

Guidance Note for Accessible and Secure Remote Case Management

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ACRONYMS AND ABBREVIATIONS

Bank or IDB	Inter-American Development Bank.
Request or Case	A communication submitted by the Requesters or their representative that alleges that they have suffered or may suffer harm due to the failure of the IDB Group to comply with one or more of its Relevant Operational Policies within the context of a bank-financed operation.
Conference Call	Case-relevant meetings, events, dialogue sessions and interviews happening remotely using digital and online means.
IDB Group	The IDB Group is composed by the Inter-American Development Bank, the IDB Invest, and IDB Lab.
MICI or Mechanism	The Independent Consultation and Investigation Mechanism.
MICI-IDB Policy	The policy approved by the Board of Executive Directors of the IDB in December 2014 and revised in December 2015, which governs MICI's operation for Requests related to IDB or IDB Lab-financed operations (Document MI-47-6)
MICI-IIC Policy	The policy approved by the Board of Executive Directors of the IIC on 15 December 2015, which governs MICI's operation for Requests related to IDB Invest-financed operations (Document CII/MI-1-1)
Parties or Stakeholders	The Requesters, IDB Group Management, the Borrower, the Client and/or Executing Agency, if applicable.
Requesters	Two or more people residing in the country where a Group-financed operation is implemented who have submitted a Request to the MICI or their representatives.
Remote Environment Contingency	Contingency under which IDB Group business travel is not possible, and MICI must resort to remote and digital tools and solutions.
Remote Interaction	Conference calls, text message exchanges or any other form of interaction using remote means.
Risk of Reprisals	When Requesters, their relatives or associates are at risk of experiencing any form of retaliation for having resorted to MICI, or because there is pre-existing risk that may be aggravated by the fact that they chose to do so.
Text Message Exchange	Case-relevant digitally typed text exchanges or conversations delivered through email or text messaging applications.

About MICI

The Independent Consultation and Investigation Mechanism (MICI) is the IDB Group's accountability office (IDB, IDB Invest, and IDB Lab). MICI's objective is to serve as an independent office that conducts dispute resolution and/or investigation processes pertaining complaints that allege harm caused by the IDB Group's non-compliance with its social and environmental operational policies in the context of operations it finances.

Throughout 2020, MICI has celebrated its 10th anniversary by presenting the results of its first decade of operation. With the creation of MICI in 2010, the IDB Group bolstered its accountability with a new, independent mechanism that replaced its first investigation mechanism created in 1994. The new mechanism incorporated the dispute resolution function (Consultation Phase), improved transparency and accessibility to better serve potentially affected communities, and reinforced independence given it now reports directly to the Boards of Executive Directors of the IDB Group.

This document is part of the knowledge products prepared in the context of MICI's 10th anniversary.

1 BACKGROUND



Guaranteeing uninterrupted access and responsiveness is essential to MICI's objectives and befits its core principles of effectiveness, transparency, and high professional and technical standards. In its endeavor to offer involved Parties the opportunity to be part of a MICI process, MICI runs a flexible, adaptable, and safeguarded process that must consider operating in varying contexts and adverse contingencies to ensure business continuity.

While in-person contact with communities and other relevant stakeholders is MICI's preference and a fundamental aspect of its mandate and enterprises, the impact of events such as the COVID-19 Pandemic impose additional challenges that give rise to the need for a comprehensive mitigation strategy.

While managing a case remotely may not be optimal, resorting to the array of available technologies and digital resources can substantially contribute to the Mechanism's continued effective operation. Remote Case Management should be focused on promoting both stakeholder access and participation while providing a secure, reprisals-conscious, cost-efficient, and practicable environment, which will feature the significant use of bilateral and multilateral Conference Calls and Text Message Exchanges.

2 INTRODUCTION



This document provides guidance on how to manage a MICI Request, as normally as possible, during a Remote Environment Contingency in which all case-related meetings, events, dialogue sessions, interviews, and communications must happen remotely using digital tools and when business travel is not possible, all while fostering an accessible and secure MICI process.

This document intends to support solely the access and engagement aspects of a Request's management during a Remote Environment Contingency and does not intend to replace or modify MICI's regular operation. It is worth noting that the necessity for Remote Case Management may be triggered by several scenarios, including but not limited to, security concerns, process urgency, travel restrictions, and budget availability.

This document is consistent with and complementary to the MICI-IDB Policy, the MICI-IIC Policy, the Guidelines for the Consultation Phase, and the Guidelines for Addressing Risk of Reprisals in Complaint Management along with other applicable IDB Group policies¹.

¹ Links to these documents are available in the *Additional Resources* section.

3 PRACTICAL CONSIDERATIONS



MICI adheres to the following five tenets during Remote Case Management:

- » **Predictability:** Planning for challenges and keeping an open mind.
- » **Access and Increased Engagement:** Leveling the playing field and enhancing communication between Parties.
- » **Remote Resources and Solutions:** Optimizing a MICI process by adapting resource choices to a Request's context.
- » **Adaptability:** Constantly adjusting to change, finding alternatives, and ceasing new opportunities.
- » **Confidentiality and Security:** Safeguarding a MICI Process and addressing risk.





A. Predictability

Remote Case Management creates limitations, challenges, and opportunities. Therefore, it is imperative that MICI officials clearly and early explain to Parties the potential impact of these circumstances and set expectations accordingly. This would allow Parties to co-adapt, to the best of their ability, to the new context and understand the possibility of significantly relying on digital solutions and the potential for an increased number of Text Message Exchanges and Conference Calls, longer Conference Calls, multiple Remote Interactions to address same topics, deadline extensions, overall process lag, and ad-hoc process configurability.



B. Access and Increased Engagement

MICI officials should engage more frequently in, and promote the use of, bilateral and preparatory Conference Call sessions or Text Message Exchanges with Parties during Remote Case Management. These sessions should be aimed at analyzing process expectations, sharing practical and analytic tools to maximize their participation in Remote Interactions to come, establishing logistical practices that will ease the impact of the contingency, and ultimately augment and advance MICI's stakeholder engagement, relationship building, and transparency responsibilities.

When relevant, MICI Officials should consider distributing in advance, to all Parties, documentary materials such as prior meeting minutes, meeting agendas, PowerPoint presentations, and other related documentation. Parties' access to document-sharing platforms, and their security features must be considered when distributing case-related documentation².

Furthermore, MICI will consider the specific circumstances of each party, in order to ensure that the implementation of digital platforms and tools for remote management does not create an insurmountable burden, especially for groups or people in vulnerable situations. The less extraordinary measures that must be undertaken by Parties to be able to advance in the remote processing of a Request, the easier it is to guarantee them access and optimal use of their resources.

Finally, the use of test sessions is highly encouraged for remote meetings or conferences that pose additional technological or logistical complexity (i.e., meetings that require interpretation services or direct dial to connect participants).

² See the *Software Selection* section for additional information.

THE DIGITAL DIVIDE

Internet access in Latin America and the Caribbean

Access to computers or smart devices with a reliable internet connection is not a given in the LAC region, especially in isolated or rural areas where broadband cost is high for many underserved populations. The region still lags far behind developed countries in broadband availability*.

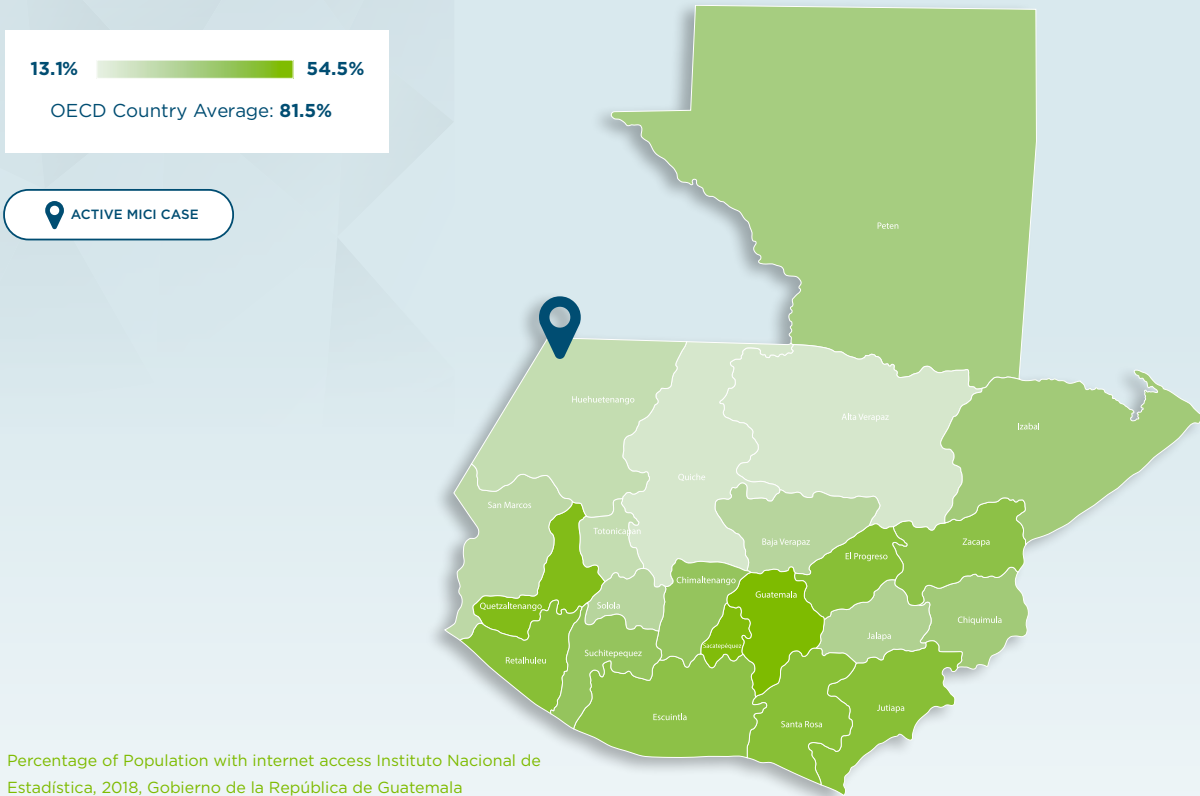
At the time of publication of this document, MICI has 10 active Requests, 3 of which are located in countries with less than 50% of populational access to the internet. In other instances, while overall national access to the internet is relatively high, MICI Requests pertain to IDB Group Projects located in rural areas that lack internet access and in some cases cellphone coverage. In some instances, MICI has had to provide Requesters with prepaid internet access or international call credit.



MICI REQUESTS IN REMOTE LOCATIONS

Internet access in Guatemala

Guatemala has the second highest percentage of populational access to internet in Central America. However, rural areas such as what surrounds the IDB Group-financed San Mateo and San Andrés hydroelectric powerplants have considerably less internet access. As such, Conference Calls with Case MICI-CII-GU-2018-0136 Requesters require of substantial preparation, given that they must alter their location in order to get optimal internet or telephone signal and even weather patterns can affect the quality of the signal, which does not support video features. Furthermore, in this case Requesters indicated their desire to maintain their identity confidential due to the existence of Risk of Reprisals, which must be considered when selecting the resources that will be employed to contact them*.



* See the Software Selection section for additional information.



C. Remote Resources & Solutions

At their disposal, MICI Officials have an assortment of online digital tools and technological solutions that may be adapted to temporarily replace in-person interactions. Their use should be determined based on Parties' accessibility and the resource's engagement capacity, security features, and cost-efficiency ³.

Planning for and executing Remote Interactions will thus include addressing technical aspects and establishing basic procedural rules aimed at making them as problem-free as possible (e.g., encouraging Parties to endeavor finding stable internet and/or telephone connections, as well as fully charged devices; and making clever use of the mute functionality in Conference Calls in order to maintain them focused and reduce side-talks).

For all Conferences Calls, face-to-face virtual communication using web tools with video capability should be resorted to and facilitated if possible.

Unlike habitual calls during regular case management, remote Conference Calls are likely to be longer or be split-up, given the potential for technical difficulties, inadvertent disconnection, or conversation burnout. Conference Call duration and frequency should always be decided in consultation with all the participating Parties.

For the more intricate Remote Interactions the MICI team should consider including an official to work exclusively on resource and solution management throughout the planning and execution of these interactions. This may entail providing personalized guidance and instruction to all Parties who request it on how to install or utilize relevant technological resources.

Interpretation and translation services are likely to be affected when using digital resources remotely. A Conference Call participant's context and available technology will determine whether to use simultaneous or consecutive interpretation. Resorting to consecutive interpretation may considerably extend a Conference Call's duration.

All technological solutions/resources should be screened for interpretation and translation features that may be utilized. The use of multiple technological platforms, even simultaneously, might be required to facilitate access and comprehension to all Parties.

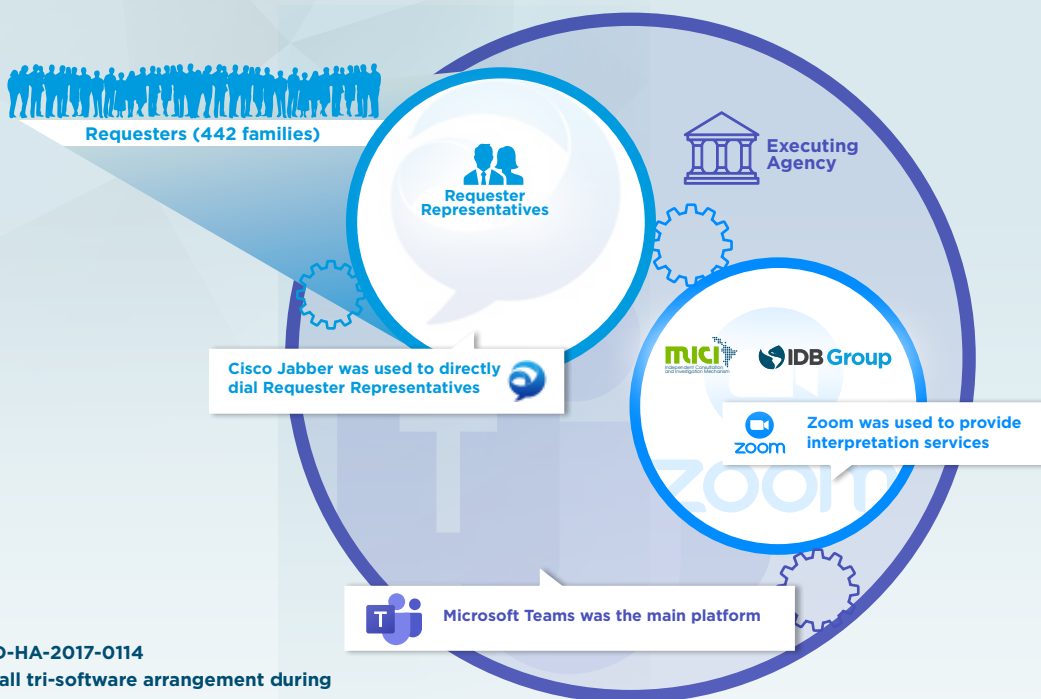
³ See the Software Selection section for additional information.

MICI REQUESTS IN REMOTE LOCATIONS

Internet access in Haiti

While French is one of Haiti's official languages, Haitian Creole is the language that most of the Haitian population speaks, including the Requesters of Case MICI-BID-HA-2017-0114, related to the Productive Infrastructure Program. From the moment MICI received this Request, in order to reduce communication barriers, MICI has translated all case-relevant documentation into Haitian Creole and provided simultaneous interpretation services when needed.

During the COVID-19 Pandemic, Case MICI-BID-HA-2017-0114 Conference Calls required using three digital platforms simultaneously: I) Microsoft Teams was used as the main platform where Conference Calls were hosted; II) Cisco Jabber was used to dial into the Microsoft Teams call and to directly dial Requester Representatives with reliable cellphone signal, given Requesters lacked access to computers and consistent internet connections and; III) Zoom was used to provide a mix of simultaneous and consecutive interpretation in order to accommodate to the Parties' languages of preference.





D. Adaptability

During Remote Case Management, MICI Officials should be mindful of Parties' diverse and changing contexts. Technological resource availability and prowess is likely to vary among Parties. Consequently, and in congruence with considerations previously outlined, alternative methods and resources should always be considered, socialized, and agreed upon by all Parties. Many online tools have more basic features that may better sponsor communication, and that should therefore be used over more advanced features (i.e., conferencing without video and/or internet connectivity with rural communities or communities with limited internet access).

When warranted by a Request's circumstances, and in consultation with the relevant IDB Group administrative departments, MICI should consider procuring additional resources and/or adopting additional measures in order to better provide secure and consistent access to all Parties.

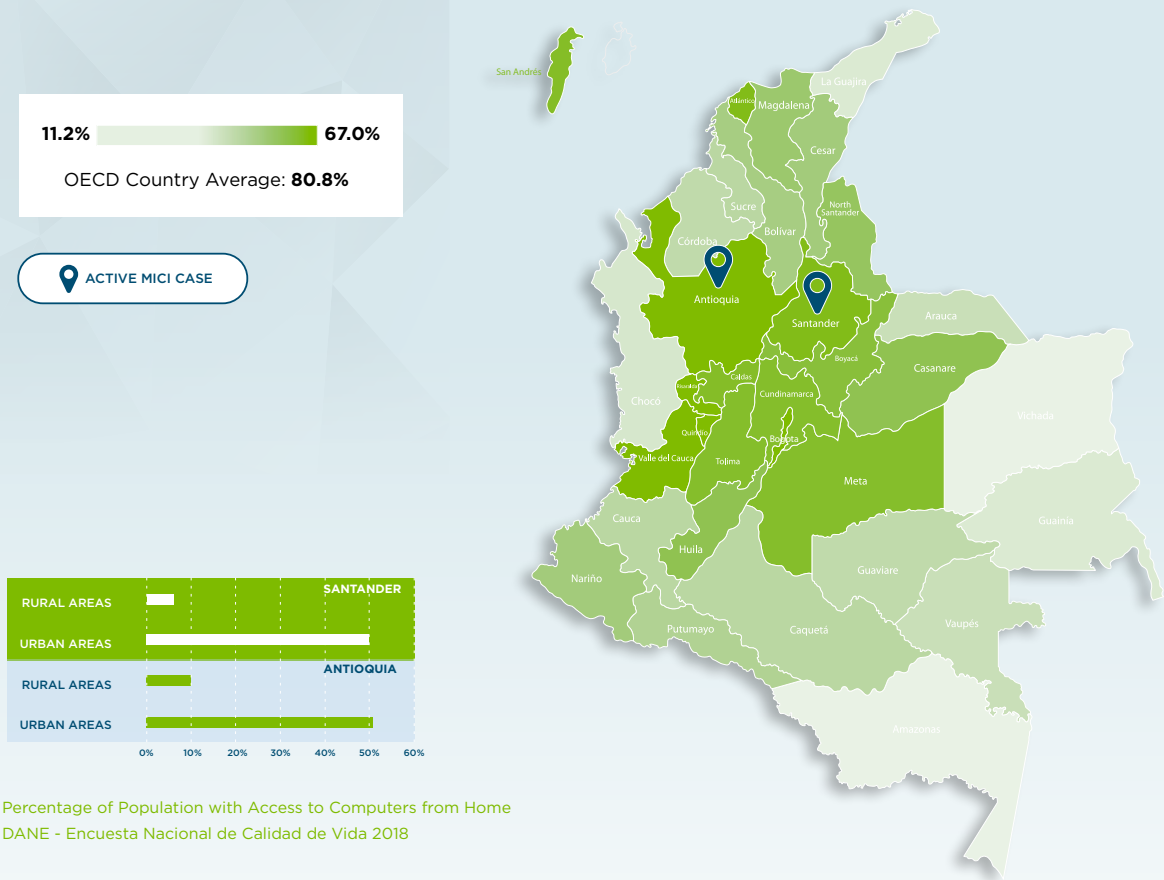
The adaptable nature of Remote Case Management in terms of simpler preparation and reduced location limitations could make interactions between Parties more topic-focused, frequent, and often short and concise, allowing for malleable time management. Leveraging this benefit entails organizing and scheduling Remote Interactions in creative ways that advance a Request's objectives while ensuring adequate participation and comprehension from all Parties and making efficient use of everyone's available resources.

INTERNET ACCESS IN RURAL VS. URBAN POPULATIONS

Internet access in Colombia

The Colombian departments of Antioquia and Santander both have relatively high levels of access to technology from home when measuring the department's population as a whole. However, there is a clear disparity between this access in urban vs. rural populations.

Requesters for two active MICI cases in Colombia, related to the Ituango Hydropower Project in Antioquia (MICI-CII-CO-2018-0133) and the “Ruta del Cacao 4G” Toll Road in Santander (MICI-CII-CO-2019-0152), are located in rural areas and thus remotely communicating with them can be challenging.





E. Confidentiality & Security

MICI officials must endeavor facilitating secure remote environments in which the confidentiality of what is discussed, and the documentation produced during a MICI process is safeguarded; and in which Risk of Reprisals is considered and monitored. This is distinctly pressing during Remote Case Management, given the increased breach risk that online, digital, and remote solutions may pose.

The following practices should be pursued at all times:

- a) Attendance in Remote Interactions must be audited throughout, to both ensure a secure environment and to reconnect participants that might be inadvertently disconnected.
- b) Remote Interactions access and logistical information should be provided exclusively to essential participants, and participants must be informed of said exclusivity in an effort to keep the number of participants at a minimum and co-protect the Remote Interaction.
- c) Every Conference Call must begin with a confidentiality disclaimer indicating whether audio and video recording is prohibited or if it will be happening. If happening, all Conference Call participants must consent to being recorded and must be provided with an explanation of the purpose of the recording.
- d) The identity of all participants must be disclosed at the beginning of a Remote Interaction.

Technological resources/solutions must be screened for security features that could be implemented in a Remote Interaction. In all cases, all materials, registries, and information received by MICI during Remote Case Management will be deemed as confidential and may not be used for purposes other than processing the pertaining Request unless the Parties explicitly agree otherwise or if said information has been publicly disclosed.

MICI does not tolerate any form of reprisals against Requesters, their relatives, or people close to them whilst a Request is being processed. Unfortunately, and despite following the aforementioned practices and procedures, Remote Case Management may exacerbate Requesters' existing Risk of Reprisals. As previously described, the level of access to technological resources and digital know-how varies significantly, and Remote Case Management greatly relies on access to technology. Pursuing access to the Mechanism during a Remote Environment Contingency could require atypical actions of Requesters, including but not limited to, additional movement and changes

in location, disruptions to their work schedules and family priorities, reliance on third-parties, procurement of technology, and an irregular need for development of digital acquaintance.

Furthermore, Remote Case Management may expose Requesters to the possibility of unwarranted and illicit electronic surveillance or interception of communications. While MICI has the intrinsic responsibility of selecting its technological resources that will create the most secure remote environment possible, it must also endeavor providing Requesters with tools and recommendations that will address and thwart potential surveillance.

One or multiple of the following practices may be adopted to prevent improper Requester surveillance during Remote Case Management:

- a) Jointly with Requesters, analyze the possibility of being at risk of surveillance and identify ways to detect and protect from it.
- b) Provide Requesters with third-party resources on digital security and threat awareness, and best-practices for digital self-defense⁴.
- c) Offer Requesters personalized guidance on the usage of relevant software and hardware features.
- d) Provide Requesters with recommendations on how to select, upkeep and prepare the physical space or room from which they will be attending Conference Calls⁵.

If Requester surveillance is ever identified or presumed, one or multiple of the following practices should be adopted to both address it and prevent its recurrence:

- a) Reduce the number of planned Conference Calls and their duration.
- b) Alternate the hours of the day and days of the week in which Conference Calls happen.
- c) Recommend Requester's change the physical location from which they attend case-related Conference Calls.
- d) Change the software or communication tools being used for Remote Interactions, in congruence with the considerations previously outlined.

⁴ Access to a list of relevant third-party resources is available in the Additional Resources section.

⁵ Access to a list of relevant third-party resources is available in the Additional Resources section.

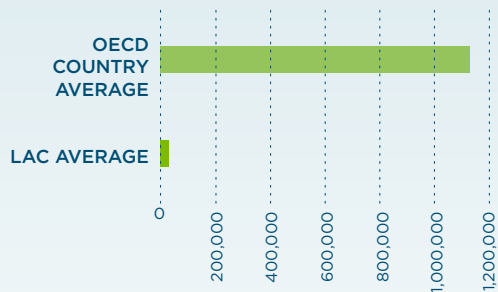
- e) Resort solely to bilateral Remote Interactions.
- f) Provide Requesters with information on local third-party organizations or experts that may support their communication efforts.
- g) Request security audits from the IDB Group's Information Technology Department (ITE) and/or the relevant software company.
- h) Postpone Remote Case Management until improper surveillance is addressed.

The context and circumstances of each specific Request and instances or risk of improper surveillance will determine the most appropriate course of action. Risk of Reprisals in general should be addressed as detailed in MICI's Guidelines for Addressing Risk of Reprisals in Complaint Management.⁶

⁶ Link to this document is available in the Additional Resources section.

THE CASE FOR CYBERSECURITY

Today, internet access is a necessary commodity in developed and developing countries, but as its prevalence increases, so does its exposure to crime and abuse. Netcraft's Secure Server Survey provides a reading on countries' ICT infrastructure and their Government's efforts to enable holistic growth of the ICT sector, which has become an important measure of social and economic development.



OUTREACH DURING A REMOTE ENVIRONMENT CONTINGENCY

The engagement challenges and barriers prompted by a Remote Environment Contingency have a substantial impact on the Mechanism's public outreach function, which is an essential part of MICI's mandate as established by its Policy and a critical tool that furthers the IDB Group's accountability efforts.

Many of the guidelines and provisions set out in this document served as a framework to adapt MICI's outreach operations to the unprecedented, ample, and fluid context of the COVID-19 Pandemic.

During the first 4 months of the COVID-19 Pandemic, MICI successfully organized and hosted or co-hosted 12 outreach events, reaching a total audience of more than 900 people.

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SESIONES

DOCUMENTOS GENERALES

SESIÓN 1
MECANISMOS EXISTENTES Y
ACCESO A REPARACIÓN

ABC de los mecanismos de reparación de las Instituciones Financieras Internacionales y Puntos Nacionales de Contacto

SESIÓN 1
INTRODUCCIÓN y ABC del MICI

02

Gastón Aín Brilano
Coordinador de la Fase de Consulta del MICI

REPARACIÓN Y AHORA QUÉ?

120 watching now · Started streaming 23 minutes ago



4 SOFTWARE AND DIGITAL RESOURCE SELECTION⁷



7 Details and intricacies of software specifically available to MICI officials is available in the Additional Resources section.

In keeping with Remote Case Management's practical considerations, selection of software and digital resources must be focused on their security, privacy, and access features and capabilities; as well as the specific and shifting context of a Request and its Parties.

Other factors to be considered when selecting software or digital resources include:

- » History and experience.
- » Usage or subscription costs.
- » Out of the box features.
- » Trouble shooting and help desk capabilities.
- » Encryption and storage intricacies.
- » Information requested from end users.
- » Target consumer base and market.
- » Development status.
- » Level of public disclosure of programming assets.
- » Software company policy and jurisdiction/s under which it operates.
- » Potential configurability to MICI-specific business needs.
- » Compatibility with relevant IDB Group policies, requirements, and/or existing software.

MICI Officials should remain aware of relevant software news or developments that could compromise or enhance the security or accessibility of MICI Remote Interactions and adapt accordingly by selecting or procuring alternative solutions.



ADDITIONAL RESOURCES

➤ **MICI-IDB Policy**

<http://www.iadb.org/document.cfm?id=40792853>

➤ **MICI-IIC Policy**

<http://www.iadb.org/document.cfm?id=40151002>

➤ **MICI Consultation Phase Guidelines**

<http://www.iadb.org/document.cfm?id=EZSHARE-525549286-333>

➤ **MICI Guidelines for Addressing Risk of Reprisals in Complaint Management**

<http://www.iadb.org/document.cfm?id=EZSHARE-525549286-337>

➤ **Third-Party Resources on Digital Security, Self Defense, Threat Awareness and Prevention (not limited to these examples).**

» **Digital Security Resources – Front Line Defenders**

<https://www.frontlinedefenders.org/en/digital-security-resources>

» **Security in a Box – Front Line Defenders, Tactical Technology Collective**

<https://securityinabox.org/en/>

» **Me & My Shadow – Tactical Technology Collective**

<https://myshadow.org/>

» **Digital Security First Aid Kit for Human Rights Defenders – Association for Progressive Communications**

<https://www.apc.org/en/irhr/digital-security-first-aid-kit>

» **Surveillance Self Defense – Electronic Frontier Foundation**

<https://ssd.eff.org/en/about-surveillance-self-defense>

» **Digital Self-defense Training – Rochester Institute of Technology**

<https://www.rit.edu/security/content/digital-self-defense-training>

» **Guide to Digital Rights During a Pandemic – Electronic Frontier Foundation**

<https://supporters.eff.org/donate/pandemicguide--DL>

» **Protecting Human Rights in the Digital Age – Business for Social Responsibility (BSR)**

https://www.bsr.org/reports/BSR_Protecting_Human_Rights_in_the_Digital_Age.pdf

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