Online Appendix to:
"The World Bank as an Enforcer of Human Rights," by Kelebogile Zvobgo and Benjamin A.T. Graham in *The Journal of Human Rights*.

Appendix A *Human Rights Enforcement at the World Bank* Dataset

Our new dataset includes nearly 100 variables capturing across 239 complaints,[1] the (1) characteristics of the relevant World Bank project, (2) characteristics of the complainants, (3) completeness of the complaint at time of filing, (4) nature of the alleged harms and identity of the perpetrators, (5) complaint progress through the Inspection Panel and CAO processes, and (6) final outcomes of the complaint. Summary statistics for variables used in the main regression analysis are given in Table A1.

Table A1: Summary Statistics

Variable	Mean	St. Dev.	Min.	Max	*N*
Complainant Characteristics					
Indigenous	0.23	0.42	0	1	239
NGO Involvement	0.53	0.5	0	1	239
Project Characteristics					
Infrastructure	0.4	0.49	0	1	239
Mining/Resource Extraction	0.28	0.45	0	1	239
Environmental Risk	0.47	0.5	0	1	239
Bank Commitment (log)	18	1.4	12	22	221
CAO	0.48	0.5	0	1	239
Issues Raised					
Involuntary Resettlement	0.25	0.43	0	1	239
Environmental Damage	0.67	0.47	0	1	239
Economic Damage	0.63	0.48	0	1	239
Labor Rights Violations	0.07	0.26	0	1	239
Physical Integrity Rights Violations	0.15	0.35	0	1	239
Bank is Alleged Perpetrator	0.65	.048	0	1	239
Region					
Africa and Middle East	0.25	0.43	0	1	239
Asia	0.27	0.44	0	1	239
Europe	0.17	0.38	0	1	239

[1] Some complaints filed with the Inspection Panel are dismissed without a full investigation. We consider these complaints to be unsuccessful as they do not achieve the ends complainants are seeking.

Characteristics of the project captured include project type and size, the identity of the World Bank funding institution (e.g., IBRD, IFC), and the expected environmental impact. *Characteristics of the complainants* include whether or not (1) the complaint is filed by or on behalf of the project-affected community, (2) the community is an indigenous group, and (3) domestic and/or foreign NGOs are engaged in the complaint process. *Completeness of the complaint* (complaint fundamentals) pertain to the inclusion of data and maps, personal testimony from project-affected individuals, or petitions, the mention of specific Bank operational protocols, procedures, and performance standards, and the number of documents filed. *Alleged harms* and *perpetrators* specify the issues/harms raised by the complainants (e.g, involuntary resettlement, environmental damage) and the actors alleged to have perpetrated those harms (e.g. the World Bank, itself, host country governments, and/or firms). *Progess* details whether or not: (1) dispute resolution was attempted and if it succeeded, (2) a compliance review was undertaken, and (3) the Inspection Panel or CAO determined project noncompliance with Bank policy. Finally, *outcomes* catalogs whether or not a complaint concluded with a formal acknowledgment of harm, project change, including termination, and compensation made to project-affected communities.

A.1 Sources and Data Collection

Coders on this project utilized a combination of primary and secondary source materials. Primary sources for Inspection Panel cases include the Requests for Inspection filed by complainants, Notices of Registration, World Bank Management Responses to Requests, Eligibility Reports, Investigation Reports, Management Reports and Recommendations in Response to the Investigation Report, relevant Press Releases, follow-up Management Progress Reports, maps and other ancillary documents. Primary sources for the Compliance Advisor/Ombudsman (CAO) cases include the filed Complaints, CAO Assessment Reports, Agreements documenting resolution between the disputants, Ombudsman Close-out Reports, Compliance Appraisal Reports, Audit Reports and Monitoring Reports. Secondary sources include Annual Reports published by the Inspection Panel (1996-2016) and the CAO (2000-2016).

The greatest challenge facing coders involves the absence of primary documents published for public use. In various cases across both accountability mechanisms, one or several documents relevant to the cases were not made available. While this was less of a problem with the Inspection Panel, there were multiple instances when Panel documents, namely the Board Discussions, were unavailable on the online database. Similarly, numerous requests filed to the Compliance Advisor/Ombudsman were not present

on the online database. There were also instances in which no documents relevant to a CAO case were published. This was, however, a rare occurrence.

In CAO cases where Complaints were unavailable, coders were directed to collect data from CAO summaries and other CAO documents. For example, information regarding the primary, secondary and tertiary issues raised in the complaint was summarized by the Ombudsman in a section of its Assessment Report highlighting main case concerns raised by the complainants. However, in cases without Assessment Reports or any other relevant CAO documents, coders were directed to draw inferences from official summaries posted on the case pages of the CAO online database. This created a 'preponderance of the evidence' standard rather than a 'beyond a reasonable doubt' standard. Instances where the necessary information to make an informed coding choice is unavailable, are coded as missing. Instances where information is available, but the coder was uncertain, were flagged for discussion in regular meetings of the coding team and a group decision was made on how to code the variable. Additional information necessary to understanding certain coding choices is discussed in the coder notes, which are available online, along with the full codebook, list of sources, and the dataset itself.

A.2 Additional Figures

Figure A1 provides a simple graphical depiction of the percentage of Inspection Panel and CAO complaints supported by NGOs as distinguished by primary issue.

Figure A1: Primary Issues Supported by NGOs

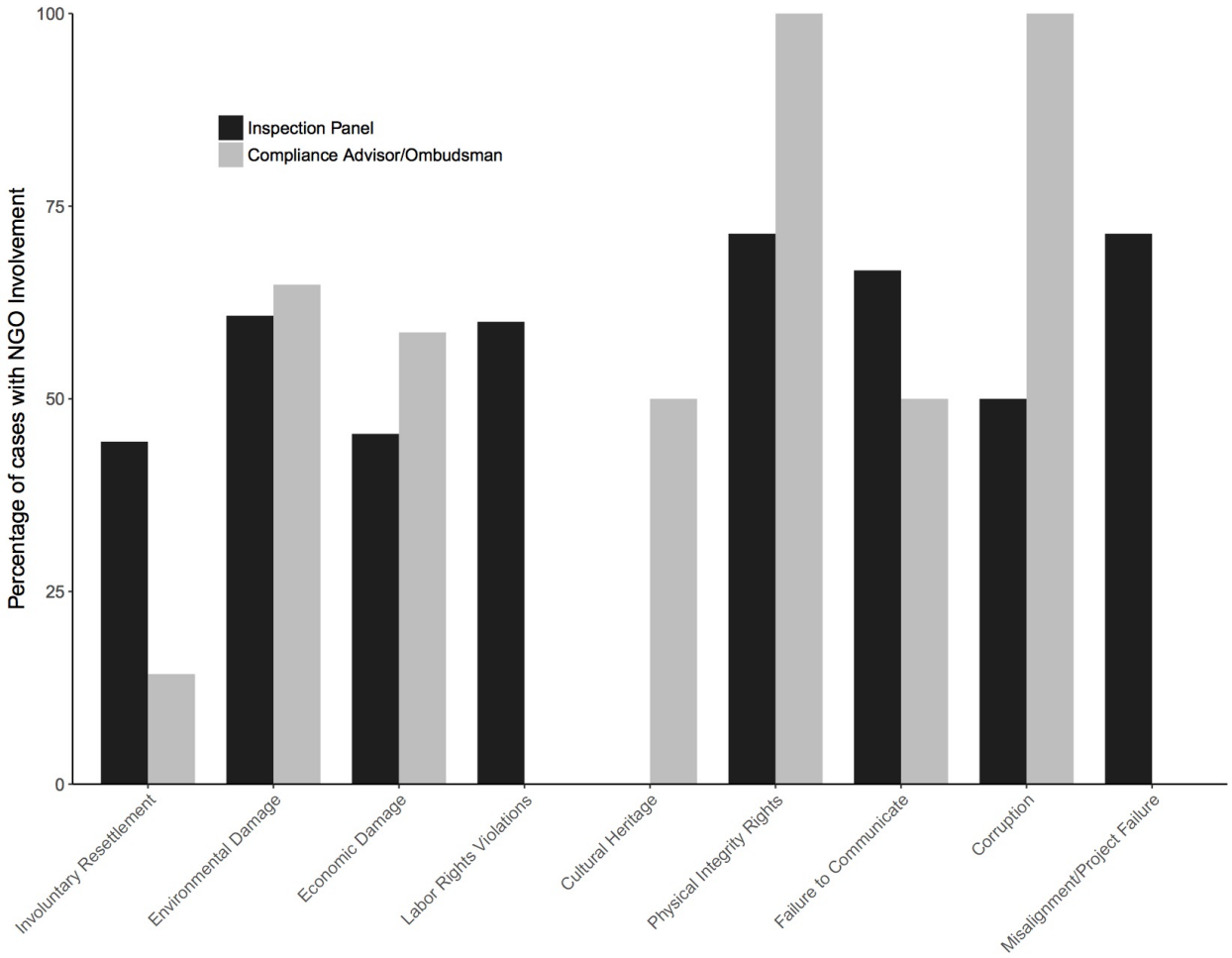
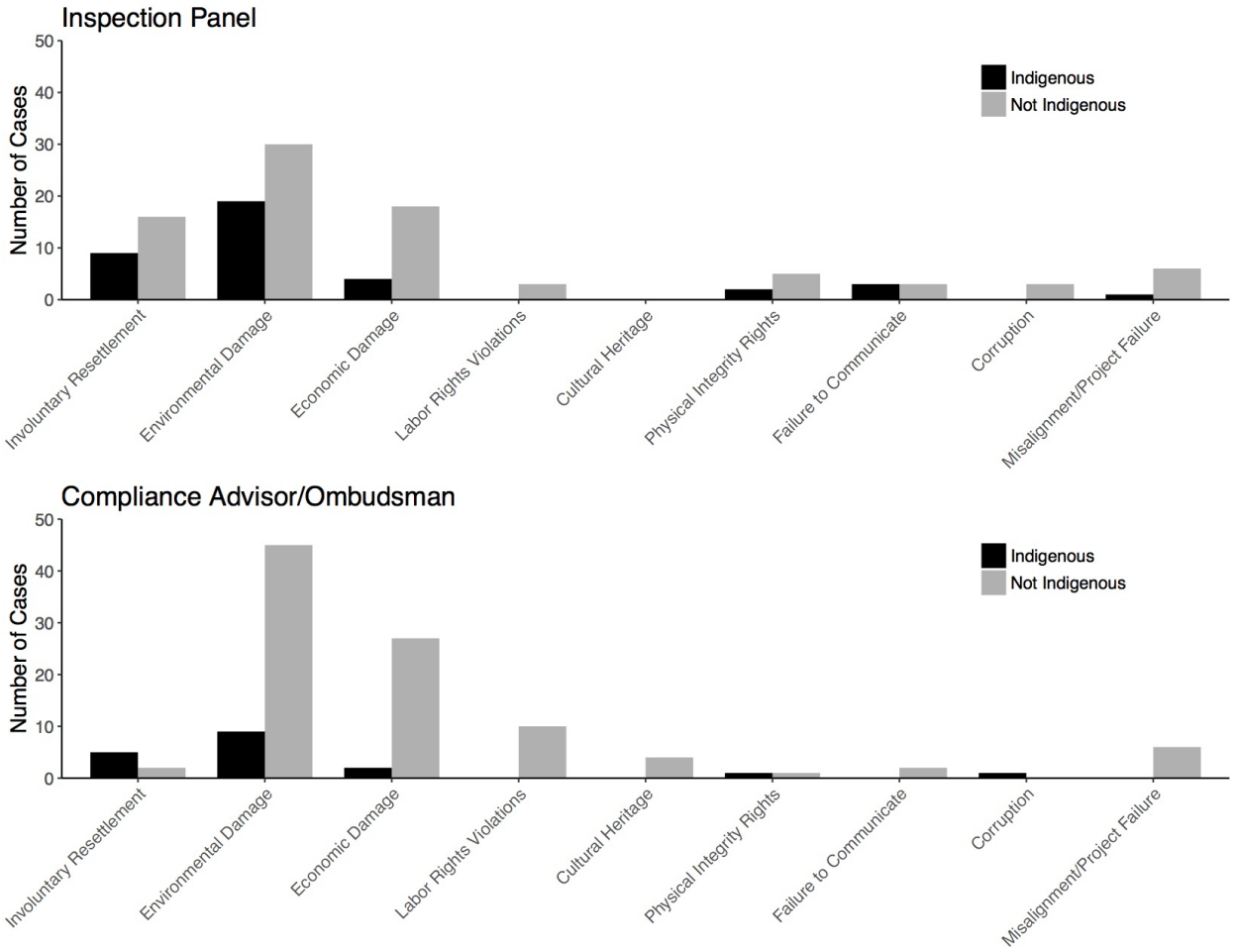


Figure A2 similarly depicts Inspection Panel and CAO complaints filed by indigenous communities as distinguished by primary issue. Indigenous communities more frequently use the Inspection Panel to raise issues of involuntary resettlement, environmental damage, and economic damage than the CAO, suggesting that projects funded by the different World Bank funding institutions (e.g., IBRD, IFC) affect these communities differently.

Figure A2: Primary Issues Raised by Indigenous Communities



Appendix B Supplementary Tests

B.1 Stringent Safeguards

As seen in Table B1, our results are robust to the exclusion of the harms raised by project-affected communities and their representatives in proceedings before the Inspection Panel and CAO. All variables that were positive and statistically significant predictors of our outcomes remain so. The only notable difference is that the coefficients for compensation for indigenous communities are much larger in the supplementary analysis than in the main analysis. In addition, whereas the relationship between indigenous communities and compensation was not statistically significant in the main analysis, it is statistically significant in the supplementary analysis. In addition, as seen in Table B2, our results are robust to the exclusion of environmental sensitivity. All variables that were positive and statistically significant predictors of our outcomes remain so. Here, there is no notable difference between the main and supplementary analyses.

Table B1: Indigenous Complaints, NGO Involvement, and Outcomes, *without* Harms Raised

	DV = Harm Acknowledged		DV = Project Change		DV = Compensation	
	(1)	(2)	(3)	(4)	(5)	(6)
Complainant Characteristics						
Indigenous	1.109**	0.905*	1.545**	1.545**	0.806+	1.462**
	(0.389)	(0.421)	(0.388)	(0.406)	(0.474)	(0.565)
NGO Involvement	0.502	0.499	0.794*	0.824*	1.323**	1.620**
	(0.311)	(0.325)	(0.343)	(0.350)	(0.497)	(0.572)
Project Characteristics						
High Environmental Risk	0.316	0.327	0.182	0.201	0.420	0.518
	(0.370)	(0.365)	(0.335)	(0.340)	(0.466)	(0.518)
Infrastructure	-0.00837	0.0981	0.456	0.470	0.480	0.210
	(0.394)	(0.402)	(0.389)	(0.396)	(0.524)	(0.538)
Mining/Resource Extraction	-0.228	0.100	0.395	0.428	-0.146	-0.827
	(0.438)	(0.483)	(0.473)	(0.509)	(0.706)	(0.838)
Bank Commitment (log)	-0.198	-0.199	-0.452**	-0.445**	0.171	0.197
	(0.141)	(0.154)	(0.134)	(0.135)	(0.158)	(0.160)
CAO	0.965**	0.875*	0.456	0.356	-0.0177	-0.0491
	(0.370)	(0.432)	(0.344)	(0.383)	(0.582)	(0.599)
Bank is Alleged Perpetrator		0.0251		-0.214		-1.001*
		(0.436)		(0.407)		(0.472)
Region						
Africa and Middle East		-0.680		-0.0954		1.872*
		(0.472)		(0.450)		(0.771)
Asia		-0.218		-0.0809		1.735*
		(0.420)		(0.412)		(0.731)
Europe		-0.767		-0.230		1.614*
		(0.564)		(0.437)		(0.789)
Constant	1.699	2.011	6.374**	6.489*	-6.223*	-7.596*
	(2.543)	(2.797)	(2.422)	(2.536)	(2.910)	(3.284)
Observations	220	220	220	220	221	221

All models report standard errors clustered by country.
+ $p < 0.10$, * $p < 0.05$, ** $p < 0.01$

Table B2: Indigenous Complaints, NGO Involvement, and Outcomes

	DV = Harm Acknowledged		DV = Project Change		DV = Compensation	
	(1)	(2)	(3)	(4)	(5)	(6)
Complainant Characteristics						
Indigenous	1.153*	0.959*	1.432**	1.420**	0.138	0.707
	(0.468)	(0.484)	(0.437)	(0.462)	(0.487)	(0.606)
NGO Involvement	0.458	0.464	0.748*	0.766*	1.661*	1.997**
	(0.340)	(0.344)	(0.364)	(0.373)	(0.660)	(0.733)
Project Characteristics						
Infrastructure	0.118	0.209	0.458	0.465	0.0938	-0.0915
	(0.399)	(0.404)	(0.414)	(0.432)	(0.601)	(0.601)
Mining/Resource Extraction	-0.184	0.123	0.446	0.490	0.0951	-0.547
	(0.434)	(0.489)	(0.453)	(0.511)	(0.638)	(0.730)
Bank Commitment (log)	-0.122	-0.119	-0.427**	-0.413**	0.177	0.180
	(0.135)	(0.152)	(0.134)	(0.135)	(0.151)	(0.151)
CAO	0.939*	0.868*	0.388	0.321	0.0000554	-0.150
	(0.365)	(0.418)	(0.351)	(0.394)	(0.536)	(0.599)
Alleged Harms and Perpetrators						
Involuntary Resettlement	-0.259	-0.230	0.317	0.327	1.880**	1.992**
	(0.479)	(0.476)	(0.458)	(0.455)	(0.595)	(0.663)
Environmental Damage	0.240	0.181	0.163	0.162	0.450	0.715
	(0.355)	(0.352)	(0.411)	(0.416)	(0.482)	(0.468)
Economic Damage	-0.433	-0.372	0.101	0.127	0.819+	0.684
	(0.336)	(0.336)	(0.351)	(0.351)	(0.488)	(0.490)
Labor Rights Violations	0.0367	0.121	0.152	0.0889	1.491*	1.179+
	(0.695)	(0.668)	(0.691)	(0.679)	(0.745)	(0.712)
Physical Integrity Rights Violations	-0.300	-0.337	-0.919+	-0.937+	-1.417+	-1.435
	(0.515)	(0.533)	(0.488)	(0.492)	(0.851)	(0.874)
Bank is Alleged Perpetrator		0.0189		-0.174		-1.137*
		(0.428)		(0.407)		(0.485)
Region						
Africa and Middle East		-0.550		-0.0771		1.822*
		(0.494)		(0.473)		(0.756)
Asia		-0.0915		-0.146		1.616*
		(0.412)		(0.415)		(0.750)
Europe		-0.656		-0.308		1.639*
		(0.581)		(0.457)		(0.814)
Constant	0.641	0.784	5.941*	5.900*	-7.489**	-8.363**
	(2.494)	(2.831)	(2.418)	(2.518)	(2.837)	(3.201)
Observations	220	220	220	220	221	221

All models report standard errors clustered by country.
+ $p < 0.10$, * $p < 0.05$, ** $p < 0.01$

B.2 Country Fixed Effects

One potential concern with our analysis is that the correlations we find could be driven by unobserved variation across countries. In other words, perhaps some unmeasured country characteristic exists that both makes indigenous involvement (or NGO involvement) more likely in cases and also makes positive outcomes more likely for plaintiffs. In addition to the steps we have already taken, one additional way to rule out this possibility is to examine alternative specifications of our main regressions that include country fixed effects.

The downside of country-fixed effects regressions is that the fixed effects absorb a large amount of the variation we seek to explain. In particular, all countries with only a single case are effectively dropped from the sample, as are any countries in which all the cases share the same value of the dependent variable. Of the 64 countries in which we observe at least one case, 20 countries have only a single case and 17 more have only two. Thus, country fixed effects sacrifice a significant amount of data and we few this analysis as less reliable than the main specification we present in the body of the paper.

Nonetheless, Table B3 presents the results of regressions that are identical to those reported in Table 1 in the main paper, but which include a vector of indicator variables for country.

Table B3: Indigenous Complaints, NGO Involvement, and Outcomes: Country Fixed Effects

	DV = Harm Acknowledged		DV = Project Change		DV = Compensation	
	(1)	(2)	(3)	(4)	(5)	(6)
Complaint Characteristics						
Indigenous	1.156^{+}	1.152^{+}	2.030**	1.990**	-0.819	-0.579
	(0.626)	(0.630)	(0.593)	(0.611)	(0.779)	(0.804)
NGO Involvement	-0.0780	-0.0882	0.804	0.686	1.195^{+}	1.464^{+}
	(0.555)	(0.543)	(0.626)	(0.601)	(0.670)	(0.758)
Project Characteristics						
High Environmental Risk	0.358	0.351	0.869	0.793	0.578	0.702
	(0.649)	(0.655)	(0.656)	(0.663)	(0.941)	(0.959)
Infrastructure	1.055	1.064	1.164	1.207	0.253	0.0385
	(0.721)	(0.724)	(0.750)	(0.769)	(0.852)	(0.824)
Mining/Resource Extraction	0.262	0.236	0.608	0.463	0.865	1.001
	(0.938)	(0.967)	(1.069)	(1.078)	(1.511)	(1.596)
Bank Commitment (log)	-0.436^{+}	-0.443^{+}	-1.065**	-1.104**	-0.00771	0.0699
	(0.248)	(0.247)	(0.260)	(0.258)	(0.311)	(0.291)
CAO	0.172	0.223	-0.626	-0.390	-0.505	-0.878
	(0.598)	(0.679)	(0.680)	(0.739)	(0.854)	(0.805)
Alleged Harms and Perpetrators						
Involuntary Resettlement	-0.343	-0.343	0.603	0.619	1.435	1.344
	(0.617)	(0.621)	(0.731)	(0.749)	(0.895)	(0.940)
Environmental Damage	-0.190	-0.222	-0.479	-0.585	0.753	0.987^{+}
	(0.519)	(0.550)	(0.719)	(0.716)	(0.547)	(0.544)
Economic Damage	-0.802	-0.811	-0.630	-0.650	0.534	0.518
	(0.514)	(0.513)	(0.587)	(0.582)	(0.675)	(0.657)
Labor Rights Violations	-0.520	-0.487	4.688**	4.707**	34.22**	32.22**
	(1.397)	(1.400)	(1.326)	(1.267)	(2.092)	(1.947)
Physical Integrity Rights Violations	-0.772	-0.787	-0.641	-0.751	-0.106	-0.0632
	(0.731)	(0.741)	(0.840)	(0.864)	(1.020)	(1.074)
Bank is Alleged Perpetrator		0.141		0.780		-1.134
		(0.675)		(0.649)		(0.881)
Region						
Africa and Middle East		-1.254		-2.002		-1.492
		(1.701)		(1.997)		(1.702)
Asia		-3.809		-0.416		1.354
		(2.451)		(1.519)		(2.372)
Europe		-2.286		1.888		-2.454
		(1.528)		(1.881)		(2.290)
Constant	5.776	9.562^{+}	17.68**	18.22**	-0.866	-2.991
	(4.395)	(5.170)	(4.821)	(5.093)	(5.981)	(5.437)
Observations	168	168	168	168	109	109

Standard errors in parentheses
All models report clustered standard errors.
$^{+}$ $p < 0.10$, * $p < 0.05$, ** $p < 0.01$

The correlations shown in Table B3 are generally weaker than those shown in Table 1 in the main paper. This is as expected, given the large amount of variance that is absorbed by the fixed effects. However, the same general patterns still emerge, and some of the results remain statistically significant. In particular, we still find that indigenous complaints are more likely to result in project change. While the results are only significant at the $p < .1$ level, we also estimate that indigenous complaints are more likely to result in acknowledgement of harm and NGO-supported complaints are more likely to result in compensation.

B.3 NGOs, Complaint Fundamentals, and Success

B.3.1 Latent Variable

We estimate a latent variable, *complaint fundamentals*, using seven variables which we consider the basic elements of a successful complaint: (1) raw data, (2) personal testimony, (3) petitions, (4) typed complaints, (5) complaints written in English, (6) citations to bank policy, and (7) links between alleged harms and bank policy violations. Summary statistics are given in Table B4.

Table B4: *Complaint Fundamentals* Summary Statistics

Variable	Mean	St. Dev.	Min.	Max	*N*
Raw Data	0.36	0.48	0	1	149
Petition	0.22	0.42	0	1	150
Personal Testimony	0.21	0.41	0	1	149
Typed	0.99	0.12	0	1	144
English	0.57	0.5	0	1	149
Bank Policy Citation	0.53	0.5	0	1	150
Bank Policy Violation	0.73	0.44	0	1	150

Complaints with *raw data*—e.g. data tables, maps, water and soil samples, etc.—are, in expectation, more compelling than those without data. If, for example, a hydro-electric project contaminates local people's water source and water samples to this effect are collected, filers can convincingly argue that negative environmental impacts were not avoided or mitigated in accordance with Bank policy and that this has caused harm to individuals and communities. Complaints containing the *personal testimony* of project-affected persons can detail the nature of harms experienced. *Petitions* signed by individuals and groups can demonstrate widespread opposition to a project. Complaints that are *typed* demonstrate a basic professionalism one might expect of individuals filing a complaint with, essentially, bureaucrats

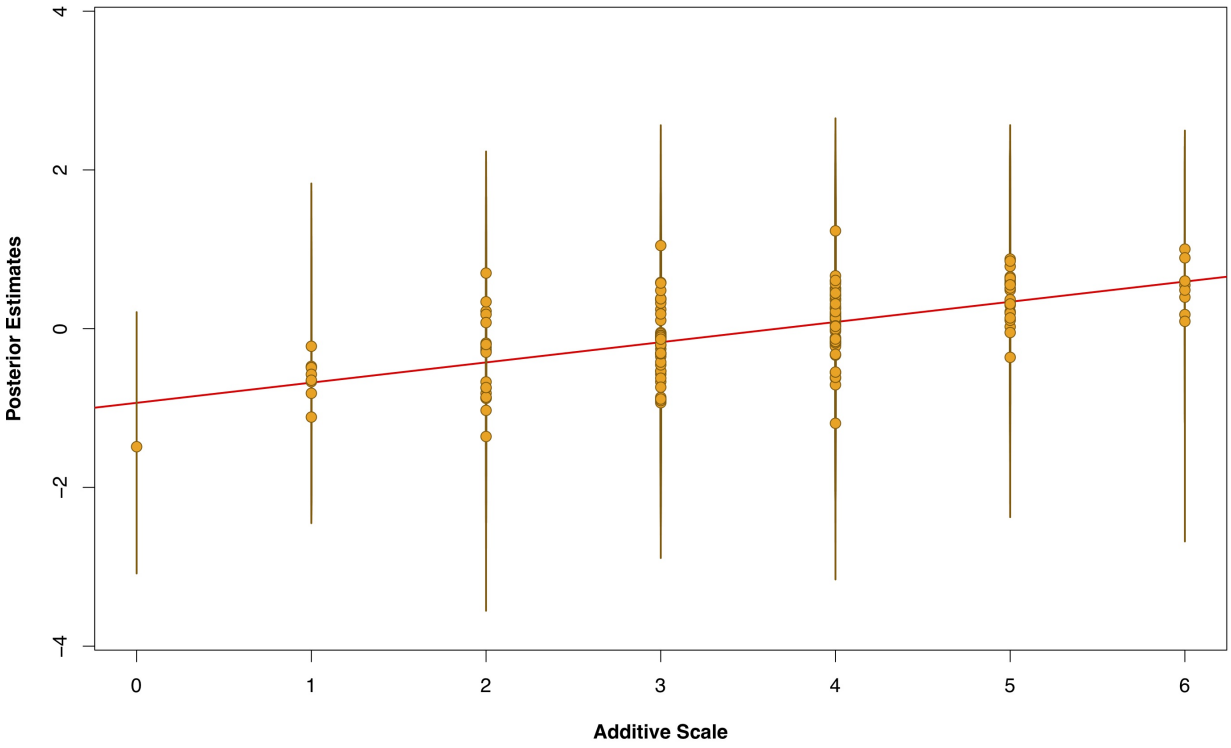
within an international organization. Complaints originally written in *English* may fare better than those originally written in another language and later translated by the Inspection Panel and CAO; complaints in English suggest a certain proficiency in the working language of the Bank. Complaints with *bank policy citations* demonstrate even a basic understanding of Bank policy, what it allows, what it prohibits, etc. Citations can help ensure that the relevant policies and appropriate responses are triggered. For example, while all project-affected communities are entitled to be informed about and consulted on projects prior to their execution, *indigenous* project-affected communities are entitled to a consultation process that is culturally appropriate and sensitive. As previously discussed in the main text of the paper, indigenous policy standards exceed those for non-indigenous peoples, increasing the likelihood of meritorious and, relatedly, successful indigenous-filed complaints. However, this can only happen if the Bank is, at minimum, made aware of a community's indigenous identity and if, at maximum, the relevant operational protocol is invoked. Finally, complaints which draw connections between *bank policy violations* and harms experienced by project-affected communities are more likely to be successful. As discussed in the main body of the paper, the greatest barrier to complaint success before the Inspection Panel and CAO is connecting harms experienced with violations of Bank operational protocols, procedures, and performance standards. The Bank is very clear that project-affected communities can expect relief and redress if a Bank policy was violated *and* if that policy violation resulted (will result) in a documentable harm. Bank policy violations alone, just like harms alone, do not entitle communities to remedies from the Bank. Communities must clear both hurdles. Taken together, these seven variables constitute *complaint fundamentals*.

Four elements of the latent trait, *complaint fundamentals—raw data*, *typed*, *bank policy citation*, and *bank policy violation*—are informed by a gamma (1, 1) distribution. If we think of variables as questions, *raw data*, *typed*, *bank policy citation*, and *bank policy violation* are questions that 'high achievers' should answer 'correctly'. The remaining three elements—*personal testimony*, *petition*, and *English*—are informed by a truncated normal (0, 1) distribution. *Personal testimony*, *petition*, and *English* might be 'trick' questions that even high achievers answer 'incorrectly'. Individual testimonials, while able to communicate experienced harms, are unlikely to suggest, let alone demonstrate, an anterior Bank policy violation. Testimonials may not, therefore, enhance a complaint. Similarly, petitions may not render a complaint more meritorious. Articulated opposition to a project does not imply that the project has caused or will cause harm as a result of a Bank policy violation. Finally, complaints written in a language

other than English should not, in expectation, be more compelling than those written in English. While English is the main working language of the Bank, the Bank also works in Arabic, Chinese, French, Russian and Spanish. Moreover, both the Inspection Panel and CAO invite project-affected communities to submit complaints in *any* language; non-English complaints are translated by professional translators. Thus, we assume a probability density closer to 0 for *personal testimony*, *petition*, and *English*.

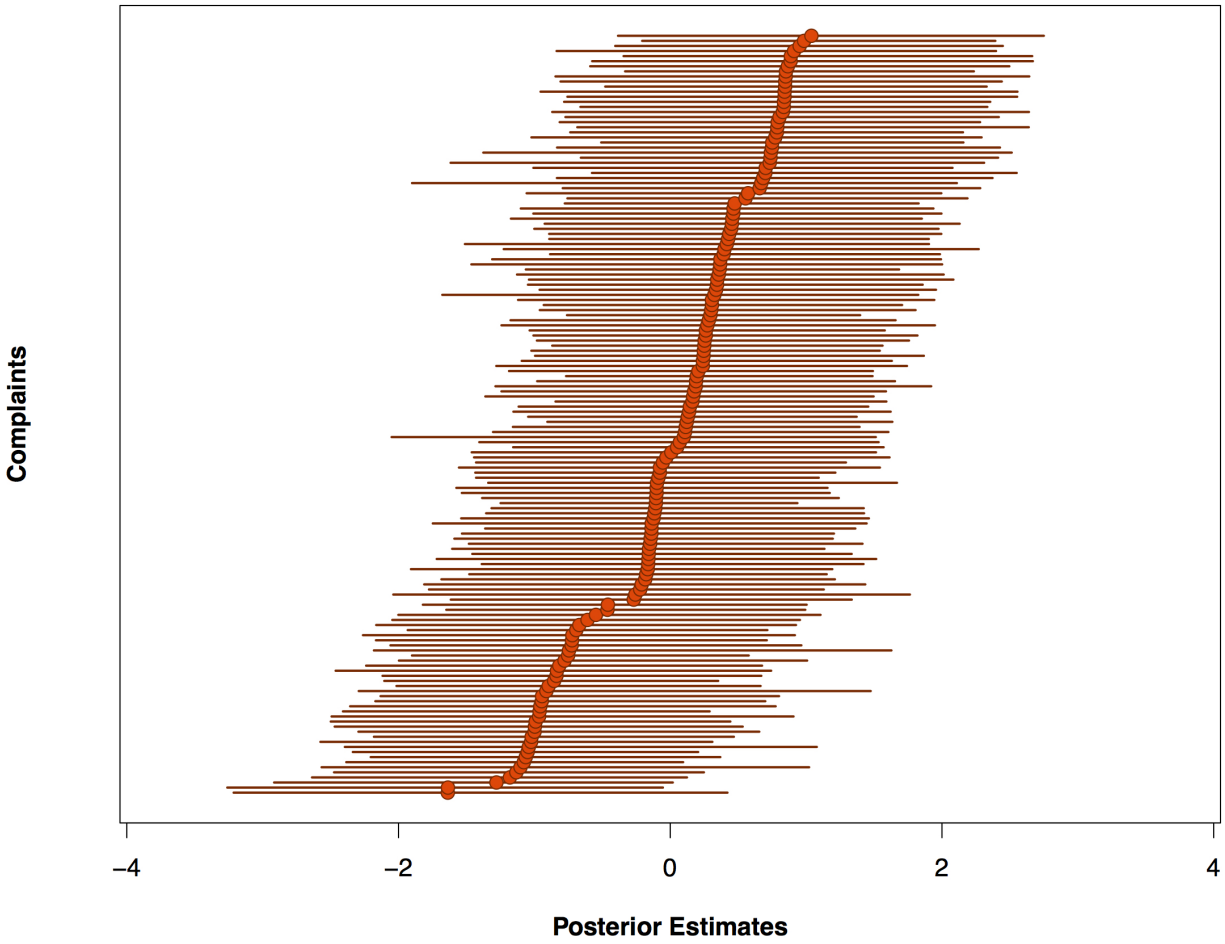
While our main study has 239 cases, we only have data on complaint fundamentals for 150 complaints. As displayed in Figure B1, while an additive scale is somewhat consistent with our latent variable, giving equal weights to the individual measures obscures variation in complaint fundamentals at each level of the scale.

Figure B1: Complaint Fundamentals: Additive Scale



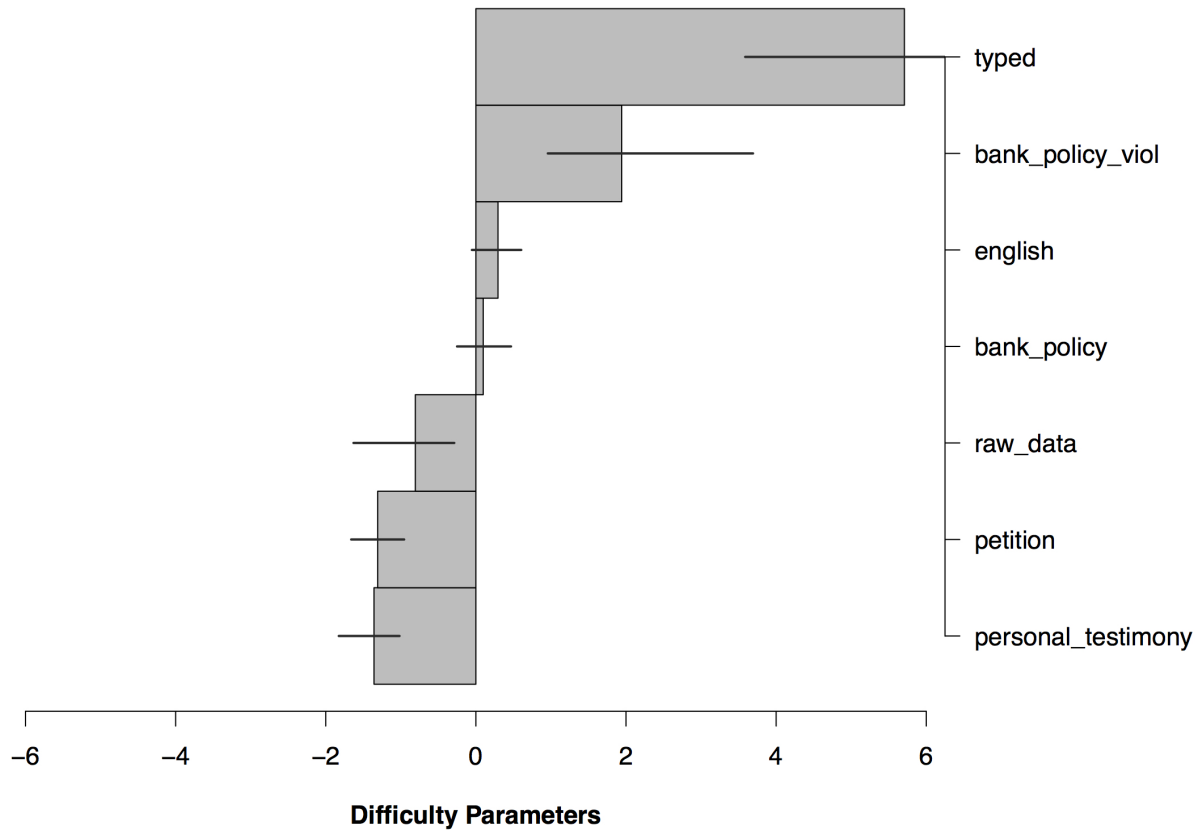
In Figure B2, we take the means of the posterior distribution and plot a line for the 95% credible interval for each estimate. The 95% credible intervals are wide but this is to be expected, as the latent trait is comprised of only seven elements across a reduced sample.

Figure B2: Complaint Fundamentals: Posterior Estimates



Next, we turn to the difficulty and discrimination parameters of the latent variable. Complaints that fulfill items that are 'more difficult' to 'answer' (values < 0), such as raw data, personal testimonies, and petitions, suggest that filers who are able to provide them have a higher baseline 'ability' than those who are unable to provide them. In contrast, complaints that only fulfill items that are 'easier' to answer (values > 0), such as typed complaints and complaints, which link experienced harms with bank policy violations, suggest that the filers have a lower baseline ability. Difficulty parameters are displayed in Figure B3.

Figure B3: Complaint Fundamentals: Difficulty Parameters



While we might expect that items used to estimate the latent variable which are difficult also discriminate well between complaints which meet and fail to meet certain complaint fundamentals, this is not necessarily so. As seen in Figure B4, while *raw data* is difficult and submitting *typed* complaints is easy, the two measures discriminate fairly similarly between complaints scoring higher and lower on fundamentals. In addition, and as previously suggested, *English*, *petition*, and *typed* do not discriminate well between complaints. They are even slightly negative, indicating that complaints scoring higher on fundamentals can still fail to attain these elements of the latent trait.

Figure B4: Complaint Fundamentals: Discrimination Parameters

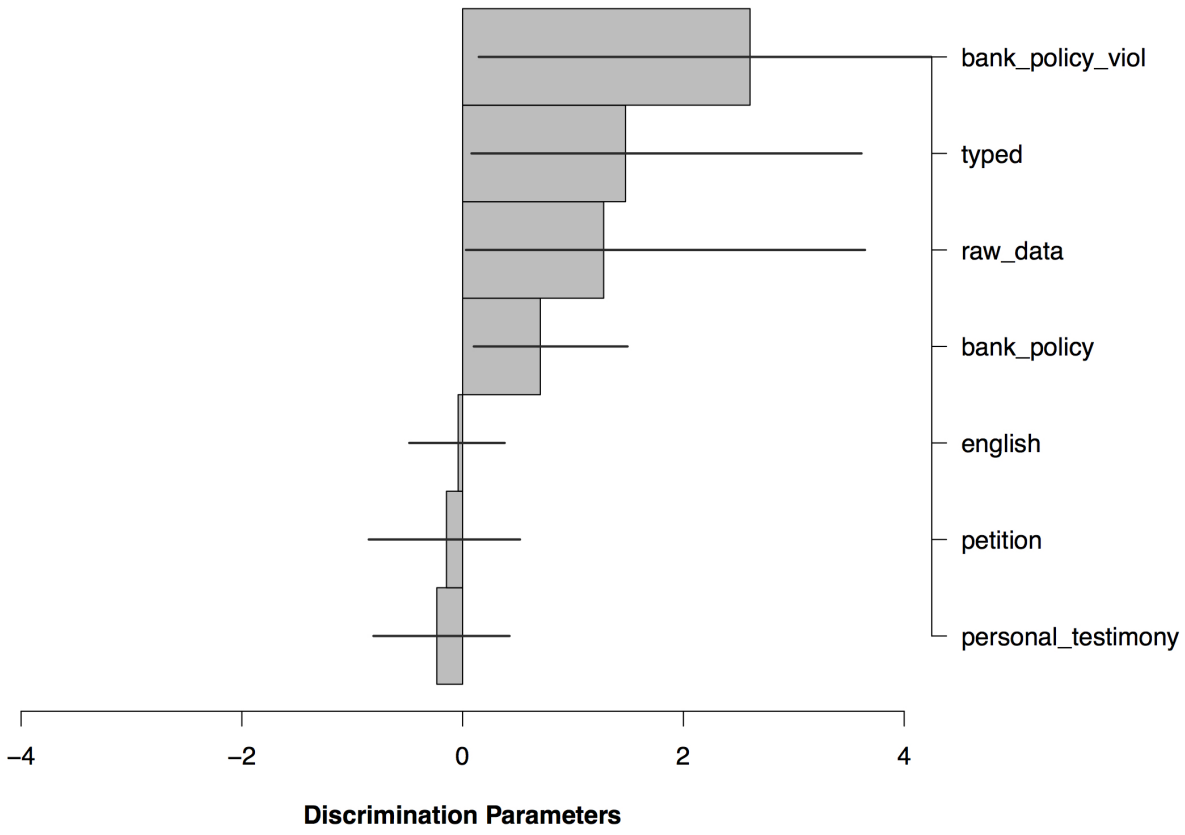
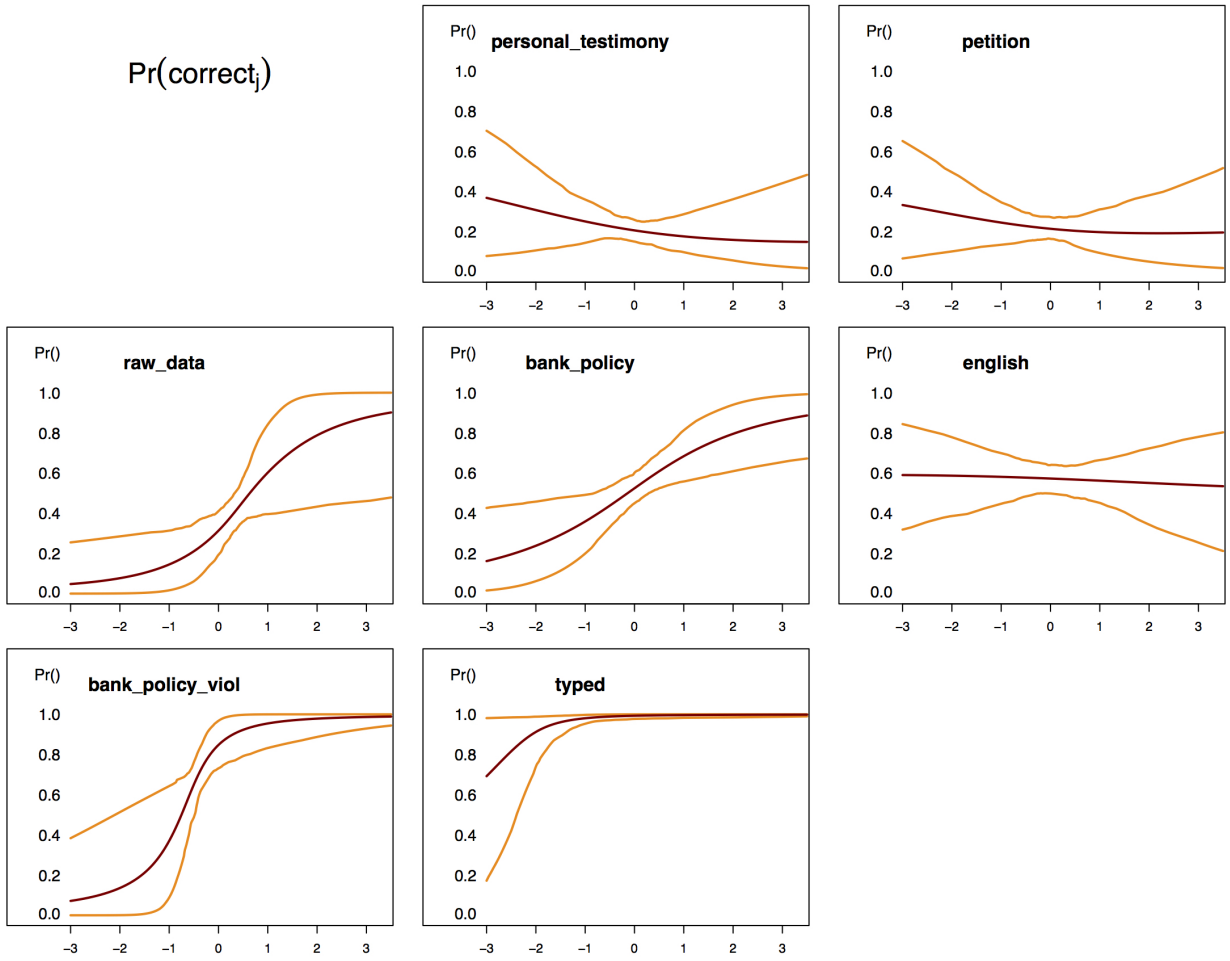


Figure B5 visualizes both difficulty and discrimination of the items which constitute our latent variable. The probability of including items such as *petition* and *personal testimony* decreases as the value of the latent trait increases. In contrast, the probability of a complaint in English is fairly constant. *Bank policy violation* and *typed* can discriminate well between poor complaints and all others; however, these items cannot reliably discriminate between complaints scoring in the middle and upper ranges of the latent variable. While they have steep slopes in the lower range of *complaint fundamentals*, the slopes flatten in the medium and upper ranges. In contrast, *raw data* and *bank policy citation* are informative across values of the latent trait.

Figure B5: Complaint Fundamentals: Discrimination and Difficulty



B.3.2 Mediation Analysis

Table B5 presents the full regression results for the mediation analysis presented in Figure 7 in the main text. Model 1 shows the first stage regression using NGO involvement to predict complaint fundamentals. This matches Model 1 in Table 2 in the main text. Models 2-4 estimate the effect of NGO involvement on our three outcome variables, *harm acknowledged*, *project change*, and *compensation*, as mediated by *complaint fundamentals*.

Table B5: Mediation Analysis

	Complaint Fundamentals (1)	Harm Acknowledged (2)	Project Change (3)	Compensation (4)
NGO Involvement	0.123	0.421	0.329	0.912*
	(0.105)	(0.254)	(0.235)	(0.320)
Complaint Fundamentals		0.133	0.159	0.438
		(0.206)	(0.190)	(0.252)
Indigenous Involvement	0.243*	0.916*	0.704*	-0.208
	(0.116)	(0.273)	(0.258)	(0.312)
Environmental Damage	0.184	-0.346	0.103	0.232
	(0.112)	(0.273)	(0.251)	(0.339)
Infrastructure Project	-0.119	0.128	0.209	0.301
	(0.125)	(0.302)	(0.279)	(0.353)
Mining/Resource Project	0.112	0.210	0.276	0.290
	(0.160)	(0.362)	(0.350)	(0.424)
Project Envir. Risk	0.311*	0.342	-0.187	0.126
	(0.111)	(0.271)	(0.253)	(0.305)
CAO	-0.435*	0.698*	0.435	-0.058
	(0.126)	(0.302)	(0.287)	(0.360)
Involuntary Resettlement	0.038	-0.230	-0.062	0.816*
	(0.123)	(0.296)	(0.274)	(0.325)
Constant	-0.264*	-1.232*	-0.932*	-2.241*
	(0.125)	(0.311)	(0.290)	(0.436)
N	150	149	150	150
R^2	0.181			
adj. R^2	0.135			
Resid. sd	0.596			
AIC		177.698	203.020	131.303
BIC		297.856	323.445	251.728
$\log L$		-48.849	-61.510	-25.652

Standard errors in parentheses
* indicates significance at $p < 0.05$

B.3.3 Where Is Complaint Quality Data Missing?

In our analysis, we find no evidence that complaint quality is a strong predictor of complaint success. Thus, patterns of missing data in the markers of complaint quality is something of a moot point for our

main results, which focus on the differential success attained by complaints supported by NGOs and/or brought by indigenous communities. Nonetheless, the availability of complaint text is of interest in its own right, as it relates to the overall transparency of the inspection panel and the CAO.

We code our data on complaint quality based on the nature of the written complaint. When the original text of the complaint is unavailable, all of our indicators of complaint quality are missing. Thus, for most cases we either have access to all seven of our indicators of complaint quality or to none of them.

The World Bank makes available original complaint text for 144 of the 239 cases in our sample, or 60%. But what determines whether the original complaint is made available online? Here we probe the data to identify patterns by year, geographic region and our independent variables of interest (i.e. *Indigenous Involvement*, *NGO involvement*, and *Environmental Risk*).

Perhaps surprisingly, original complaint text was less likely to be available for complaints originating in European countries. Regional complaint availability rates are 63% in the Americas, 73% in Africa and the Middle East, and 70% in Asia, compared to only 37% in Europe. Perhaps also surprising, it does not seem that older complaints are systematically less available. Complaint text is available for 86% of cases filed during the 1990s, 53% of cases filed between 2000 and 2009 and 71% of cases filed after 2009.

Complaint text is slightly more likely to be available when NGOs support the complaint or when complaints are brought by indigenous communities, but these differences are quite small. Complaint text is available for 56% of cases in which the underlying project was deemed of high environmental risk, 77% of cases with indigenous involvement, and 72% of cases with NGO involvement.

Overall, these descriptive comparisons do little to shed light on what types of cases are most likely to have complaint documents (un)available online. It is possible that the missingness of complaint text is truly idiosyncratic in nature, or it may be that the underlying process will eventually be uncovered by future work in this area.

Appendix C Interviews

C.1 Interview Selection Method

Coders examined all open Inspection Panel (IP) and Compliance Advisor/Ombudsman (CAO) cases to establish the population of non-governmental organizations (NGOs) that would be able to give the investigators insight into the mechanism(s) through which NGO-assisted complaints enjoy an increased likelihood of a successful outcome (e.g., having harm acknowledged, and obtaining judgments about project change and compensation). Drawing upon the Requests for Inspection and Complaints filed to the Inspection Panel and CAO, respectively, coders assembled a list of NGOs that had filed or assisted project-affected communities in filing complaints to these accountability mechanisms. Coders then narrowed down this list to those that had an electronic presence that provided contact details (phone or email), and had basic proficiency in English or Spanish to answer questions related to their work with the Inspection Panel or CAO. Emphasis was placed on finding not just organizations, but names within the organizations that could be used as an "in" to discussions. NGOs were then contacted by phone or email, and representatives were asked to participate in a 20-minute recorded telephone interview. Interviewees were asked about the nature and extent of their support of project-affected communities, how they chose cases and communities to represent and support, and their perspective on the effectiveness of their efforts. If subjects did not wish to be taped, handwritten notes were taken instead. Interviewees were not required to answer any questions they did not want to answer, and could withdraw from the interview at any time. The audio files were destroyed promptly after transcription, and all interview transcripts and notes were anonymized. Compensation was not provided, though the investigators offered to share the final research product, if the interviewees so wished.

C.1.1 Interview Invitation

The World Bank as an Enforcer of Human Rights
We are requesting to interview you as part of a research project regarding human rights enforcement by the World Bank. Participation in this research is entirely voluntary. This document explains information about the study. If anything is unclear to you, please ask us for clarification.

Purpose of the Study
This study evaluates the effectiveness of the World Bank Inspection Panel and Compliance Advisor/Ombudsman (CAO).

Participant Involvement
If you agree to take part in this study, we kindly request 20 minutes of your time for a telephone interview. With your consent, we will record the interviews. If you do not want your interview to be taped, handwritten notes will be taken instead. You do not have to answer any questions you do not want to answer, and you may withdraw from the interview at any time.

Compensation for Participation
You will not be compensated for participating in this study. However, we will share the finished research paper with you, if you wish.

Confidentiality
If you consent to us recording the interview, the audio files will not be shared with anyone except the research personnel. Once transcribed, audio files will be promptly discarded. All interview transcripts and notes will be anonymized. Anonymized transcripts may be shared with other research collaborators.

C.1.2 Interview Instrument

1. How long has your organization been working with project-affected communities?
2. Can you walk me through what a typical case looks like when you work with a project affected community to address a grievance?
3. Let's begin with how you usually first come in contact with a project-affected community.

Questions not to leave out:

1. Do you contact the project-affected communities or do they reach out to you first?
2. How do project-affected communities find out about your organization?
3. In which issues areas is your organization most active?
4. What resources or assistance do you typically provide to project-affected communities?
   (a) Is this assistance similar to or different from other NGOs?
5. How do you determine what assistance or resources to devote to particular complainants?
6. Do you ever partner with other NGOs?
   (a) Why, or why not?
   (b) Is there an advantage to partnering with other NGOs in the complaints process?
7. Do you think that project-affected communities are more likely to find relief from the World Bank if their complaint is supported by an NGO?
   (a) Why or why not?
8. Do project-affected communities ever come to you with complaints that you are unable to support?
9. In your experience what has been the long-term effect on communities as a result of the complaint process?

   (a) Is the community empowered, or brought together in coalition, or are there other long term effects? Are there any negative effects?

10. In your experience what has been the long-term effect on the firms that have been brought before the Inspection Panel and CAO? Does the process affect their behavior at all outside of the case in question?

   (a) Are these firms more likely to comply with regulations in the future?

11. Do you think there are any long term effects on the governments in these countries, either locally or nationally, from complaints that get brought?

12. We are interested in talking with other NGOs that represent project-affected communities. Could you recommend any other organizations or individuals we should reach out to?

   (a) Can you please provide us their contact information?

Appendix D How to File a Complaint and What to Expect

D.1 Who is eligible to bring cases?

The Inspection Panel informs, "any group of two or more people in the country where the Bank-financed project is located and who believe that, as a result of the Bank's violation of its policies and procedures, their rights or interests have been, or are likely to be, adversely affected in a direct and material way. They may be an organization, association, society or other group of individuals" (Inspection Panel, 2018). In the absence of such a willing group that has experienced harm firsthand, the affected community may request an appointed local representative to act as their agent in communicating such grievances to the World Bank. In exceptional cases, a foreign representative not located in the same country as the Bank-financed project and affected people may represent the adversely affected community, though this is rare and only done when the government associated with the project is believed to be silencing the affected community in question. Lastly, in special cases, a World Bank Executive Director may open an inquiry to address high-profile cases of serious alleged violations of the Bank's policies and procedures. This happens most rarely but usually happens following intensive public attention towards the failed World Bank project in question.

For the Compliance Advisor Ombudsman, "any individual or group of individuals that believes it is affected, or potentially affected, by the environmental and/or social impacts of an IFC/MIGA project may lodge a complaint with CAO" (Compliance Advisor/Ombudsman, 2013). Similarly to the Inspection Panel, the CAO does allow organizations and individuals other than the direct parties affected to lodge complaints, but explicit evidence of authority to present the complaint on the affected community's behalf must be presented as well.

There is no cost to file a Request for Inspection for either the Inspection Panel or the Compliance Advisor Ombudsman.

D.2 What is the process like after complaints are submitted?

The Inspection Panel process is split into two primary phases: eligibility and investigation. Eligibility begins when the Inspection Panel first receives and determines the eligibility of the Request. If the Request is frivolous or outside the Panel's mandate, it is rejected and sent to the Archives. If not, the Panel registers the Request, informs Bank Management of its decision to investigate, and informs

the Board of Executive Directors. The Panel then awaits and receives a response from Management, usually used to explain or clarify the allegations made against them, within 21 days. Following the Management Response, the Panel sends a delegation out to the project area to investigate the claims made, talk to claimants and project-affected communities, and determine the veracity and severity of the claims. Following its Investigation phase, the Panel issues an Eligibility Report with their findings within 21 working days, including a recommendation on whether or not the Bank should launch a formal investigation. The Board then decides whether or not to authorize an investigation, though more often than not they go along with the Panel request. All previous documents, including the Panel Eligibility Report, Management Response, initial Request for Inspection, and Board Decision to Investigate, are made public online.

If the Board authorizes an Investigation, the Chairperson appoints a Lead Inspector to head the effort. The Panel initiates what is known as "headquarters work": selection of experts and consultants who can advise on how best to improve, collection of official and unofficial documents pertaining to the project and complaint, and interviews with Bank staff and consultants. The Panel will concurrently conduct fact-finding in the project area, and then deliberate upon these facts. Once the Investigation has concluded, the Panel submits an Investigation Report to the Board of Executive Directors as well as the Bank's President. Bank Management has six weeks from that date to submit its Recommendations in response to the Panel's findings and pledge to improve the Project and remedy complaints. The Board meets one last time to discuss Panel findings and Management Recommendations and decides what changes should be implemented to the Project. Following this decision, the Panel's Investigation Report, Management Recommendations, and Board decision are made public. Progress reports by Management may be made following the review process in order to update the Board and public on the substantive changes made to the project.

Similarly, the Compliance Advisor/Ombudsman also features multiple phases in handling complaints, but, as a general rule, only one of these phases is mandatory to achieve complaint resolution. This is the Eligibility phase, which begins when the CAO receives a complaint and determines if it can be assessed by the ombudsman. Once the CAO determines the complaint is eligible, it then conducts an assessment of the complaint to connect with involved parties, identify local communities and relevant stakeholders in the specified project, inform stakeholders and parties of the different responsibilities of the CAO and the options they may take in pursuing CAO action.

Following the CAO assessment process taking no longer than 120 days following the initial eligibility check, several actions may occur. If both sides are willing to undertake CAO-facilitated dispute resolution, the complaint will proceed to the Dispute Resolution phase to address issues raised in the complaint. If there is no agreement on the parts of both sides to undertake dispute resolution, the CAO will proceed to the Compliance phase to conduct an appraisal of IFC's/MIGA's involvement in the project and determine if an investigation is warranted. Compliance may also be triggered if the CAO believes that complaint resolution would be unlikely through a dispute resolution process, and the relevant parties will be notified of the CAO's decision to move immediately into the Compliance phase. Regardless of the outcome, the CAO will provide an Assessment Report to the relevant parties, the President of the World Bank Group, the World Bank Group Board, and the public.

The CAO employs a number of different approaches in the Dispute Resolution phase, primarily focusing on equal information sharing, joint fact-finding, resumption of direct dialogue, and neutral mediation. In this final phase, the CAO focuses on reaching a mutual agreement that both sides can agree on, and will not support agreements involving coercion, those contrary to IFC/MIGA policies, or those that violate domestic or international laws. Once parties have reached agreement, the CAO will assist the parties in monitoring implementation of the agreement, usually by setting mutually agreed timelines and outcome indicators within the body of the agreement. The CAO Dispute Resolution team usually monitors whether the agreement was successfully implemented, and publicly discloses the outcomes online on their website. Should Dispute Resolution fail and no agreement is reached, however, the CAO transfers the case to its Compliance phase.

The Compliance phase is unique in that unlike Dispute Resolution which requires the mutual agreement of both parties for action to occur and must preclude Eligibility, Compliance may be triggered from the start via a request from the CAO President, Vice President, or senior management of IFC/MIGA-based on project-specific or systemic concerns arising from other CAO casework. Compliance focuses on examining the way IFC and MIGA conducted itself/themselves in light of the complainant's claims and ensuring that the outcomes of the business activity in question were consistent with standard policy. In some cases, it becomes necessary for the CAO to expand its Compliance mandate to review the actions of the client and verify outcomes in the field.

This phase begins with a compliance appraisal, determining whether the project produced significant adverse social or environmental outcomes, whether IFC/MIGA did not closely adhere to Bank policy or

other appraisal criteria, and whether IFC's/MIGA's provisions were able to provide an adequate level of protection to project-affected communities. In this process, the CAO will hold discussions with the IFC/MIGA team and their stakeholders to determine which criteria IFC/MIGA applied to the performance of the project, how effective these criteria were in providing an adequate level of protection, and whether a compliance investigation is warranted. Once the CAO concludes an appraisal it will advise IFC/MIGA, the President, and the Board in writing, and the document of all appraisal results will be made public later.

If the appraisal believes an investigation is warranted, a compliance investigation will be triggered to determine whether the environmental and social outcomes produced are consistent with policy provisions, and if not, whether the failure to address related environmental and social issues directly contributed to these failed project outcomes. The Investigation Report will be prepared by the Compliance Team with the help of expert panel members when needed, and typically includes a brief description of the project and underlying issues, the objective, scope, and criteria of the investigation, and the findings of the investigation with respect to noncompliance and adverse social and environmental outcomes produced as a result. Upon completion of the Investigation Report, the document is submitted to IFC/MIGA senior management for an official response within 20 working days. This response is then circulated to the President of the Bank who then provides clearance for the Investigation Report and the response, and relevant stakeholders will be notified. If IFC/MIGA is/are found to be in compliance, the CAO will close the investigation. If IFC/MIGA is/are found to be out of compliance, the CAO will keep the investigation open and monitor the situation until assured that IFC/MIGA is taking substantive action to address such noncompliance.

References

Compliance Advisor/Ombudsman. 2013. *CAO Operational Guidelines*.

Inspection Panel. 2018. *How to File a Request for Inspection*.