



A GUIDE FOR COMMUNITIES

OVERSEAS PRIVATE INVESTMENT CORPORATION (OPIC) OFFICE OF ACCOUNTABILITY

WHAT IS THE OFFICE OF ACCOUNTABILITY (OA) AND HOW CAN IT HELP MY COMMUNITY?

The Overseas Private Investment Corporation (OPIC) is the development finance institution of the U.S. Government. The OA addresses environmental or social concerns and conflicts that emerge around OPIC-supported projects, including environmental impacts, human rights, indigenous rights, and labor rights issues. The OA provides a mechanism by which affected stakeholders (e.g., nearby communities) can share such concerns and access its services. The OA operates independently of those parts of OPIC that provide financing.

WHAT TYPES OF SERVICES DOES THE OA OFFER?

The OA offers two services: problem-solving and compliance review. The OA's problem-solving process seeks to resolve concerns and conflicts about the environmental and social impacts of OPIC-supported projects. A problem-solving initiative may include independent fact-finding, dialogue facilitation or mediation. The OA's compliance-review process examines whether OPIC's environmental, labor rights, and human rights policies are appropriately applied to OPIC-supported projects and implemented.

AM I ELIGIBLE TO MAKE A COMPLAINT? WHO REQUESTS THESE SERVICES?

For the problem-solving mechanism, the OA may receive a request from an affected community, its designated representative, or from an OPIC client. For the compliance-review process, the OA may receive a request from an affected community, its designated representative, OPIC's President, or OPIC's Board.

IF I AM ELIGIBLE, HOW DO I MAKE A COMPLAINT?

Write a letter to the Director of the OA. The letter should include the following: the name and/or brief description of the project; a description of the damage or harm the local community or sponsor has experienced or is likely to experience; a request for a problem-solving process and information about how/when you have discussed your concerns with the project sponsor, local community or OPIC staff and why you are not satisfied with the explanation or promised action; and/or a request for a compliance review by identifying, if possible, the OPIC policies you believe were inadequately applied or implemented. Additionally, if you are representing an affected group, you need to attach proof of representation to your letter.

HOW DO I KNOW WHETHER PROBLEM-SOLVING OR COMPLIANCE REVIEW IS RIGHT FOR ME?

Requests for service can be made for problem-solving or compliance review, or both of them, and in either order. If you are uncertain which if either of these services is appropriate for you, you may contact the Director of the OA for guidance (see below for contact information).

HOW WILL THE OA DECIDE WHETHER OR NOT MY REQUEST IS ELIGIBLE?

The OA will evaluate your request according to the following criteria: if the requestors are eligible; whether OPIC currently has an active relationship with the project; if the request contains allegations of material, direct, and adverse impacts or risks; and if there is a plausible relationship between the project and alleged impacts.

WHAT HAPPENS TO THE REQUEST AFTER IT IS SUBMITTED?

The OA will notify you that it has received your request and will inform you as to whether your request is eligible. The OA may request additional information to determine eligibility. If your request is eligible, the OA will make a site visit to determine appropriate next steps. If your request is not eligible, the OA will so inform you, provide reasons for its determination, and suggest other ways that your concerns might be addressed. For example, local grievance mechanisms are established for some OPIC projects.

HOW WILL THE OA TREAT CONFIDENTIAL INFORMATION?

In general, the OA seeks to be transparent in its functions. When explicitly requested, the OA will maintain the confidentiality of the identities of requestors who so wish, proprietary business information, and other non-public information. The OA does not accept anonymous requests for service.

WHAT SITUATIONS ARE EXCLUDED FROM OA SERVICES?

The OA does not accept requests from ineligible requestors, or that do not contain minimum required information. The OA does not address concerns about corruption or other criminal activities, commercial/contractual issues, or the adequacy of OPIC policies to prevent harm. If the OA receives a request in which the concerns raised are outside of its mandate, the OA will forward the request to the appropriate OPIC office (e.g., general counsel or investment policy) for further action.

HOW DO I CONTACT THE OA TO REQUEST A SERVICE OR TO GET MORE INFORMATION?

To learn more about OA's services, their potential benefits, and how to apply for service, please visit the OA webpage at <http://www.opic.gov/doing-business/accountability>.

Otherwise, contact the OA Director at:

Director, Office of Accountability

Overseas Private Investment Corporation

1100 New York Avenue, NW

Washington, DC 20527

Tel. 1-202-336-8543, 1-202-312-2128

Fax 1-202-408-5133

E-mail: accountability@opic.gov, keith.kozloff@opic.gov