

Asian Development Bank (ADB)

ADB Accountability Mechanism (ADB-AM)

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The Asian Development Bank (ADB) is a multilateral development bank founded in 1966 to alleviate poverty across its 67 member countries throughout Asia and the Pacific. It provides loans, grants, technical assistance, guarantees (insurance), and investments aimed at stimulating economic growth. The ADB's Accountability Mechanism (ADB-AM), established in 1995 and subsequently reviewed in 2003 and 2012, serves as an independent forum for individuals affected by ADB-assisted projects to voice concerns and file complaints. This includes requests for a review of alleged noncompliance with ADB's operational policies and procedures that may have caused, or are likely to cause, direct and material harm.¹ At the time of this summary, the ADB's Accountability Mechanism is undergoing a policy review aimed at enhancing its effectiveness, responsiveness, and alignment with evolving international standards. This review will result in the replacement of the 2012 Accountability Mechanism Policy, as reflected in this profile.²

STANDARDS AND SAFEGUARDS

The standards for complaints and grievances within the ADB-AM are derived from institution-specific policies, most notably the **Safeguard Policy Statement (SPS)**,³ which focuses on three core areas: environmental protection, involuntary resettlement, and the rights of Indigenous Peoples. These standards apply to all ADB-assisted projects and are used to assess compliance when complaints are submitted to the ADB-AM.

The environmental safeguards encompass a wide range of protections, including:

1. Environmental assessment, management, planning, monitoring, and reporting
2. Consultation, information disclosure, and grievance redress mechanisms
3. Biodiversity conservation and sustainable natural resource management
4. Pollution prevention and abatement
5. Health and safety
6. Physical cultural resources

A range of additional strategies and guidelines—guided by international best practices and principles from other multilateral development banks—support the implementation of ADB's environmental and social policies and safeguard requirements. The **Access to Information Policy**⁴ governs organizational

¹ ADB. n.d. Accountability Mechanism <https://www.adb.org/who-we-are/accountability-mechanism>

² ADB. n.d. Review of the Accountability Mechanism Policy (2012). <https://www.adb.org/who-we-are/accountability-mechanism/policy-review>

³ ADB. 2009. Safeguard Policy Statement. <https://www.adb.org/sites/default/files/institutional-document/32056/safeguard-policy-statement-june2009.pdf>

⁴ ADB. 2018. Access to Information Policy <https://www.adb.org/documents/access-information-policy>

transparency and public disclosure, while the **Policy on Gender and Development**⁵ adopts gender mainstreaming as a key strategy to promote gender equality.

In 2024, the ADB adopted a new **Environmental and Social Framework (ESF)**⁶ to replace the SPS. The ESF is expected to become fully effective in 2027. It strengthens protections for affected individuals, communities, and the environment while promoting alignment with international agreements (e.g., UN resolutions and conventions) and greater harmonization with other financial institutions such as the World Bank and the IFC.

This summary reflects the 2009 SPS, which remains in effect until the ESF is implemented.

LAND TENURE

Land tenure rights and related grievances—such as those involving ownership, access, use, eviction, and displacement—are explicitly covered under the ADB Accountability Mechanism (ADB-AM), as defined by the Safeguard Policy Statement (SPS). The **Involuntary Resettlement Safeguard** requires ADB to protect all affected persons, including those without legal land titles. The **Indigenous Peoples Safeguard** recognizes customary tenure systems and mandates Free, Prior, and Informed Consent (FPIC) for activities that affect indigenous lands.

These safeguards form the foundation of both the problem-solving and compliance review functions of the ADB-AM. When land tenure rights are violated in ADB-assisted projects, the SPS provides for a range of remedies, including:

- Compensation at full replacement cost
- Land-based resettlement
- Secure tenure at relocation sites
- Livelihood support services, such as training and access to credit
- Transitional assistance
- Application of FPIC, in the case of Indigenous Peoples

These measures aim to ensure that affected individuals' living standards are restored or improved and that land tenure grievances are effectively addressed through the ADB-AM.

OUTREACH AND ADMISSIBILITY

The ADB-AM maintains an active education and outreach program to raise awareness and promote understanding of its processes, in line with its Accountability Mechanism Communication Strategy.⁷ To support this effort, ADB organizes capacity-building workshops, outreach missions, and training sessions across its member countries. These activities are aimed at a broad range of stakeholders—including affected communities, civil society organizations, government agencies, and project implementers—with the objective of ensuring that all relevant parties are informed about their rights, understand how the mechanism functions, and are aware of the procedures for submitting complaints.⁸

⁵ ADB. 2003. Policy on Gender and Development <https://www.adb.org/documents/policy-gender-and-development>

⁶ ADB. n.d. Environmental and Social Framework. <https://www.adb.org/who-we-are/environmental-social-requirements/environmental-social-framework>

⁷ ADB. 2023. Accountability Mechanism Communication Strategy <https://www.adb.org/sites/default/files/institutional-document/885361/accountability-mechanism-communication-strategy.pdf>

⁸ ADB. 2024. Empowering voices for development accountability. Accountability mechanism annual report 2023. <https://www.adb.org/sites/default/files/institutional-document/985666/adb-accountability-mechanism-annual-report-2023.pdf> .

ADB also operates a dedicated website for the Accountability Mechanism, which serves as a centralized resource hub. The site provides access to process guides, case summaries, e-learning modules, contact information, and a wide selection of multilingual informational materials. These materials include brochures, videos, infographics, user guides, and sample complaint letters designed to support stakeholders in navigating the mechanism.⁹

Under the ADB-AM, a complaint is considered admissible if it concerns an ADB-assisted project and asserts that the complainants have been, or are likely to be, directly, materially, and adversely affected by ADB's failure to comply with its operational policies or procedures during project design, processing, or implementation.

Complaints may be submitted to either the **problem-solving** or **compliance review** functions by:

- Any group of two or more affected persons residing in the borrowing country or an adjacent ADB member country
- A duly authorized local representative
- In exceptional cases, a non-local representative, where local representation is unavailable and approved by the Special Project Facilitator (SPF) or Compliance Review Panel (CRP)

Complaints are **not admissible** if they:

- Do not concern ADB's actions or omissions
- Are filed more than two years after project closure
- Fail to show good-faith efforts to resolve the issue with the ADB operations department

Additional exclusions include complaints related to:

- Procurement or corruption
- ADB personnel or internal administration
- The adequacy or content of ADB policies
- Frivolous, malicious, or clearly unsubstantiated claims

Additional admissibility criteria apply to the two distinct functions of the mechanism.

The problem-solving function excludes complaints that have already been addressed, unless new evidence is presented, or if the matter was or is currently being handled by the Compliance Review Panel.

Conversely, the compliance review function does not accept complaints that involve only borrower or client actions unless these actions are directly linked to ADB's own non-compliance. It also excludes complaints unrelated to ADB policies or those currently under active problem-solving review.

FILING A COMPLAINT

Complaints under the ADB-AM must be submitted in writing and can be delivered by mail, fax, email, or by hand to the Complaints Receiving Officer (CRO) at ADB headquarters. Complaints may also be submitted through any ADB field office, such as a resident mission or representative office, which is then responsible for forwarding them to the CRO. While complaints may be submitted in any official or national language of ADB member countries, translations into English—the working language of the mechanism—may result in processing delays.

⁹ ADB. n.d. Accountability Mechanism. <https://www.adb.org/who-we-are/accountability-mechanism>

Complainants are not required to use a specific form and may write their submissions in their own words. However, certain key information must be included to ensure admissibility. This includes the name and location of the ADB-assisted project; a description of actual or potential direct and material harm; the names and contact details of affected individuals; representative details, if applicable, along with written authorization; any request for confidentiality; a clear indication of whether the complaint is being submitted under the problem-solving or compliance review function; and a description of previous good faith efforts made to resolve the issue with ADB's operations department. A sample complaint form is available on the ADB-AM website for reference.^{10 11}

Complaints may be addressed at various levels within ADB's accountability framework. While complainants are encouraged to first use the project-level grievance mechanism, this is not a requirement under the ADB-AM. However, before submitting a formal complaint to the CRO, complainants must demonstrate that they have made genuine efforts to resolve the issue directly with ADB's operations department. If the issue remains unresolved, the complaint may then be submitted to the CRO, who will determine whether to direct it to the Special Project Facilitator for problem-solving or to the Compliance Review Panel for compliance review.^{12 13}

The services provided by the Accountability Mechanism are free of charge. In certain circumstances, the Office of the Special Project Facilitator may reimburse complainants for direct expenses incurred during the complaint process, such as travel costs or lost income. However, this reimbursement policy does not apply to non-governmental organizations (NGOs).

DESCRIPTION OF THE PROCESS

The ADB Accountability Mechanism (ADB-AM) consists of two core functions: **problem solving** and **compliance review**.

The **problem-solving function** addresses the concerns of individuals affected by ADB-assisted projects through informal, flexible, and consensus-based approaches facilitated by the Office of the Special Project Facilitator. Stakeholders involved may include complainants, relevant ADB operations staff, executing or implementing agencies, and other parties such as project sponsors, community members, civil society organizations, technical experts, or local mediators. Participation in the problem-solving process is strictly voluntary and can proceed even when the alleged harm is not directly linked to ADB's noncompliance with its policies.

While there is no statutory time limit, indicative timelines guide the process, which typically aims to reach agreement on remedial actions within 180 days from the registration of the complaint. Once an agreement is reached, implementation monitoring generally continues for no more than two years.

The **compliance review function** investigates claims that ADB has failed to comply with its operational policies and procedures, resulting in—or likely to result in—direct and material harm to individuals from an ADB-assisted project. Participants in this process include the complainants, the Compliance Review

¹⁰ ADB. n.d. Filing a Complaint. <https://www.adb.org/who-we-are/accountability-mechanism/how-file-complaint>

¹¹ Paragraphs 150 and 15. Accountability Mechanism Policy 2012. <https://www.adb.org/documents/accountability-mechanism-policy-2012>

¹² Paragraph 144. ADB. 2012. Accountability Mechanism Policy 2012. <https://www.adb.org/documents/accountability-mechanism-policy-2012>

¹³ ADB. n.d. Filing a Complaint. <https://www.adb.org/who-we-are/accountability-mechanism/how-file-complaint>

Panel (CRP), ADB staff and management, and, where relevant, the borrower or client. The CRP may also engage independent experts for technical assessments.

Unlike the voluntary nature of the problem-solving function, participation in compliance review is mandatory for both ADB and borrowers, as the focus is on evaluating ADB's own adherence to its policies. Although the process has no statutory deadline, indicative timeframes are provided for key milestones to promote timeliness and predictability. The entire process is not expected to exceed three years, concluding with the issuance of the final monitoring report. The enforcement of compliance outcomes is handled through ADB's internal governance and monitoring systems, with the CRP playing a central oversight role.¹⁴

There is no formal appeals process for decisions made under either the problem-solving or compliance review functions, whether concerning procedural or substantive matters. However, if complainants believe that noncompliance remains unaddressed during or after problem solving, they may request a compliance review. All relevant documentation, decisions, and reports are shared with participating parties. Furthermore, the ADB-AM maintains Complaint Registries for both the problem-solving and compliance review processes.^{15 16} Lessons learned from each function are also made publicly available on its website.^{17 18}

¹⁴ Paragraphs 192 and 193. ADB. 2012. Accountability Mechanism Policy 2012. <https://www.adb.org/documents/accountability-mechanism-policy-2012>

¹⁵ ADB. n.d. Problem-Solving Function: Complaints Registry. <https://www.adb.org/who-we-are/accountability-mechanism/problem-solving-function/complaint-registry>

¹⁶ ADB. n.d. Compliance Review Function: Complaints Registry. <https://www.adb.org/who-we-are/accountability-mechanism/compliance-review-function/complaints-registry>

¹⁷ ADB. n.d. Office of the Special Project Facilitator's Lessons Learned. <https://www.adb.org/publications/series/office-special-project-facilitator-lessons-learned>

¹⁸ ADB. n.d. Lessons Learned from Compliance Reviews at the Asian Development Bank. <https://www.adb.org/publications/series/lessons-learned-compliance-reviews-adb>