



The Inspection Panel

THE WORLD BANK
IBRD • IDA | WORLD BANK GROUP

INSPECTION PANEL QUARTERLY NEWSLETTER

ACCOUNTABILITY MATTERS

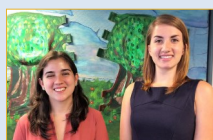
JULY 2017

Outreach Events



The Panel joined with two other independent accountability mechanisms (IAMs) and five civil society organizations (CSOs) to organize a workshop for 45 CSO representatives from several Asian countries in Bangkok, Thailand, on June 6. Executive Secretary Dilek Barlas and Senior Executive Assistant Oriana Bolvaran represented the Panel at the workshop, which also included representatives from the World Bank Group's Compliance Advisor Ombudsman and the accountability mechanism of the Asian Development Bank. The workshop included presentations on the mandates and operations of the IAMs, as well as discussions intended to help the CSO representatives better understand how to engage with the mechanisms as needed. On June 29, the Panel took part in a similar workshop in Guatemala City for nearly 50 CSO representatives. Chairman Gonzalo Castro de la Mata and Operations Officer Birgit Kuba represented the Panel at the workshop, which was organized with the IAMs of the Inter-American Development Bank and the UN Development Programme and the Pan American Development Foundation.

Summer Interns



Micaela Bullard of Yale College and Jessica Depies of Boston University joined the Panel as summer interns, supporting the Panel with research and writing. Micaela returns to school this fall and Jessica will remain with the Panel through December.

REFLECTIONS ON 5 YEARS WITH THE INSPECTION PANEL

Zeinab Bashir Elbakri completes her five-year term with the Panel on August 31. In a recent conversation with Executive Secretary Dilek Barlas, she reflected on her time as a Panel member. Excerpts of that conversation are below. A video of the full interview can be found on the Panel's website.

Q: Has anything surprised you about the job?

A: I think the seriousness with which (the World Bank) and other stakeholders, whether internal or external, consider the Panel was a huge surprise to me. I was really impressed by how seriously the institution takes the Panel. Another pleasant surprise for me, especially because I come from academia, was the intellectual challenge that was posed by many of the cases.... Unpleasant surprises have been very few, but one of them I have to mention, and it's my realization that actually the Panel's toolkit is very, very limited, especially when we compare it with accountability mechanisms in sister institutions....

Q: What do you think are the greatest misunderstandings about the Panel?

A: The first one is that there is a tendency for many staff and many parts of management to believe that the Panel is there to find fault with their work. Unfortunately, this often has led to an attitude of rather defensive responses rather than focusing on problem-solving and more constructive ways of finding a joint solution to certain issues.... What people tend to forget is that, whether the Panel or management, we both have a joint objective, and that is to enhance the institution's development effectiveness.... Another misunderstanding I think is that sometimes the Panel is portrayed as fishing for cases, we're trying to create business for ourselves.... What a lot of people tend to forget is that the Panel has very strict rules about admissibility and eligibility of complaints.

Q: Is there one investigation that left the biggest impression on you?

A: I'd have to choose the Uganda Transport Project investigation for many reasons. That was an investigation where the Panel looked at a wide variety of alleged harms. Some of them were harms that the Panel had traditionally looked at before, such as resettlement. But quite a few of them were being investigated for the first time.... Here I'd especially like to mention the issues of gender-based violence and labor influx. I think another thing that also touched me was that ... most of the people who suffered were underage girls.... It pointed to the fact that many of the people that the Bank tries to help are, in fact, very vulnerable. The Bank is supposed to improve their lives but in this particular case I think we have to admit that the Bank failed. But having said that I think what I found particularly encouraging was the institution's response at the various levels after the investigation, starting all the way at the very top from the Global Task Force on Gender-Based Violence established by President (Jim Yong) Kim, going all the way to community-level responses to help the girls but also policy-level responses.

Q: What challenges do you think the Inspection Panel will face in investigating complaints once the new Environmental and Social Framework comes into effect next year?

A: I think the first thing to remember is that any change in the safeguard policies, as such, does not touch the Panel's mandate ... with its fundamental principle that it is there to investigate allegations of harm caused by Bank projects.... In terms of potential impacts upon the Panel's role, I think we were very pleased to see that the new framework actually widens and strengthens certain aspects of the Bank's existing safeguard policies.... Here I am talking about providing better protection for communities ... stronger land protections, broader protections for indigenous peoples, the inclusion of labor issues for the first time and, I think most importantly, maybe, stronger stakeholder participation and engagement.... I'd also like to highlight the ESF's emphasis on the use of borrower frameworks. This could pose a challenge.... This is why it is so important to place a very strong emphasis on capacity assessment but also capacity-building efforts.



CASE DEVELOPMENTS

India: Proposed Amaravati Sustainable Capital City Development Project (Notice of Registration)

The Inspection Panel on June 12 registered a Request for Inspection of the proposed project. The complaint, which was received on May 25, was submitted by landowners who alleged harm from a land-pooling scheme used to assemble land required for the proposed city. The Requesters also claim harm related to their livelihoods, environment, food security, resettlement and lack of consultation as a result of the World Bank's non-compliance with its environmental and social standards in preparation of the proposed project. The Panel is in the process of determining whether to recommend an investigation to the Board of Executive Directors.

Armenia: Irrigation System Enhancement Project (Recommendation Not to Investigate Approved)

The Board on July 20 approved the Panel's recommendation to not investigate two complaints about the project. The Panel had received Requests for Inspection of the project in March and May of 2016 from residents of Goght and Garni villages, respectively, alleging potential negative impacts on the supply of irrigation water, inadequate consultation and participation processes, and impacts on tourism. Shortly after the Panel's eligibility visit in June 2016, Bank management informed the Panel that the government of Armenia was proposing modifications to the project that required the Bank's reappraisal of it. As a result, the Panel deferred its decision for up to 12 months on whether an investigation of the complaints was warranted. Since then, the Panel remained in regular contact with the Requesters and met with Bank management periodically to discuss the proposed changes to the project and the progress made in implementing those changes. The Panel conducted a field visit to Armenia in June 2017 and met with the Requesters and other community members, government officials, and representatives of the World Bank country office. Based on those discussions and other information, the Panel recommended not to investigate the complaints. The Panel expressed its view that the changes to the designs of both irrigation schemes – changes based on proposals presented by the affected communities – provide adequate assurances to prevent potential harm from the project.



Mongolia: Mining Infrastructure Investment Support Project and Additional Financing (MINIS) (Recommendation Not to Investigate Approved)



The Board on July 27 approved the Panel's recommendation to not investigate a complaint about the project and its additional financing. The Panel had received a complaint about the project on February 10, 2015, from community representatives and local organizations in Mongolia and Russia. They alleged that MINIS is supporting assessment studies of two subprojects that may have potential irreversible environmental and social impacts on the Selenge River in Mongolia and Russia's Lake Baikal, a World Heritage Site. They also raised concerns about the subprojects' transboundary and cumulative effects, and complained about lack of consultation and disclosure of information. In July 2015, the Panel proposed deferring for one year its recommendation on whether to investigate the complaint. A year later, in July 2016, the Panel recognized that while progress had been made, there were still several pending actions to address the concerns of the Requesters that required more time to implement. The Panel recommended a second deferral and committed to report back to the Board within one year. Since then, the Panel had received frequent communications from the complainants and three update notes from Bank management. In addition, a Panel team visited Mongolia and Russia in June 2017 and met with complainants and other potentially affected people who had taken part in the consultations, scientific experts, government officials and World Bank staff. The Panel expressed satisfaction that the project had undertaken major adjustments and made important efforts to properly consult potentially affected people both in Russia and Mongolia. The Panel noted Bank management's commitment to include various environmental assessment tools, including a regional environmental assessment, a cumulative impact assessment and analysis of alternatives, and to integrate comments from the consultations into revised project terms of reference. It also recognized improvement in the MINIS project management unit's capacity and the commitment to establish a joint Russian-Mongolian committee of scientists. The Panel maintained that such actions provided evidence of management's moving in the right direction and its intention to comply with relevant policies and procedures.

Serbia: Floods Emergency Recovery Project (Notice of Non-Registration)

The Panel on May 31 issued a Notice of Non-Registration of a complaint about the project. The Panel had received a Request for Inspection on January 6 from two residents of Novi Pazar who claimed their lands had been acquired for the project without adequate financial compensation and that authorities started construction activities without informing residents. They also expressed concern over a lack of consultation and the determination of the market value for their properties. To better understand the project and the issues raised in the Request, the Panel engaged with the Requesters and Bank management. At an early February meeting with the Panel, Bank management said that it intended to work with the government of Serbia to find a solution to the Requesters' concerns. Subsequently, the municipality initiated a process to renegotiate the compensation amounts for expropriated lands in order to reach in-court settlements with project-affected people in Novi Pazar. On May 16, one of the Requesters informed the Panel he had accepted a settlement and had received the agreed compensation amount. The Requester expressed satisfaction with the outcome of his case and said there was no need to pursue the complaint with the Panel. Since one of the two Requesters no longer wanted to pursue the case, the Request for Inspection lacked the two signatures required under the Panel's procedures and, as a result, the Panel did not register it. In its Notice of Non-Registration, the Panel noted that 25 of the 41 project-affected people in Novi Pazar had recently accepted higher compensation offers as a result of negotiations with the municipality and signed in-court settlements, and that another five affected people were scheduled for settlements.

About the Inspection Panel: The Board of Executive Directors created the Inspection Panel in 1993 to promote accountability and improve development results at the World Bank. The Panel is an independent complaints mechanism for people and communities who believe that they have been, or are likely to be, adversely affected by a World Bank-funded project and wish to seek redress.

CONTACT US: The Inspection Panel, 1818 H Street NW, The World Bank, Mail Stop: MC10-1007, Washington, D.C. 20433, U.S.A.
Tel: +1 202 458 5200, Fax: +1 202 522 0916, Email: ipanel@worldbank.org, Website: www.inspectionpanel.org

