



Staying human-centric at the intersection of climate change and human rights

Motoko Aizawa

To cite this article: Motoko Aizawa (2016) Staying human-centric at the intersection of climate change and human rights, Journal of Energy & Natural Resources Law, 34:1, 86-94, DOI: [10.1080/02646811.2016.1117897](https://doi.org/10.1080/02646811.2016.1117897)

To link to this article: <https://doi.org/10.1080/02646811.2016.1117897>



Published online: 14 Jan 2016.



Submit your article to this journal [↗](#)



Article views: 258



View related articles [↗](#)



View Crossmark data [↗](#)



Staying human-centric at the intersection of climate change and human rights

Motoko Aizawa is an expert on the environmental, social and governance dimensions of sustainability, and human rights and business. She is currently Managing Director USA of the Institute for Human Rights and Business. Prior to joining the Institute, she was Sustainability Advisor at the World Bank, as well as IFC, where she led the process of putting in place the 2006 version of the IFC Performance Standards; she is also the principal author of the human rights provisions of the 2012 version of these Standards. Ms Aizawa also was instrumental in the creation of the Equator Principles, and later she convened and managed a community of learning for the Equator Principles Financial Institutions. Email: motoko.aizawa@ihrb.org

(Received 15 October 2015; final version received 27 October 2015)

The concept of climate justice links human rights with efforts to address climate change to achieve a human-centric approach, safeguarding the rights of the most vulnerable in the process. In their ongoing efforts to implement the recommendations from the newly published IBA report, *Achieving Justice and Human Rights in an Era of Climate Disruption*, the IBA working groups should safeguard the human-centric approach that inspired the report in the first place, and be mindful that the human dimensions are always well integrated into efforts to address the environment and climate. Recommendations regarding environmental impact assessments, the environment and international trade, and institutional measures and processes to address the environment or climate change should generally integrate the social and human aspects in their work, in order to ensure that any effort to benefit the environment and climate should not come at the expense of people.

Introduction

The Mary Robinson Foundation – Climate Justice describes climate justice as an effort to link ‘human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable and sharing the burdens and benefits of climate change and its resolution equitably and fairly’.¹ The launch of the report (the IBA report), *Achieving Justice and Human Rights in an Era of Climate Disruption* by the International Bar Association (IBA) is a significant large-scale effort to meet the challenge posed by Mary Robinson to the legal profession to provide leadership in shaping the global legal response to climate change, including access to climate justice.² In the process, the IBA report makes notable recommendations and, more importantly, the IBA is mobilising task forces to ensure implementation of the recommendations.

It transpires that 2015 was a perfect year to launch a report of this kind – not only because of the United Nations Conference on Climate Change in Paris in December, but because of the two large-scale UN events that took place before it: one in July on Financing for Development (FfD) in Addis Ababa,³ followed by the September UN Summit,

1 Mary Robinson Foundation – Climate Justice, ‘Principles of Climate Justice’, at 1, www.mrfcj.org/pdf/Principles-of-Climate-Justice.pdf accessed 6 December 2015.

2 *Achieving Justice and Human Rights in an Era of Climate Disruption*, International Bar Association Climate Change Justice and Human Rights Task Force Report (IBA 2014).

3 See www.un.org/esa/ffd/.

announcing the adoption of the new Sustainable Development Goals.⁴ The FfD outcome document attempted to create a framework for financing development post-2015– to that end, countries committed to a new social compact to provide social protection and essential public services for all, and a global infrastructure forum to bridge the infrastructure gap, among other things.⁵ The post-2015 agenda, now known as the new 2030 Agenda for Sustainable Development, is based on the premise that human rights are increasingly important for sustainable development. Among the 17 new goals is Goal 13 for countries to ‘[t]ake urgent action to combat climate change and its impacts’. This 2030 Agenda, combined with the momentum of the climate change conference, means that we are about to enter into a period of significant investments flowing into developing markets, particularly infrastructure projects that are intended to benefit the climate. New policy and legal frameworks, as well as mechanisms and institutions, will be set up to support the renewed greening efforts. With these developments in the background, the IBA report has taken on the huge task of analysing gaps in policy and legal frameworks that must be filled. Efforts in this direction are much needed to ensure that new climate investments and the enabling legal and business environment that will be set up for them are in fact compatible with the human-centric approach under climate justice, and have a deliberate focus on those who are most vulnerable to climate impacts.

IBA report – a multidisciplinary report on climate change justice

In addition to the crucial timeliness of the work, the IBA report is commendable for a number of reasons. The IBA brought together a truly multidisciplinary team to address climate justice, which is a challenge that is multifaceted and can only be tackled by bringing the best minds from multiple disciplines, within and outside the legal profession. For example, the IBA report goes beyond the exploration of legal reform and enforcement to support climate justice and explores other intersections with thematic areas, such as climate change and trade, investment and finance. It is also welcome that the IBA report is open to the potential of both hard and soft law mechanisms. The focus on corporate responsibility to respect human rights under the United Nations Guiding Principles on Business and Human Rights (UNGPs)⁶ and the enumeration of potential corporate actions to address climate change are new and particularly timely.

As the working groups work their way through implementation measures, they should always keep in mind the very purpose of their efforts, which is to ‘achieve a human-centred approach’ in climate change solutions, whether working toward efforts to provide tools to climate victims for access to climate justice, or supporting measures to address climate change. As mentioned by CARE and the Center for International Environmental Law in the publication entitled *Climate Change: Tackling the Greatest Human Rights Challenge of Our Time*:⁷

[H]uman rights obligations apply in the context of climate change and must be integrated fully into the development and implementation of climate policies.

⁴ See <https://sustainabledevelopment.un.org/?menu=1300>.

⁵ See www.un.org/esa/ffd/ffd3/news/ffd3-outcome-sets-positive-tone-for-global-change.html.

⁶ Available at www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf accessed 6 December 2015.

⁷ Available at www.ciel.org/wp-content/uploads/2015/06/CCandHR_Feb2015.pdf accessed 6 December 2015.

This means climate policies, laws, as well as investments, mechanisms and practices embed a human-centric approach to mitigating and adapting to climate change, so that efforts to do good do not result in doing harm. This should be the common frame of mind, and the basis for a practical review framework to be used in the implementation of the recommendations in the IBA report. The IBA report in places refers to universal safeguard principles⁸ in relation to the Clean Development Mechanism (CDM) and Reducing Emissions from Deforestation and Forest Degradation (REDD+). In fact, such universal environmental and social principles ultimately have their origins or reference points in the existing international human rights instruments, and should be applicable not just to procedures under the United Nations Framework Convention on Climate Change (UNFCCC), but to all the recommendations in the IBA report.

The slowly converging environmental and social disciplines

The 1972 Stockholm Declaration on the Human Environment⁹ is commonly understood as the first marker that signalled the need for the environmental world and the human rights world to come together. Others point to legal developments, such as the constitutionalisation of the right to a healthy environment, now in constitutions of more than 90 countries.¹⁰ For those in the United States, the concept of environmental justice is a familiar entry point to the discussion of the environment and human rights, and now of climate change and human rights.¹¹

While persistent efforts are made to eliminate the environmental and social silos, as well as a human rights silo, the disciplines are separate and apt to be slow to converge. One example of this separation can be seen in the environmental and social assessment disciplines. While national and international environmental protection movements gradually gained a footing from the 1970s onward in areas such as pollution prevention, biodiversity and ecosystem protection, and made progress with advocacy, the creation of international and domestic legal frameworks, impact assessments, mitigation and management systems, and financing mechanisms, the human factors were occasionally left behind, set aside or excluded. The conflicts resulting from the exclusion of local communities from areas protected for their biodiversity, leading to loss of access to food, livelihood and ways of life illustrate this point. Gradually, subsistence, housing, health, livelihood and cultural heritage issues became integrated into the environmental assessment process. Today's environmental and social impact assessments (ESIAs) cover a fuller scope of social issues, from labour, to community impacts, to impacts on vulnerable groups, including indigenous peoples.

⁸ IBA report (n 2), 174.

⁹ Principle 1 of the Declaration reads: Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations. In this respect, policies promoting or perpetuating apartheid, racial segregation, discrimination, colonial and other forms of oppression and foreign domination stand condemned and must be eliminated. Available at www.unep.org/Documents/Multilingual/Default.asp?documentid=97&articleid=1503.

¹⁰ See, for example, www.environmentmagazine.org/Archives/Back%20Issues/2012/July-August%202012/constitutional-rights-full.html accessed 6 December 2015.

¹¹ For example, as noted by in the keynote speech of Roger Martella, former General Counsel of EPA, at the Washington, DC, launch of the IBA report on 4 March 2015. For a comprehensive discussion on the history of climate change and human rights discourse, see S Atapattu, *Human Rights Approaches to Climate Change: Challenges and Opportunities* (Routledge 2015); also CARE/CIEL, *Climate Change: Tackling the Greatest Human Rights Challenge of Our Time* (n 7).

Notwithstanding this state of practice, at times the environmental discipline struggles to incorporate fully the social dimensions in its work, and both environmentalists and anthropologists struggle to grasp the breadth and depth of human rights fully.

The deepening crisis of global climate change, coinciding with several recent and concurrent crises of finance, food, water, energy and, in fact, of sustainability, presents an opportune moment for the 'environmental crowd' and the 'human rights crowd' to tear down the wall that separates them. In fact, the UN-based climate change and human rights communities are now coming together regularly to discuss the human rights implications of climate change. For example, in 2008, the Human Rights Council adopted a resolution on human rights and climate change, expressing concern that climate change 'poses an immediate and far-reaching threat to people and communities around the world'.¹² The appointment and work of John Knox as the Independent Expert on human rights and the environment (now the Special Rapporteur on human rights and the environment¹³) are also an indication that 'greening' of human rights is underway, as noted in the IBA report.¹⁴

As the December 2015 UN Conference on Climate Change in Paris approached, the pace of dialogue between the climate change and human rights communities accelerated, and new initiatives and coalitions began taking shape. In February 2015, 18 states signed the Geneva Pledge for Human Rights in Climate Action,¹⁵ through which the signatory countries voluntarily commit to facilitate the sharing of best practices and information among human rights and climate experts at a national level. On the occasion of World Environment Day this year, all the UN Special Procedures signed up to a joint statement on climate change, drawing attention again to the grave harm climate change poses to the worldwide enjoyment of human rights. This statement urges states to include language in the 2015 climate agreement providing that the parties shall respect, protect and fulfil human rights, in all of their climate change related actions.¹⁶

How the human rights frame could benefit the IBA report

A number of places in the IBA report could benefit from a more deliberately explicit reference to human rights. The following are some examples of how the human-centric approach suggested above may be applied within the IBA report and to the working groups tasked to implement the relevant recommendations.

Capacity-building and transparency

Capacity-building and transparency considerations, such as knowledge and skills transfer, and assessment and reporting measures, are cross-cutting and benefit all actors facing climate change, including states, corporations and institutions, as well as their

¹² Available at www2.ohchr.org/english/issues/climatechange/docs/Resolution_7_23.pdf accessed 6 December 2015.

¹³ See the Special Rapporteur's website at www.ohchr.org/EN/Issues/Environment/SREnvironment/Pages/SREnvironmentIndex.aspx accessed 6 December 2015.

¹⁴ IBA report (n 2), 119–21.

¹⁵ Available at www.fes.de/GPol/klimanewsletter/Genf_2015-02-27_The-Geneva-Pledge_13022015-final.pdf accessed 6 December 2015.

¹⁶ See more at www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16049&LangID=E#sthash.QbS1Sbz7.dpuf accessed 6 December 2015. Also see more generally on OHCHR's work on climate change and human rights, www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/HRClimatChangeIndex.aspx. accessed 6 December 2015.

stakeholders, not to mention individual climate change victims. These considerations help balance the asymmetry of information available to different stakeholder groups, and create an empowering effect. In fact, access to information, transparency and accountability are key human rights principles.¹⁷ Because of these factors, it is all the more important that activities to enhance capacity and transparency are undertaken by all the relevant actors with a deliberate human-centric focus.

Section 3.2 of the IBA report recommends that states incorporate obligations to conduct an environmental impact assessment (EIA) or strategic environmental assessment (SEA) for significant projects with climate or transboundary impacts. The IBA report illustrates this point by stating: ‘If a project is to be built along a coastline and is expected to last for 75 years, the EIA should discuss the facility’s ability to survive the sea level and storm surge conditions that are anticipated in 75 years.’¹⁸ This is an important recommendation that should be heeded by all EIAs for significant projects going forward. In addition, there are two ways in which this recommendation can benefit from a human-centric lens and be broadened to reinforce existing or emerging good practices.

First, many states already have environmental impact assessment laws, but they do not consistently mandate integration of key social issues in the process. Today’s assessment should not be limited to environmental factors. The assessment community already has access to interdisciplinary methodology and expertise that can integrate social factors, through environmental and social impact assessment (ESIA), which in some cases also integrates labour, community and other social issues. Moreover, companies are increasingly taking up human rights impact assessment (HRIA) as a tool for human rights due diligence under the UNGPs. Some HRIsAs are freestanding, while others may be a component of ESIA. The key to HRIsAs is that they are carried out against an explicit human rights framework and take an explicitly rights holder perspective (in addition to the institution’s own perspective).¹⁹ Why should we not explicitly demand that states carry out a comprehensive ESIA or HRIA in connection with their large-scale projects to understand not only the implications of climate change for the project, but also the project’s impacts on people? This is not a mere question of semantics or terminology; many assessments have to be interrupted and backfilled because they did not have explicitly social or human-centric terms of reference at the outset, resulting in delay and cost overrun.

Secondly, the environmental impact assessment discipline is starting to benefit from advances in climate science, and the availability of forward looking and granular climate data is beginning to alter the way in which potential climate impacts will be assessed in relation to a proposed project location. This is what enables the assessment community to look ahead 75 years in advance of a project siting to understand the climate impacts on the project. But the assessment discipline should not stop there. The assessment should go one step further and ask whether a proposed development could have an impact on the climate of the area in which it will be sited. Could it accelerate or exacerbate the pace or effects of climate change already taking place in the area, based on the existing and predicted climate data? Will the proposed project affect availability of resources, like water, or forests that may become more vulnerable to fires? How will these factors affect the local population, as well as the broader region? In

¹⁷ For example, see www.unfpa.org/resources/human-rights-principles.

¹⁸ IBA report (n 2), 162.

¹⁹ Commentary to Principle 17 of the UNGPs (see n 6).

fact, some existing assessment standards already press for such considerations. For example, IFC Performance Standard 4, used by IFC and a number of international financial institutions, such as the Equator Principles Financial Institutions, requires that the borrower of funds ‘identify those risks and potential impacts on priority ecosystem services that may be exacerbated by climate change’²⁰ (ecosystem services are defined as benefits that people, including businesses, derive from ecosystems²¹). Elsewhere, IFC suggests that climate adaptation projects should avoid ‘inadvertent increases in vulnerability of systems or social groups’.²² These are examples of how assessments can shed light not only on climate impacts on projects, but also on project impacts on climate that, in turn, will affect rights of the affected communities. The IBA’s recommendation should embrace such emerging good practice.

Finally, ESIA’s are already in use not only by state actors, but by various non-state actors as well. Corporations already use ESIA’s when undertaking a significant new project or activity, whether required by local law or not, as part of their enterprise risk assessment. In addition, they are starting to resort to HRIAs to understand the corporate-wide human rights footprint of their activities around the world. The push from multilateral development banks²³ and international financial institutions, including bilateral financial institutions, export credit agencies²⁴ and the Equator Principles Financial Institutions²⁵ requiring ESIA’s contributed in part to the prevalence of such instruments. The gradual uptake of HRIAs coincides with the UNGPs coming into effect in 2011. In fact, the IBA report acknowledges elsewhere the practice of environmental due diligence by companies.

State, corporate and institutional measures

Important measures are proposed by the IBA report for consideration and implementation at the state, corporate and institutional levels. Whether these are intended for tackling climate change generally, or more specifically to address climate justice, a human-centric lens should be applied to the process of implementation by all levels of actors to ensure no unintended harm to people.

STATE MEASURES

As government agencies weigh regulatory measures and options to address climate change, they should apply a methodology at the outset to ascertain that the proposed regulation creates the intended climate benefits sought with all known costs, especially those to human rights, examined and avoided where possible. Many OECD countries use a Regulatory Impact Assessment to ascertain the benefits and costs of proposed

²⁰ Paragraph 8 of Performance Standard 4, www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/our+approach/risk+management/performance+standards/environmental+and+social+performance+standards+and+guidance+notes accessed 6 December 2015.

²¹ Performance Standard 6, paragraph 2.

²² See ‘IFC Definitions and Metrics for Climate-Related Activities’ (version 2.2, April 2014), www.ifc.org/wps/wcm/connect/534495804a803b32b266fb551f5e606b/IFC_Climate_Definitions_2013.pdf?MOD=AJPERES accessed 6 December 2015. This document is intended to be a common resource to international financial institutions generally.

²³ All multilateral development banks have environmental and social safeguard policies. For example, see the World Bank safeguard policies, currently under revision, at <http://consultations.worldbank.org/consultation/review-and-update-world-bank-safeguard-policies> accessed 6 December 2015.

²⁴ OECD Common Approaches.

²⁵ See the Equator Principles, at www.equator-principles.com.

regulation, and some OECD countries are starting to incorporate sustainability (environmental and socio-economic) aspects in the methodology.²⁶ In the United States, the social cost of carbon is calculated in order to ascertain the cost and benefits of a proposed climate regulation. According to the US Environmental Protection Agency, the social cost of carbon is used to understand the regulatory impact of vehicular emissions controls and control of pollutants from power plants.²⁷ This is an economic analysis that helps regulators focus on economic damage from a ton of carbon emissions, and in the process, it takes into account a number of human factors related to climate change, such as decreased agricultural yields, harm to human health and lower worker productivity.²⁸ Since the methodology used for such calculation is still being debated,²⁹ there is some uncertainty about the outcomes of such calculation. But as the methodology becomes more refined, and consensus builds around it, many rule makers around the world should be able to depend on it as they create new and innovative regulatory frameworks to combat climate change. Incidentally, the methodology to calculate the social cost of carbon also stands to benefit from further input from the human rights community on the human rights impacts of climate change.

CORPORATE MEASURES

Section 3.1.3 of the IBA report lists actions that can be taken by corporations to enhance climate change justice, and explores the implications of the UNGPs and, in particular, the meaning of corporate responsibility to respect human rights in the context of climate change. It notes that corporate responsibility must include:

due diligence of corporate projects, including the environmental practices of the company's affiliates, and as far as reasonably practicable, its major contractors and suppliers ... the corporation should implement a due-diligence process to identify, prevent, mitigate and account for its actual climate change impacts. While awareness is the first step, the corporation must translate its awareness into active efforts to minimise or reverse the impacts of its actions on climate change and human rights.³⁰

The section is correct in describing the purpose of the due diligence, which is to minimise or reverse the impacts of a corporation's actions on climate change and human rights, but it can only do so if the corporation investigates its human rights practices, as well as those of its affiliates, contractors and suppliers, in order to understand whether there are appropriate actions the corporation can take on climate change or with regard to climate victims.

INSTITUTIONAL MEASURES

The inclusion of trade considerations in the IBA report is insightful, and examining the role of the World Trade Organization in particular is welcome. In relation to the

²⁶ See [www.oecd.org/gov/regulatory-policy/Sustainability%20in%20impact%20assessment%20SG-SD\(2011\)6-FINAL.pdf](http://www.oecd.org/gov/regulatory-policy/Sustainability%20in%20impact%20assessment%20SG-SD(2011)6-FINAL.pdf) accessed 6 December 2015.

²⁷ See www3.epa.gov/climatechange/EPAactivities/economics/scc.html accessed 6 December 2015.

²⁸ *Ibid.*

²⁹ See for example, the view of Stanford scientists that the EPA methodology is inaccurate at <http://news.stanford.edu/news/2015/january/emissions-social-costs-011215.html>. accessed 6 December 2015.

³⁰ IBA report (n 2), 148.

recommendation that the WTO's Committee on Trade and Environment engage with various multilateral environmental agreements, a human-centric lens should be helpful in ensuring that such engagement does not address solely environmental factors at the expense of stakeholders. Similarly, it should not be assumed that states' obligations to protect human rights will be automatically fulfilled when climate change provisions are inserted in bilateral and regional trade agreements.

Later, the IBA report touches on the need for improvement in the specific institutional measures, namely the REDD+ and the CDM under the UNFCCC process. Here the report clearly acknowledges the past track record of these programmes, including their human rights shortcomings, and points to the need for a set of universal environmental and social principles for such programmes. While these are clearly desirable, the IBA report should promote the existing international human rights instruments as the basis for such universal principles. The IBA report can also consider facilitating the ongoing efforts to arrive at such truly universal principles by extending and adapting existing environmental and safeguard mechanisms, commonly used by international financial institutions in their financing of cross-border projects.³¹ The current generation of climate financing mechanisms already have built in sustainability principles. For example, the Adaptation Fund declared in 2013 that its projects shall respect and promote international human rights, and the Green Climate Fund has its own sustainability standards.³² These efforts constitute important but fragmented foundations of universal environmental and social principles, which are in dire need of consolidation.

The road beyond Paris

Public and private sector green and climate investments are expected to flow at a rapid pace following the announcement of the 2030 Agenda for Sustainable Development and the climate conference in Paris. Although the IBA report does not address the environmental and social safeguard policies and standards that are by-products of financing by multilateral, bilateral and other public financial institutions (other than a brief reference to the Equator Principles and the Thun Group of Banks), since financing mechanisms can drive change in the behaviour of their corporate clients, this may be an additional area worthy of examination. It goes without saying that these mechanisms that are meant to be inherently beneficial to the climate must nonetheless be able to demonstrate that they can address the negative environmental and social impacts and externalities of green projects.

Although these projects are intended to be environmentally beneficial, they are not devoid of negative environmental impacts. In fact, siting a wind turbine project in a

³¹ For example, the World Bank's environmental and social safeguard policies (currently under review) used in public sector lending; see <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTSAFEPOL/0,,menuPK:584441~pagePK:64168427~piPK:64168435~theSitePK:584435,00.html> accessed 6 December 2015. Also see IFC Performance Standards, used in various types of private sector lending, www.ifc.org/wps/wcm/connect/c8f524004a73daeca09afd998895a12/IFC_Performance_Standards.pdf?MOD=AJPERES accessed 6 December 2015.

³² In the case of the Green Climate Fund, it chose to use the IFC Performance Standards as its interim due diligence standard. Also see Green Climate Fund's 'Guiding Framework and Procedures for Accrediting National, Regional and International Implementing Entities and Intermediaries, Including the Fund's Fiduciary Principles and Standards and Environmental and Social Safeguards', http://gcfund.net/fileadmin/00_customer/documents/MOB201406-7th/GCF_B07_02_Guiding_Framework_for_Accreditation_fin_20140512_16.30_hrs.pdf accessed 6 December 2015.

migratory path of birds or building a large storage dam on an ecologically sensitive watercourse, is likely to create negative environmental impacts. Nor are such projects free of social impacts. Social impacts from environmentally beneficial projects can often be detrimental, but are frequently forgotten. The objections of indigenous peoples, local communities and workers in environmental projects are well documented.³³ When green infrastructure or clean or renewable energy projects are proposed, we should ask whether these projects could affect rights holders negatively. Households and communities should not have to make way for a green urban transport project in a crowded megapolis and lose their land or their livelihoods, without adequate compensation and due process. Indigenous people should not have to lose out on their green revenue stream because they lack formal title to their ancestral lands, where they allow trees to stand and benefit the climate.

As the IBA working groups map out specific steps to implement the recommendations and start to work with regulators, corporations and institutions around the world, it is hoped that the working groups will embrace the significance of their work going forward with hindsight from past challenges of bringing environmental, social and human rights disciplines together to communicate and collaborate. Because the IBA report aims to address the significant intersection between climate change and human rights, and to propose ways to solve problems at this intersection, it is all the more urgent that the way forward needs to stay true to the fundamental principle of climate justice, to always be mindful of the human factor, in the midst of climate science, technology, mechanisms, investments and the law.

³³ For example, see complaints that were investigated by the World Bank Inspection Panel (http://ewebapps.worldbank.org/apps/ip/Pages/Panel_Cases.aspx) or by the IFC Compliance Advisor Ombudsman (www.cao-ombudsman.org/cases/ accessed 6 December 2015).