challenges and opportunities for accessing the MICI”</td>
<td>Lima, Peru</td>
</tr>
<tr>
<td>June</td>
<td>Workshop: “Projects that improve lives: IDB Group standards and grievance and accountability systems”</td>
<td>Lima, Peru</td>
</tr>
<tr>
<td>June</td>
<td>MICI presentation to participants in a degree course on business-State-community negotiation, mediation, and conflict prevention</td>
<td>Virtual</td>
</tr>
<tr>
<td>June</td>
<td>Breakfast: “Development projects with positive impacts: Challenges and opportunities for accessing the MICI”</td>
<td>Quito, Ecuador</td>
</tr>
<tr>
<td>June</td>
<td>Workshop: “Projects that improve lives: IDB Group standards and grievance and accountability systems”</td>
<td>Quito, Ecuador</td>
</tr>
<tr>
<td>June</td>
<td>Workshop: “What can I do in response to possible environmental or social impacts of an IDB Group project?”</td>
<td>Tena, Ecuador</td>
</tr>
<tr>
<td>August</td>
<td>MICI participation in online degree course on human rights and businesses</td>
<td>Virtual</td>
</tr>
<tr>
<td>September</td>
<td>Meeting with national ombudspersons organized in coordination with the Ibero-American Federation of Ombudsmen</td>
<td>Corrientes, Argentina</td>
</tr>
<tr>
<td>October</td>
<td>Annual Meeting of the Independent Accountability Mechanisms Network (IAMnet)</td>
<td>London, UK</td>
</tr>
<tr>
<td>October</td>
<td>Meeting with civil society organizations at IAMnet annual meeting</td>
<td>London, UK</td>
</tr>
<tr>
<td>October</td>
<td>Seminar on corporate social responsibility and nonjudicial dispute resolution mechanisms</td>
<td>Santiago, Chile</td>
</tr>
<tr>
<td>October</td>
<td>MICI presentation at the Eighth Regional Forum on Business and Human Rights</td>
<td>Santiago, Chile</td>
</tr>
<tr>
<td>October</td>
<td>Breakfast: “What can I do in response to possible environmental or social impacts of an IDB Group project in Ecuador?”</td>
<td>Quito, Ecuador</td>
</tr>
<tr>
<td>October</td>
<td>Workshop: “What can I do in response to possible environmental or social impacts of an IDB Group project in Ecuador’s Amazon region?”</td>
<td>Tena, Ecuador</td>
</tr>
<tr>
<td>October</td>
<td>Breakfast: “Development projects with positive impacts: Opportunities for accessing the MICI”</td>
<td>Iquitos, Peru</td>
</tr>
<tr>
<td>October</td>
<td>Workshop: “What can I do in response to possible environmental or social impacts of an IDB Group project in Peru’s Amazon region?”</td>
<td>Iquitos, Peru</td>
</tr>
<tr>
<td>October</td>
<td>Workshop: “Prevention and resolution of possible environmental or social impacts of IDB Group projects in Peru”</td>
<td>Lima, Peru</td>
</tr>
<tr>
<td>October</td>
<td>Meeting with the NGO Sociedad y Discapacidad (SODIS) of Peru</td>
<td>Lima, Peru</td>
</tr>
<tr>
<td>October</td>
<td>MICI presentation to the IDB Access to Information External Review Panel</td>
<td>Washington, DC, USA</td>
</tr>
<tr>
<td>December</td>
<td>Outreach workshop: IDB Group grievance mechanisms</td>
<td>Washington, DC, USA</td>
</tr>
<tr>
<td>December</td>
<td>Outreach workshop: IDB Group grievance mechanisms</td>
<td>Washington, DC, USA</td>
</tr>
<tr>
<td>Month</td>
<td>Event</td>
<td>City</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------------------------------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>March</td>
<td>Knowledge-sharing session on contextual risks</td>
<td>Washington, DC, USA</td>
</tr>
<tr>
<td>March</td>
<td>Onboarding seminar for new IDB Group staff</td>
<td>Washington, DC, USA</td>
</tr>
<tr>
<td>May</td>
<td>MICI Reflections focal group</td>
<td>Washington, DC, USA</td>
</tr>
<tr>
<td>May</td>
<td>IDB Invest Knowledge Week</td>
<td>Mexico City, Mexico</td>
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<td>May</td>
<td>Closed knowledge-sharing session: “Consultations and participation: The role of virtual media in social conflicts”</td>
<td>Virtual</td>
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<td>June</td>
<td>MICI presentation at the Operations Fundamentals Workshop</td>
<td>Virtual</td>
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<td>June</td>
<td>Discussion series on reparations – Third session</td>
<td>Washington, DC, USA</td>
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<td>June</td>
<td>Presentation about the MICI for the IDB Group team in Ecuador</td>
<td>Quito, Ecuador</td>
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<tr>
<td>September</td>
<td>Onboarding seminar for new IDB Group staff</td>
<td>Washington, DC, USA</td>
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<td>September</td>
<td>MICI presentation to participants in the onboarding program for new members of the Board of Executive Directors</td>
<td>Washington, DC, USA</td>
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<tr>
<td>November</td>
<td>Launch of the publication &quot;MICI Reflections: A Human Approach to Complaints&quot;</td>
<td>Washington, DC, USA</td>
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<tr>
<td>November</td>
<td>Discussion series on reparations – Fourth session</td>
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Independent Consultation and Investigation Mechanism
mecanismo@iadb.org
Tel: (+1) 202-623-3952
Fax: (+1) 202-312-4057
1300 New York Ave., N.W.
Washington, D.C. USA, 20577
https://mici.iadb.org