Position Specification

International Finance Corporation (IFC) and The Multilateral Investment Guarantee Agency (MIGA)

Vice President, Office of the Compliance Advisor Ombudsman (CAO)

June 2020

Private and Confidential
**Position Specification**

Ref: IFC and MIGA Compliance Advisor/Ombudsman (CAO)
International Finance Corporation

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**Introduction**

The Office of the Compliance Advisor Ombudsman (CAO) is the independent recourse and accountability mechanism of the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA) for social and environmental concerns raised by people and communities affected by projects supported by IFC or MIGA. The CAO is organized as a Vice Presidency Unit (VPU), independent from the IFC’s and MIGA’s line of management of operations, headed by the Vice President, CAO (the CAO VP), who reports directly to the President of the World Bank Group. The CAO VP acts as an independent advisor to the President on matters of environmental and social impacts raised by communities to the CAO. The mandate of the CAO is to address complaints by people affected by IFC/MIGA supported projects in a manner that is fair, objective and constructive, and to enhance the social and environmental outcomes of projects in which those institutions play a role.

**IFC**—a sister organization of the World Bank and member of the World Bank Group—is the largest global development institution focused on the private sector in developing countries. The Bank Group has set two goals for the world to achieve by 2030: end extreme poverty and promote shared prosperity in every country.

IFC leverages its products and services—as well as products and services of other institutions across the World Bank Group—to create markets that address the biggest development challenges of our time. The institution applies its financial resources, technical expertise, global experience, and innovative thinking to help its clients and partners overcome financial, operational, and other challenges.

IFC is also a leading mobilizer of third-party resources for projects. Its willingness to engage in difficult environments and its leadership in crowding-in private finance enable it to extend its footprint and have a development impact well beyond its direct resources.

IFC’s projects and programs are evaluated by the Independent Evaluation Group. Accountability is ensured by the independent Office of the Compliance Advisor Ombudsman.

**MIGA** is also a member of the World Bank Group. Its mandate is to promote cross-border investment in developing countries by providing guarantees (political risk insurance and credit enhancement) to investors and lenders.

MIGA’s guarantees protect investments against noncommercial risks and can help investors obtain access to funding sources with improved financial terms and conditions. The agency derives its unique strength from the World Bank Group and from its structure as an international organization whose shareholders include most countries of the world. This enables it to provide an umbrella of deterrence against government actions that could disrupt projects, and assist in the resolution of disputes between investors and governments. MIGA also adds value through its ability to offer clients extensive knowledge of emerging markets and of international best practice in environmental and social management.
The Office of the Compliance Advisor Ombudsman

Environmental and social issues are among the most critical components of the mission of IFC and MIGA to deliver sustainable development through the private sector. To ensure that environmental and social issues are properly identified and addressed, IFC and MIGA have continuously increased the resources and support allocated to project E&S reviews and have considerably strengthened the policies, guidelines and procedures that govern such reviews.

Created in 1999, the Office of the Compliance Advisor Ombudsman (CAO) is the independent recourse and accountability mechanism of the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA) for social and environmental concerns. The mandate of the CAO is to address complaints by people affected by IFC/MIGA supported projects in a manner that is fair, objective, and constructive, and to enhance the social and environmental outcomes of projects in which those institutions play a role.

The CAO discharges its mandate through three distinct roles described below:

**Dispute Resolution (DR):** CAO's Dispute Resolution function responds to complaints by people affected by the social and environmental impacts of IFC/MIGA projects. Through Dispute Resolution, CAO works with communities and IFC/MIGA client companies to resolve grievances using a flexible collaborative problem-solving approach to seek to improve outcomes on the ground. CAO DR specialists are trained in alternative dispute resolution, with expertise in conflict assessment and management, mediation, and facilitation. CAO also recruits consultants and experts to help the CAO DR team.

**Compliance:** Through its Compliance function, CAO oversees investigations of IFC's and MIGA's social and environmental performance, particularly in relation to sensitive projects, in order to ensure ex-post compliance with relevant IFC/MIGA policies, standards, guidelines, procedures, and systems.

**Advisory:** CAO provides independent advice to the President of the World Bank Group and the management of IFC and MIGA. CAO advice focuses on broader social and environmental concerns, policies, procedures, strategic issues, and trends. CAO's focus is on seeking to improve IFC/MIGA's performance systemically.

IFC and MIGA embrace the vital role that a robust accountability mechanism plays in their broader mission as development institutions. To ensure that environmental and social issues are properly addressed, IFC and MIGA have built and reinforced the CAO as a credible and responsive mechanism to help deliver environmentally and socially sound projects and enhance IFC's and MIGA's contribution to sustainable development through the private sector. The CAO provides a forum for affected people and communities to address their concerns in a manner that is fair, constructive and objective. For that reason, the CAO is headed by a Vice President reporting to the World Bank Group President and is independent from IFC’s and MIGA’s operational management.

With the CAO and the 2012/2013 Sustainability Framework, IFC and MIGA have:
• Strong in-house capability and adequate resources for environmental and social reviews and monitoring of projects subject to complaints.
• Clearly established and enforced policies, procedures and guidelines.
• Harmonization, coordination and sharing of knowledge with the World Bank.
• A CAO independent of operational management

The Role

CAO operates under the leadership and supervision of the CAO VP with the following terms of reference.

The role of the CAO VP includes the following activities:

• To assist in dealing with complaints from external parties affected by IFC or MIGA projects. Outside complaints received by the Office of the President, IFC, MIGA, or the CAO would follow the CAO process currently described under the CAO Guidelines, as appropriate, in consultation with affected parties, project sponsors, and IFC's and/or MIGA's management. The CAO process includes (1) the possibility for the complainants to elect the Dispute Resolution function aimed primarily at identifying problems, correcting project failures, seeking to resolve issues, and achieving better results on the ground; and (2) the CAO Compliance role to supervise investigations of IFC's and MIGA's actions in order to ensure ex-post compliance with policies, guidelines, and procedures. Audits/Investigations would be carried out with assistance of outside experts, either on a case-by-case basis or in accordance with a regular program.
• In the course of his/her reviews, the CAO VP may directly communicate with complainants and affected parties, while respecting the confidentiality of sensitive business information. The CAO VP will report to the President. The CAO VP also makes recommendations to the President regarding the form and extent of the findings to be disclosed to the IFC or MIGA Board of Directors, affected parties and the public.
• To provide advice to the President and to senior management of IFC/MIGA on environmental and social policies, procedures, guidelines, procedures, strategic issues, trends, and systemic issues based on the experience gained through case work, with the goal of fostering systemic improvements in IFC/MIGA.
• To consult regularly with relevant departments across the World Bank Group on environmental and social policies and practices with a view towards consistency of principles and approaches.

Organization

The CAO VP will be appointed by the President and, subject to the Accountability Framework Reforms described below, will report to the President.

The CAO VP manages a Vice Presidency Unit (VPU) comprising of a number of World Bank Group staff members and consultants.
To carry out his/her mandate, the CAO VP liaises directly with the management and staff of IFC and MIGA, relevant World Bank staff, and members of IFC’s and MIGA’s Boards of Directors. The CAO VP maintains appropriate contacts with non-governmental organizations (NGOs), civil society and the business community to the extent necessary to carry out his/her duties. These contacts would include the ability to communicate directly with complainants and affected parties, while respecting the confidentiality of sensitive business information. The CAO VP makes periodic reports to the Boards on his/her activities.

The CAO VP is a full-time employee of IFC and MIGA at the level of Vice President, to clearly reflect the importance of the role. He/she is subject to the confidentiality provisions set forth in IFC’s and MIGA’s policy on access to information and in the World Bank Group Staff Rules. The initial term of appointment is 5 years. In view of the expected Accountability Framework Reforms and the anticipated shifting of the CAO VP’s reporting line to the Board, as described below, the initial term of appointment may be extended for an additional period of up to 5 years upon approval of the Board. The CAO VP is restricted for life from obtaining employment with the World Bank Group following his/her appointment as CAO VP. Since this position requires a high level of respect and trust, it will be at the discretion of the President (or the Board, following approval of the Accountability Framework Reforms) to terminate the employment of the CAO VP if the President or the Board determines that the CAO VP can no longer exercise the function with the required level of objectivity, authority, competence, efficiency and stakeholder confidence.

The CAO is supported by a budget approved by the Board to cover the expenses of the office (including appropriate staffing for all three CAO Roles) and to recruit consultants or to constitute expert panels for dispute resolutions and audits/investigations of complaints.

**Candidate Profile**

The role of the CAO VP requires a person of impeccable integrity, strong interpersonal skills, empathy, and sound judgment, and a proven record of respected international leadership. Furthermore, candidates must demonstrate a set of core competencies that include:

- Experience in the design, engineering, negotiation, construction, operation or financing of infrastructure or development projects and relevant environmental and social safeguards and compliance policies relating to such projects.
- Experience dealing with a broad range of civil society, including marginalized and vulnerable groups.
- Understanding and experience with the social, environment, legal or economic development fields, including compliance with good international practice standards and legal requirements.
- Understanding and experience of dispute resolution practices, including mediation, dialogue, assisted negotiation, and collaborative, consultative and participatory processes.
- Demonstrated competence in the field of compliance review and audits, and the ability to deal thoroughly and fairly with requests for investigation/audits, mediation or redress.
- Substantial understanding of, and experience in, the private sector business environment including with respect to frontier markets and developing countries.
- Understanding and experience with international institutions and development organizations.
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▪ Understanding of the role and function of institutional oversight and accountability mechanisms, including grievance mechanisms.
▪ Ability to work constructively and collaboratively with diverse stakeholders on a range of sensitive issues, and to anticipate, manage and respond to divergent views
▪ Experience managing teams in large organizations.

External Review of CAO and Potential Modifications to the TOR

The Board of Directors has commissioned an external review of the IFC’s/MIGA’s E&S accountability framework (the External Review), including the role and effectiveness of the CAO. The IFC’s/MIGA’s and CAO’s operating context has evolved significantly since IFC and MIGA established the CAO 20 years ago, including a growth in the volume and complexity of IFC/MIGA projects and in CAO’s caseload. The external review is being conducted by a panel of independent reviewers that is expected to issue a report to the Board in June 2020 (the External Reviewers’ Report).

That External Reviewers’ Report, together with inputs from the Board, management, CAO and other stakeholders is expected to be the start of broader discussions of ideas and changes to IFC’s/MIGA’s accountability framework, including changes that could affect the CAO (Accountability Framework Reforms). Some of those changes are expected to shift reporting line of the CAO or the CAO VP to the Board (through CODE or other Board Committee), and affect the CAO VP’s title, duties, responsibilities and/or the policies and guidelines of CAO’s operations or IFC’s/MIGA’s accountability framework generally. None of these changes would affect the fundamental importance of the roles of CAO or the CAO VP, and the CAO VP would continue to be a senior-level position in the World Bank Group, independent of IFC’s/MIGA’s operations.

The discussions of changes to IFC’s/MIGA’s accountability framework and the CAO could extend beyond the effective date of the new CAO VP’s appointment, in which case, the new CAO VP would be expected to contribute to the discussions and the consideration and implementation of any resulting reforms.
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How to Apply

To apply, please send a full CV together with a supporting statement, briefly highlighting your experience and skills against the requirements of the role, to responses@russellreynolds.com. Please quote the role title and assignment code 2006-012L in the subject heading of the email. All applications will be acknowledged. The closing date for applications is June 30th, 2020.

Contact

Henry Scarlett
Russell Reynolds Associates
Almack House, 28 King Street
London
SW1Y 6QW
United Kingdom
Tel: +44-20-7839-7788
Fax: +44-20-7198-1850
responses@russellreynolds.com

Alisha Hathaway
Russell Reynolds Associates
1700 New York Ave NW #400
Washington, DC
20006
United States
Tel: +44-20-7839-7788
Fax: +44-20-7198-1850
responses@russellreynolds.com

Simon Kingston
Russell Reynolds Associates
Almack House, 28 King Street
London
SW1Y 6QW
United Kingdom
Tel: +44-20-7839-7788
Fax: +44-20-7198-1850
responses@russellreynolds.com