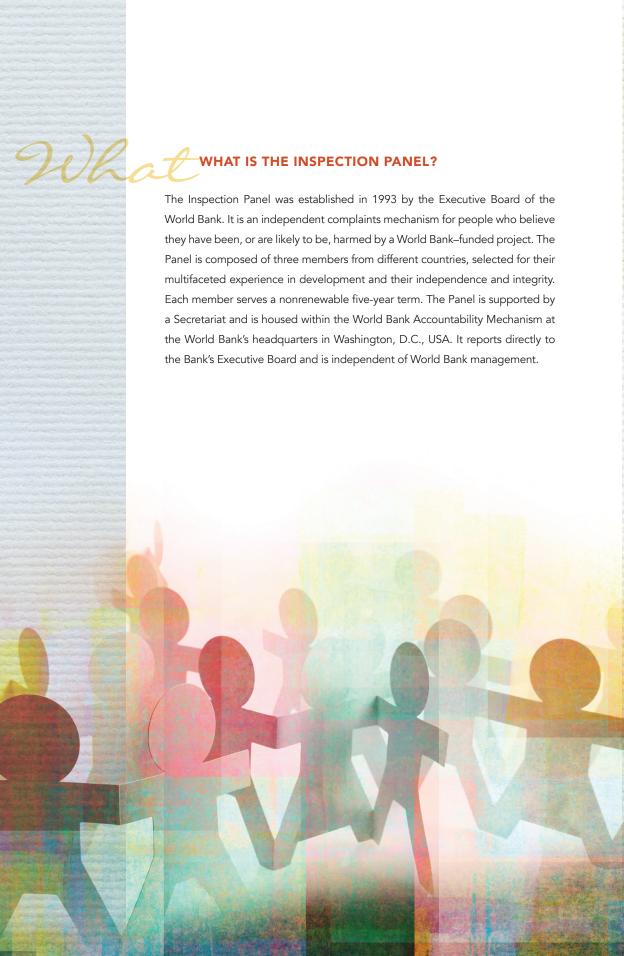
# The World Bank Inspection Panel

Where your concerns are heard







### HOW DOES THE PANEL PROCESS WORK?

Any two or more affected people, referred to as "Requesters," may submit a complaint to the Panel. Through its process, the Panel assesses whether the Bank has complied with its internal policies and procedures designed to safeguard people and the environment. It also assesses whether any noncompliance has contributed, or may contribute in the future, to the harm described in the complaint. The Panel's Operating Procedures (at <a href="https://www.inspectionpanel.org">www.inspectionpanel.org</a>) explain the different stages in the Panel process, including how the Panel determines if a complaint is admissible and eligible for investigation.

The Panel process also provides opportunities for constructive interaction between the Requesters and the World Bank, with the aim of addressing and resolving problems to the benefit of all parties involved. All reports that are prepared, including the initial complaint, are made public, but the identities of the Requesters will remain confidential if they so request.

A summary of the Panel process is shown in the figure on the back cover.

#### WHO CAN SUBMIT A COMPLAINT?

Two or more affected persons in the country where the Bank-supported project is located can submit a complaint (formally called a "Request for Inspection"). It can be sent directly by Requesters or through a representative.



### WHAT CAN REQUESTERS COMPLAIN ABOUT?

The Inspection Panel has addressed many different types of harm or potential harm to people or the environment in response to Requests for Inspection. Some cases have involved harm to people's livelihoods or environmental degradation resulting from infrastructure projects. The Panel has also considered projects involving forced relocation (for example, due to the building of a dam, road, pipeline, landfill, or power plant); projects affecting the rights and interests of indigenous peoples (such as customary land rights, sites of cultural significance, or livelihoods); and projects affecting the environment, cultural sites, and natural habitats (for example, from air and water pollution, stress on water sources, adverse impact on wetlands, deforestation, or loss of biodiversity).

Panel cases have also addressed allegations of gender-based violence in projects and the right of affected communities to meaningful consultation and participation in the planning and implementation of projects, including their access to information. All of these types of harm or potential harm are reviewed by the Panel within the framework of the World Bank's operational policies and procedures.

The Panel's mandate does not extend to issues relating to procurement of goods or services, corruption, or issues that the Panel has already addressed in a previous case, unless new evidence or new circumstances are presented. Issues related to suspected fraud or corruption, to misprocurement in a World Bank–supported project, or to Bank staff misconduct in relation to allegations of fraud and corruption should be reported to the Bank's Fraud and Corruption Hotline: www.worldbank.org/integrity.

The Panel's mandate covers projects financed by the International Bank for Reconstruction and Development (IBRD) and International Development Association (IDA) of the World Bank Group, in addition to Trust Funds managed by the World Bank. Complaints about projects supported by the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA) are dealt with by the Office of the Compliance Advisor Ombudsman (CAO). More information about the CAO can be found at www.cao-ombudsman.org.

#### **HOW TO SUBMIT A COMPLAINT?**



A complaint (the Request for Inspection) may be submitted by letter or email. Please note that it can be written by any citizen without the help of experts or lawyers. It should be signed and must include the information listed below.

- Your names (there must be two or more Requesters), and where you live. If
  you are designating an individual or an organization to represent you, their
  name, along with a signed statement that authorizes them to act as your
  representative, needs to be included.
- Title (if you know it) of the World Bank–supported project you are concerned about.
- Description of the harm that you—or the environment where you live—have experienced or the harm that you believe is likely to occur as a consequence of the project.
- A description—to the extent that you know—of why you believe the Bank
  has failed to follow its policies and procedures, and how that has resulted in
  harm (but please note that a Request for Inspection does not need to identify
  any specific Bank policies to be considered).
- An explanation of when and how you informed the Bank about your concerns and why you are not satisfied with the Bank's response.
- If you wish, you can describe actions that would address your concerns.

English is the official language for the Panel process, but you can submit a complaint in your own language. It can be sent in hard copy to our mailing address (see Contact Information on the back cover) or electronically to ipanel@worldbank.org or accountability@worldbank.org.

A sample complaint form can be found on the Panel website at <a href="https://www.inspectionpanel.org">www.inspectionpanel.org</a>, together with other information about the Panel. If you have more questions, you may find answers on the website, or you may contact the Panel Secretariat directly by email or phone (see Contact Information on the back cover). The Panel Secretariat can also help you understand the basic requirements for a complaint to be admissible.



## WHAT CAN YOU EXPECT AS A RESULT OF THE PANEL PROCESS?

#### Submitting a complaint to the Panel may:

- Lead to a determination by the Panel about whether violations of the World Bank policies and procedures were linked to the alleged harm.
- Help draw attention to the harm or potential harm, generating lessons that may help avoid such harm in future Bank projects.
- Lead to action by World Bank management to correct the harm, either early
  in the process or as a result of a Management Action Plan (MAP) and Board
  determination and directive at the end of a Panel investigation.
- Lead to the Panel verifying that the remedial actions in the MAP have been successfully implemented. (This process is similar to "monitoring" done by other independent accountability mechanisms.)
- Lead to a dispute resolution process if both the Requesters and borrowing country agree.

### Submitting a complaint to the Panel will not:

- Guarantee that harm being caused by a World Bank–funded project will be brought to an end or prevented, as the Panel is not a court of law with power of enforcement. However, the Panel reports directly to the Bank Executive Board, and Bank management has a responsibility to address and respond to the Panel's findings.
- Produce determinations of guilt or innocence of individual Bank staff members; rather the Panel examines issues of compliance by Bank management as a whole.
- Lead to an investigation of the borrower government, as the Panel investigates the Bank and not the borrower.
- Automatically lead to the suspension or cancellation of the project (which is a Bank decision).

### Why the Panel?

The mission of the World Bank is to help countries eradicate poverty and create shared prosperity. Development projects and programs are intended to bring about positive change, but their implementation involves risks. Despite everyone's best intentions, people or the environment can be harmed. The World Bank has policies to help avoid such outcomes, but even so, some problems may remain unrecognized or unaddressed. In such circumstances, one way for concerns to receive attention is if the citizens themselves speak out. Through a collaborative process, the Panel can help affected people be heard and have their concerns addressed.

Why



### The Phases of the Inspection Panel Process

1	Receipt of Request and Decision on Registration	<ul> <li>The Panel notifies the public that it has received a Request for Inspection through a Notice of Receipt on its website.</li> <li>Within 15 business days after receiving the Request, the Panel decides whether to issue a Notice of Registration or a Notice of Non-Registration.</li> </ul>
2	Eligibility and Panel Recommendation	<ul> <li>Bank Management responds within 21 business days after registration.</li> <li>Panel's field visit if needed.</li> <li>Within 21 business days after receiving the Management Response, the Panel recommends to the Board of Executive Directors whether an investigation is warranted.</li> <li>Board decision on Panel recommendation (usually within 10 business days).</li> </ul>
3	Referral to Dispute Resolution (DR)	<ul> <li>If an investigation is approved, the World Bank Accountability Mechanism Secretary offers dispute resolution to the Requesters and Borrower.</li> <li>If the parties agree to DR, the Panel holds its investigation in abeyance.</li> <li>The maximum length of the DR process is one year (extendable by six months).</li> </ul>
4	Investigation	<ul> <li>If the parties do not choose DR or if DR is unsuccessful, the Panel commences its investigation.</li> <li>Panel's investigation visit.</li> <li>The Panel submits its Investigation Report to the Board of Executive Directors (aims to complete it within six months after posting its Investigation Plan).</li> </ul>
5	Post- Investigation	<ul> <li>The Panel's Investigation Report is shared with Requesters on a confidential basis.</li> <li>Bank Management submits its Report and Recommendation (within six weeks after receiving the Investigation Report).</li> <li>Board of Executive Directors' discussion and approval of Management Action Plan (MAP).</li> </ul>
6	Verification of MAP Implementation	<ul> <li>Based on risk-based proportionality criteria and modalities, the Panel, with input from Group Internal Audit (GIA), may recommend for Board approval verification of MAP implementation.</li> <li>With approval, the Panel verifies the implementation of Management actions that address Panel findings; GIA verifies Management actions addressing the Bank's governance.</li> <li>At the end of the process, the Panel submits a verification report to the Board.</li> </ul>

The Inspection Panel 1818 H Street NW, Mail Stop: MC10-1007 Washington, DC 20433 U.S.A.

Tel: 202 458 5200 Fax: 202 522 0916

Email: accountability@worldbank.org Website: www.inspectionpanel.org



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