

The Inspection Panel

International Bank for Reconstruction and Development
International Development Association

Annual Report

August 1, 1997 to July 31, 1998

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International Development Association**

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OVERVIEW

In September 1993, the Bank's Board of Executive Directors adopted a Resolution establishing an independent Inspection Panel (Annex 1). Under it, any group of private individuals who believe they have been or may be directly and adversely affected by a Bank supported project may request the Panel to investigate complaints that the Bank had failed to abide by its policies and procedures. This was an unprecedented vehicle for increasing transparency and accountability: it was the first time that any international institution had provided a means for appeal by private citizens in the event that its own standards may not have been met.

As directed by the Resolution, the Executive Directors undertook a review of the Panel's experience after two years of operations. The review was concluded on October 17, 1996 (Annex 1). In March 1998 the Board launched a second review which at the time of this writing is still in progress.

The Panel's process is fairly straightforward. As noted, any two or more individuals or groups of individuals who believe that they or their interests have or are likely to be harmed by a Bank-financed project can request the Panel to investigate their complaints. Unless the Panel finds that the Request is manifestly outside its mandate, it would register the Request. This initiates the first stage of the process to determine whether the Requesters and the Request are eligible under the Resolution. To this end:

- The Panel sends the Request to Bank Management;
- Management sends the Panel its response to the allegations in the Request, normally within 21 days;
- On receipt, the Panel conducts a preliminary assessment of the Request and the merits of the Management's response to it and, normally within 21 days, it submits a report to the Bank's Board including a recommendation on whether or not the complaints in the Request should be investigated;
- After the Bank's Board has dealt with the Panel's report and recommendation, the report is published, along with the Request and Management's Response.

If the Panel recommends an investigation, and the Board approves, the Panel proceeds with the second stage of the process.

- The Panel undertakes a full investigation of the complaints in the Request as expeditiously as possible;
- The Panel submits a report to the Board with its findings.

Subsequently, Bank Management has six weeks to respond to the Panel's findings, including any proposed actions that it deems warranted. The Board then takes its final decisions, in light of both the Panel's findings and the Bank Management's response. After the Board has dealt with

the matter, the Panel's findings and Management's report are made publically available by the Bank.

Procedures for filing Requests for Inspection and more detail on the Panel's process are laid out in the Panel's Operating Procedures (Annex 2). The Panel's operations have been innovative and, indeed, they are still evolving with experience and the results of the Board's review of the Panel's role and functions.

The following report includes information on the Panel's structure, its operations during 1997–1998, and lessons that may be drawn from its four years of experience.

LETTER OF TRANSMITTAL

This Annual Report, which covers the period August 1, 1997 to July 31, 1998, has been prepared by the members of the Inspection Panel for the International Development Bank of Reconstruction and Development (IBRD) and the International Development Association (IDA) in accordance with the Resolution that established the Panel. The Report is being circulated to the President and Executive Directors of both institutions.

The Panel members would like to take this opportunity to thank Mr. James D. Wolfensohn for his unfailing support of the Panel as an integral component of the Bank's transparency and accountability efforts. The members would also like to thank the Executive Directors for their continued support of the Panel.

Alvaro Umaña
Chairman

July 31, 1998

INTRODUCTION

The World Bank Inspection Panel completed its fourth year of operation on July 31, 1998. This Report covers the Inspection Panel's operations during this period.

This year saw a change in the membership of the Panel members for the first time, as the three-year nonrenewable term of one of its founding members came to an end. The outgoing member, Mr. Richard E. Bissell (an American national), was replaced by Mr. Jim MacNeill (a Canadian national), who was appointed for a period of five years as mandated by the Resolution.

The Panel used this its fourth year of operations, as a benchmark to determine the effectiveness of its operations and the lessons learned. In January 1998, the Panel invited a number of its constituents—i.e. NGOs, Requesters, and representatives of people who claimed that they were affected by Bank-financed projects—to participate in an informal seminar with the Executive Directors. At the time of writing this Report, the Panel's first book, *The Inspection Panel: The First Four Years (1994–1998)*, which covers the Panel's case history and lessons learned from the last four years, is in the process of being published. The Panel also conducted a number of outreach efforts that included, but were not limited to, participation in academic meetings, international conferences and seminars, and the publication of an information bulletin.

During this year, the Panel received and processed three new formal Requests for Inspection. Two of the requests came from Africa: the Lesotho/South Africa Highlands Water Project and Nigeria Lagos Sanitation Project, and one came from India: the Ecodevelopment Project in the Rajiv Gandhi Nagarhole National Park.

During this period the Panel also continued its review of the Yacyretá Hydroelectric project in Argentina/Paraguay, the Itaparica Resettlement and Irrigation Project in Brazil, and the NTPC Power Generation Project in Singrauli, India. The Panel is also in the process of completing its review of Management's report on the progress of implementation of the Erosion and Flood Action Plan for the Jamuna Multipurpose Bridge Project.

In the years since the completion of the Board's first Inspection Panel review, an increased number of complex cases again raised the Board's interest in the nature of the Panel's work, and as a result the Panel's operations and the Resolution that established the Panel are again under review. In March of this year the Board of Executive Directors established a Working Group to assess and review the procedures of the Inspection Panel. At the time of writing of this report the Panel is still under review.

Although four years is a relatively short period in the life of an institution, the Panel believes that it has proven to be an effective instrument for starting a process to correct or avert harm related to IBRD/IDA-financed projects, and it has been of immense value to the people it is intended to aid. Its direct access to local populations has given voice to the poor and the disen-

franchised, and allowed their complaints to be heard at the highest level of the institution. Nonetheless, much more work must be done if the Panel is to assist the World Bank Group in meeting the demands of a new millennium committed to results, partnerships, transparency, and a more humane focus in economic development.

*Alvaro Umaña
Ernst-Günther Bröder
Jim MacNeill*

ABOUT THE PANEL

The Inspection Panel consists of three members who are appointed by the Board for nonrenewable periods of five years. As provided for in the Resolution that established the Panel, members are selected on the basis of their ability to deal thoroughly and fairly with the requests brought to them, their integrity and their independence from the Bank's management, and their exposure to developmental issues and to living conditions in developing countries. The independence of the Panel is further safeguarded by its structure and operations, which are independent of Bank Management.

The first three Panel members, Messrs. Ernst-Günther Bröder, Alvaro Umaña, and Richard Bissell—appointed for nonrenewable terms of five, four and three years respectively—assumed their responsibilities on August 1, 1994. In July 1997, the Executive Directors selected Mr. Jim MacNeill to succeed Mr. Bissell, and in July 1998 Mr. Edward S. Ayensu was selected to succeed Mr. Umaña.

Chairperson. The Chairperson of the Panel works full time and the two members part time as needed for the Panel's operations. The Panel's first Chairperson, Mr. Bröder, was appointed by the Board. After the first year Panel members were required to select their Chairperson annually. Mr. Bröder was elected for FY 96 and will assume the Chair again in August 1998. Mr. Bissell served as Chairperson for FY 97 and Mr. Umaña for the past year.

Secretariat. The Panel has a permanent Secretariat, headed by the Executive Secretary, Mr. Eduardo Abbott, a Chilean national. The office also consists of an Assistant Executive Secretary, Ms Antonia M. Macedo, a New Zealand national. The Secretariat provides administrative support



Inspection Panel Members, August 1998, from left to right: Edward S. Ayensu, Alvaro Umaña, Ernst-Günther Bröder, Jim MacNeill

to the Chairman and Panel members, helps in the processing of Requests and responding to queries from potential Requesters, and coordinates other activities such as information dissemination, requests for information, Panel consultations inside and outside the Bank, and disclosure processes.

BOX I. Inspection Panel Members

Alvaro Umaña-Quesada, Chairman August 1, 1997–July 31, 1998

Mr. Umaña, a Costa Rican national, is Professor and Director of the Natural Resources Management Program at INCAE, a Latin American Graduate School of Management. He served as Costa Rica's first Minister of Natural Resources from 1986–1990 under President Arias. Mr. Umaña is a member of the Board of the Rockefeller Foundation and the World Resources Institute. He has published several books and many technical articles on energy, economics of natural resources, and environment. Mr. Umaña is a private entrepreneur in the ecotourism and conservation areas and is involved in sustainable wildlife reproduction and export. Mr. Umaña holds a Ph.D. in Environmental Engineering and a Master in Economics from Stanford University. He also holds a Masters Degree in Environmental Pollution Control and a Bachelor's Degree in Physics from Pennsylvania State University.

Ernst-Günther Bröder, Chairman effective August 1, 1998

Mr. Bröder, a German national, is the former President of the European Investment Bank (EIB), Luxembourg, from 1984–1993, where he also served as a director from 1980–1984. He held several supervisory and consultative functions in international banks and other institutions. Mr. Bröder was a Governor of the European Bank for Reconstruction and Development, London, from 1991–1993, and a member of the special advisory group for the Asian Development Bank, Manila, from 1981–1982. He is a member of the Panel of Conciliators for the International Centre for Settlement of Investment Disputes, Washington, D.C. He started his professional career in the Managing Board's staff of the Bayer Corporation from 1956–1961 and served in the Technical Operations Department's Industry Division of the World Bank from 1961–1964. Before being appointed President of the EIB, he served from 1964–1984 in the Kreditanstalt für Wiederaufbau in Frankfurt, where he was a member of the Managing Board from 1975–1984 and its spokesman beginning in 1980. He has written and coauthored books and articles on financial and economic subjects. Mr. Bröder holds a Doctorate in Economics from the University of Freiburg, and studied political and natural sciences at the Universities of Cologne, Mainz, and Paris. Under the terms of the Resolution that established the Panel, Mr. Bröder served as the Inspection Panel's first Chairperson.

Jim MacNeill

Mr. MacNeill, a Canadian national, is a policy advisor on the environment, energy, management, and sustainable development to international organizations, governments, and industry. He is Chairman of the International Institute for Sustainable Development, and a member of the boards of the Woods Hole Research Center and the Wuppertal Institute on Climate and Energy Policy. He was Secretary General of the World Commission on the Environment and Development (the Brundtland Commission) and the principal architect and major author of the Commission's world-acclaimed report, *Our Common Future*. He served for seven years as Director of Environment for the Organization for Economic Cooperation and Development (OECD). Earlier, he was a deputy minister in the Government of Canada. Mr. MacNeill holds a graduate diploma in Economics and Political Science from the University of Stockholm and Bachelor's Degrees in Science (math and physics) and Mechanical Engineering from Saskatchewan. He is the author of a number of books and other publications and articles. He is also the recipient of a number of awards including the Order of Canada, his country's highest honor. Mr. MacNeill became a member of the Inspection Panel in August 1997.

Edward S. Ayensu, Member effective August 1, 1998

Mr. Ayensu, a Ghanaian national, is President of the Pan-African Union for Science and Technology and an international development advisor. He held many important positions during his 20 years at the Smithsonian Institution in Washington, D.C. He is Executive Chairman of Edward S. Ayensu Associates Ltd—Science, Technology and Economic Consultants and Executive Chairman of Advanced Gracewell Communications Co. Ltd. and the founding Chairman of the African Biosciences Network. He is Chairman of the Ghana National Biodiversity Committee. He is also a member of the International Advisory Council on Global Scientific Communications, UNESCO, and member of the Board of Directors and International Vice Chairman of the International Institute for Sustainable Development (IISD). In addition, he has held various posts in other international scientific and technical organizations. For nearly two years he was the Senior Advisor to the President and the Director for Central Projects Department at the African Development Bank. He was formerly the Vice-Chairman, and advisor to the Scientific and Technical Advisory Panel of the Global Environment Facility—a multibillion dollar fund administered by the World Bank, UNDP, and UNEP. He is a former member of the Energy Sector Management Assistance Programme Consultative Group which is administered by the World Bank and UNDP, and of the Senior Advisory Council of the Global Environmental Facility (GEF). Mr. Ayensu obtained his doctorate from the University of London.

OPERATIONS

During the past four years the Panel has processed 13 Requests for Inspection. The first five are described in the 1996 Annual Report, the next five in the 1997 Report. As the table below indicates, three new Requests for Inspection were received and registered during this fiscal year. Processing of Requests received but not fully disposed of in the previous year, numbers 6, 7, 9, and 10, were continued in FY 1998.

Requests for Inspection: Summary July 1998

<i>Name of Request</i>	<i>Registered</i>	<i>Panel Recommendation</i>	<i>Board Decision</i>	<i>Last Action</i>
1. Nepal/Arun III	Yes 10/94	Investigation	Approved	Panel Reports 12/94, 6/95
2. Ethiopia/Exprop	No 5/95	–	–	–
3. Tanzania/Power	Yes 6/95	No investigation	Agreed	–
4. Brazil/Rondônia	Yes 6/95	Investigation	Not approved	Review by Panel 3/97
5. Chile/Pangue	No 11/95			
6. Bangladesh/Jamuna	Yes 8/96	No investigation	Review in 12 mos	Pending
7. Argentina/Paraguay: Yacyretá	Yes 10/96	Investigation	Not approved	Reviewed by Panel 9/97
8. Bangladesh/Jute	Yes 11/96	No investigation	Agreed	–
9. Brazil/Itaparica	Yes 3/97	Investigation	Not approved	Review 1998
10. India/NTPC	Yes 5/97	Investigation	Approved/limited	Report sent 12/97; decision pending
11. India/Ecodevelopment	Yes 3/97	Pending	–	–
12. Lesotho/South Africa: Lesotho Proposed Loan for Phase IB of Highlands Water Project	Yes 5/98	Pending		
13. Nigeria/Lagos Drainage and Sanitation Project	Yes 6/98	Pending	–	–

Formal Requests Received in FY 1998

Request No. 11

India: Ecodevelopment Project at the Rajiv Gandhi Nagarahole National Park



Adivasi (tribal) people standing before a home in a haadi (village) in Rajiv Gandhi (Nagarahole) National Park

On April 3, 1998, the Panel received a Request from an organization called the Nagarahole Budakattu Janara Hakkusthapanam Samithy (NBJS) representing one of the groups of tribal people living in an area known as Rajiv Gandhi National Park, Nagarahole, Karnataka State, India. The Request claimed they had and would suffer harm because IDA Management had violated IDA policies and procedures in the preparation of the India Ecodevelopment Project. The project is intended to conserve biodiversity in seven globally significant protected areas (PAs) using eco-development measures including improved PA management, reduction of negative impacts of local people on PAs, and the establishment of programs, including assis-

tance to local people, environmental education, and impact monitoring.

The Requesters claimed that no specific indigenous peoples development plan had been prepared with the informed participation of affected indigenous/tribal groups, nor had NGOs been involved. They feared that an anticipated forceful eviction of the tribal population from the project area would result in them being uprooted from their forest habitats. The Panel registered the Request on April 3, 1998.

In its May 5, 1998 Response to the Request, Management claimed that it had complied with all relevant policies and procedures in

the preparation of the project, and that it intended to comply with all relevant policies and procedures during the project implementation. The Response stated that the project was proposed to the Board as a "process design" where "a process was needed to establish ongoing planning mechanisms and simultaneously to get things done on the ground," adding that "Nagarahole, the site of concern in the Request letter, is the most challenging of the seven sites" and that "implementation [had] not yet started at [that] particular site."

After reviewing project documents the Panel decided that the interests of the Requesters and the Board would be better served if the Panel waited for further steps in the implementation process of the project before it made a recommendation to the Board. Therefore, on June 24, 1998, the Chairman of the Inspection Panel sent a memorandum to the Board of Executive Directors requesting an extension of the preliminary assessment period to September 15, 1998.

Request No. 12
Lesotho/South Africa: Phase 1B of Lesotho Highlands Water Project



Endless lineups for precious water from a lone standpipe in Winnie Mandela Township

On April 23, 1998, a group of residents from Alexandra in the Gauteng province of the Republic of South Africa (RSA) delivered a Request to the World Bank office in Pretoria. The Panel received the Request in Washington, D.C., on May 6, 1998. The Requesters claimed that this poor community and many others in South Africa had and would suffer harm because Bank Management had violated policies and procedures in the preparation of

Phase IA of the project, and the proposed Phase IB of the Lesotho Highlands Water Project, (together referred to as LHWP).

LHWP finances physical works located mostly in the Kingdom of Lesotho. Its purpose is to supply water to urban and industrial users in the Gauteng province. However, the Requesters claimed that the water was not needed for another few years and argued that

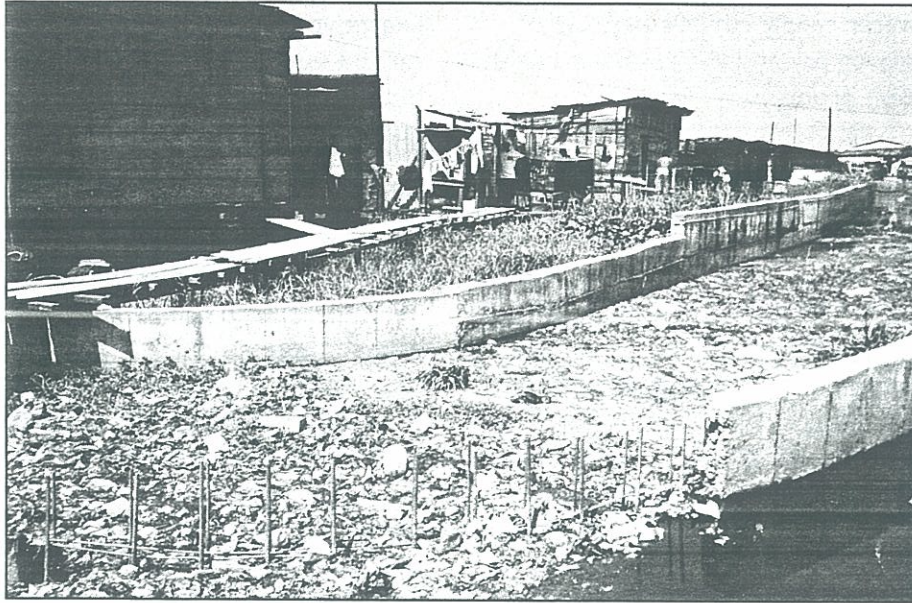
Phase IB should be delayed to allow demand side measures to work. They claimed that if it was not delayed poor communities in Gauteng would continue to suffer from lack of access to water, water supply cut-offs because of their inability to pay, and the resultant health and sanitation problems.

The Panel registered the Request on May 15, 1998 and received the Management Response to the Request on June 17, 1998. The Response did not provide substantive information as required by the Resolution that established the Panel. Instead, the Response dealt almost exclusively with the eligibility of the Request, and did not as required by the Resolution provide the Panel "with evidence that it has complied, or intends to comply with" its policies and procedures. Indeed paragraph 9 of the Response informed the Panel that Management had concluded: "[s]ince the Bank

Management is of the opinion that the Request does not meet the eligibility requirements set forth in the Resolution, it concludes that the Panel should not recommend to the Executive Directors that an investigation be carried out." In sum, Management refused to provide the Panel with a response to the Request, as expressly required by the Resolution.

The Panel rejected Management's refusal to respond in the proper way, and so informed the President of the Bank. He was also informed that, in the interest of avoiding delays in the preliminary assessment, the Panel had decided nevertheless to go ahead and treat the information provided in the Annex of the Response as the substantive Management Response. The Panel's report and recommendation to the Executive Directors on this project is due to be delivered to the Board later this year.

Request No. 13
Nigeria: Lagos Sanitation Project



Part of the Bank-financed construction of the drainage system in Lagos

On June 16, 1998, in Lagos, Nigeria, at the Bank's Resident Mission, the Social and Economic Rights Action Center (SERAC) filed a Request for Inspection on behalf of the Center and that of individuals, families, and community development associations. The Requesters claimed that they had been directly affected and harmed by the IDA-financed Lagos Drainage and Sanitation Project (Credit No. 2517-UNI). The Panel received this Request on June 18, 1998. The principal object of the project was to improve the storm-water drainage system in parts of Lagos—Lagos mainland, Lagos Island, and Apapa—which suffer from regular flooding, caused by heavy rainfall. The project was also to support the upgrading of other urban services such as improvement of the solid waste management and wastewater disposal systems.

The Request stated that in the slum communities of Ijora Badia and Ijora Oloye in Lagos, the project had resulted in the forced eviction of some 2,000 people who had lost their homes and businesses, while thousands of others faced an imminent threat of eviction. The Request further alleged that the Bank had done harm to the affected people because of its failure to follow its own policies and procedures applicable to the project, and made reference to a series of alleged violations of IDA's Operational Directives, Operational Policies, and Articles of Agreement. The Panel registered this Request on June 26, 1998.

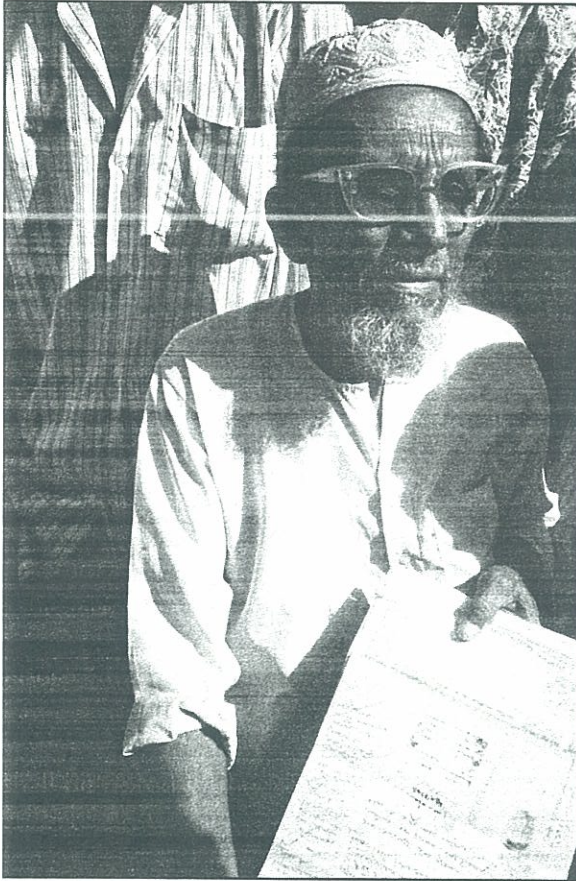
The Panel received the Management Response to the Request on June 17, 1998. In its response, IDA management claimed that it had complied with all relevant policies and

procedures in the design and implementation of the project. Management further refuted the Requesters claim that there was evidence to indicate that 2,000 people had been forcibly evicted from their homes and busi-

nesses in Ijora Oloye and Ijora Badia. The Panel is in the process of making a preliminary assessment of the Requesters' claims and Management's response.

Further Action on Earlier Requests

Request No. 6 Bangladesh: Jamuna Bridge Project



An inhabitant of a char in the Jamuna River shows his land title

The Jamuna Char Integrated Development Project (IDA Credit 2569-BD) Request for Inspection was filed on August 23, 1996, and IDA Management denied any policy violations in its response. In its initial assessment of the Request for Inspection the Panel found that the project's 1993 Resettlement Action Plan did not specifically identify or provide assistance for people living on islands in the Jamuna River as involuntary resettlers. It did find however, that the Erosion and Flood Action Plan (EFAP) agreed upon on September 7,

The Request was filed on behalf of char (island) dwellers in the Jamuna River by a local NGO group called the Jamuna Char Integrated Development Project. The Requesters claimed that they were not included in the project's resettlement and rehabilitation programs, in spite of past and potential harm to their livelihoods and islands where they live and work, and that they had suffered harm as a result of the construction of the bridge and the river training works.

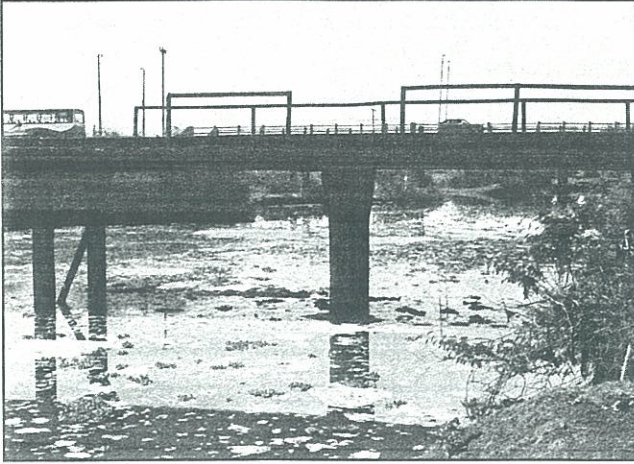
The project included the construction, operation, and maintenance of a bridge over the Jamuna River to connect the eastern and western parts of Bangladesh in order to stimulate economic growth; it also included related resettlement and rehabilitation activities.

1996, after the request was filed, could be construed as an adequate and enforceable basis for IDA to comply with its resettlement policy and meet the islanders' concerns. Therefore the Panel concluded that although the Bank had not followed some of its policies and procedures on resettlement and environmental assessment, the EFAP if implemented satisfactorily, could address the Requester's concerns.

The Board accepted the Panel's recommendation that an investigation was not warranted at that time. The Board asked IDA Management to submit a progress report on the implementation of the Revised Resettlement Action Plan and the Environmental Action Plan and invited the Panel to provide comments. IDA Management submitted this report to the Board in May 1998.

As mandated by the Board the review of the progress report by the Panel is underway, and the Panel is scheduled to present its report to the Board in August of this year.

Request No. 7 Argentina/Paraguay: Yacyretá Hydroelectric Project



Sewage contamination of an urban creek in Posadas, Argentina. A result of filling of the Yacyretá reservoir

The original Request was filed by a local Paraguayan NGO, *Sobrevivencia*, on behalf of itself and residents of Encarnación, Paraguay, on October 1, 1996. Later, residents of the city of Posadas, Argentina, submitted additional requests to the Panel. The Requesters claimed that their rights and interest had been affected by acts and omissions of the Bank in the implementation of the Bank-financed Yacyretá Project. They claimed that had been, and could potentially be, directly and adversely affected in their standards of living, health, and economic well-being as a result of the filling of the Yacyretá Reservoir and the Bank's omissions and failures in the preparation of the project.

The project was to construct a low-head hydroelectric facility, primarily an earth dam, to generate 3,500 megawatts of electricity and promote irrigation and mitigate the effects of flooding.

In February 1997 the Board decided—after having rejected the Panel recommendation for an investigation—to ask the Panel “to undertake a review of the existing problems of the ... project in the areas of environment and resettlement and provide an assessment of the adequacy of the Action Plans as agreed between the Bank and the two countries within the next four months.” These plans included environmental mitigation and resettlement measures that should have been taken before the reservoir was closed and ones needed to maintain the reservoir at its current level of 76 masl for a prolonged period of time. In September 1997, the Panel submitted this special report. The Board also decided that independent of the above decision, “the Inspection Panel [would be] expected to look at the extent to which the Bank staff had followed Bank procedures with respect to [the] project.” However, in spite of specific requests by some Executive Directors and the Panel, the Board did not define the precise extent and scope of this part of the decision. In view

of its restricted mandate and the fact that it was almost impossible to distinguish between policy and procedural compliance, the Panel decided in its report to highlight the major areas where staff performance could or should have better followed operational policies and procedures.

The Panel found that after more than 15 years in construction, and a cost of over US\$8 billion (including interest), the project remained riddled with problems and faced an uncertain future. The most critical problems identified by the Panel were the imbalance in the execution of the civil and electromechanical works—now complete—and the resettlement and environmental actions. The latter lag far behind and are likely to take several more years to complete. The cost of the project and the magnitude of the environmental and resettlement liability is one of the issues that must be dealt with in the context of the proposed privatization of the project.

The Board considered the Panel's report in December 1997 without coming to any conclusion, and subsequently decided to postpone any decision of future Panel involvement until a second review of the role of the Inspection Panel was completed. However, in June 1998, after a visit to the entire project area by the Regional Vice-President and other senior regional managers, the Board once again considered the situation of the project in an informal meeting with the participation of the Inspection Panel. As a result, it was agreed that Management would continue to report to the Board on the progress of the Action Plans, which are now scheduled to be completed by the end of the year 2000. At that meeting, the Vice-President also confirmed the seriousness of the harm to people and damage to the environment on the ground, substantially confirming the Panel's findings. Management also proposed the creation of an independent group of experts to look at the project's medium-term options and to make recommendations on the actions necessary to achieve reservoir levels with a minimum of environmental and resettlement disruptions.

Final action by the Board is still pending on this case, and at the time of the last Board Meeting on this project, Regional Management proposed that they would come back to the Board with an integrated plan for review.

The Panel process proved to be very valuable because it led to the formulation and financing of Action Plans to solve the environmental and resettlement problems that were alleged by the Requesters and validated by the Panel's findings.

An identical Request was filed with the inspection mechanism of the Inter-American Development Bank (IDB) and it is interesting to note that the findings of that Panel and the decision of the IDB's Board were similar to the World Bank's.

This Request was the first request to involve a project in the territory of two countries, and the first to have loans that benefited a binational entity, which was created specifically for the project.

Request No. 9 Brazil: Itaparica Resettlement and Irrigation Project



A resettler showing the cracks in her house

Dating back to 1987, the Itaparica Resettlement and Irrigation Project was the first World Bank-financed stand-alone resettlement project designed to benefit people affected by the Itaparica hydroelectric dam and reservoir. Although the Bank did not finance construction of the dam (that began in 1979), the Brazilian Government asked the Bank to take on the resettlement component.

The Requesters claimed that their standard of living, health, and economic well-being had suffered rather than improved as a result of the Bank's omissions and failures in the preparation of the project, conditions that were further compounded by faulty project execution.

The Request was filed by a group of about 121 individuals, and a local organization called Pólo Sindical do Submédio São Francisco representing people living in the project area. The Requesters claimed that their standards of living, health, and economic well-being had been directly and adversely affected as a result of construction of the Itaparica hydroelectric dam located on the São Francisco River and the Bank's failure in supporting the resettlement of the area people. In general the Request alleged that a significant number of the beneficiaries of the resettlement project are in worse social and economic conditions than before the construction of the dam.

The project was to provide assistance to people relocated as a result of construction of the Itaparica hydroelectric dam on the São Francisco River, and included provision for housing, social infrastructure, and irrigation schemes.

Only about one-third of the families in the project area had been resettled by the time most of the loan funds had been disbursed. The Itaparica project is the second highest cost-per-family resettlement project in the Bank's history.

The Panel faced an important eligibility question with the processing of this Request. The project had been financed two different Bank-financed loans. The first Itaparica loan was approved in 1987 for the amount of US\$132 million equivalent. Then in 1990 under an amending agreement a supplemental loan of US\$100 million equivalent was approved mainly to cover cost overruns. However a problem arose because in some Bank documentation the loans were treated as one. This issue was critical to question of the eligibility of the request, because according to the Resolution that established the Panel, a request related to a loan that is more than 95 percent disbursed is considered ineligible. In the case of this project, 96 percent of the combined loans had

been disbursed, but only 92 percent of the second loan had been disbursed, and more importantly, only the second loan had been cited in the Request. Management argued in its response that under the Board Resolution establishing the Inspection Panel that the "Request [was] ineligible for consideration because more than 95 percent of the Loan proceeds had been disbursed as of the date the Request was received." The Panel decided that the Request was eligible with regard to the second loan, and presented the substantive issues to the Executive Directors in their report and recommendation. The Bank's Senior Vice President and General Counsel supported the Panel's views on eligibility in a legal opinion issued at the request of the Executive Director representing Brazil.

The Inspection Panel recommended an investigation on this project in its June 1997 report and recommendation to the Board.

The Board, however, on September 9, 1997, voted to reject, by a close margin, the Panel's

recommendation. In view of a proposed Government Action Plan to complete the project that was announced at the same meeting. This included government funding for about US\$290 million. The Brazilian Government did not request any further financial assistance to complete the project, but requested the Bank to continue supervision of the project for two more years. In light of this situation, the Board decided to review progress of the Action Plan in 12 months, and invited the Panel to assist.

Later at the Panel's January 1998 Board Seminar, representatives from Pólo Sindical complained that they were not consulted in the preparation of remedial measures and that Brazilian authorities had not informed them about the alleged existence of an Action Plan. The Requesters claimed that difficulties with government approval for the proposed financing continue to persist and that the funds actually allocated to the project have been much below requirements. The Board review, with the assistance of the Panel is pending.

Request No. 10 India: NTPC Power Generation Project at Singrauli



Ash disposal in Singrauli, India

In July 1997 the Panel recommended that the Board authorize an investigation into the matters raised in this Request for Inspection. This was the second time that the Board of Executive Directors accepted the Panel's recommendation for an investigation. The investigation however was limited to a desk study carried out exclusively at headquarters in Washington, D.C.

The Panel had agreed with Management's view that it had violated some policies and procedures, but rejected its proposed remedial actions as inadequate. The Panel found that the Bank had failed to ensure preparation of an adequate resettlement plan and thereafter to supervise its implementation. It concluded that there appeared to be prima facie serious violations by the Bank of the policies and procedures on involuntary resettlement, participation and consultation with local people. In addition there appeared to be a violation of the environmental policy since the disposal

The Inspection Panel received the Request in May 1997 from residents of Singrauli claiming that the people living in the project area have been harmed as a result of the Bank's policy violations in the preparation and implementation of the project. Bank Management did acknowledge some policy violations in its response to the Request.

The project was to improve the commercial and environmental performance of NTPC power stations and improve resettlement and rehabilitation management. Specifically, the project would increase the capacity of both the Rihand and Vinhyachal thermal power plants by 1,000 megawatts, 300 hectares of land was to be acquired for expanding the existing ash dikes used for disposing of the fly ash produced, and the people living in the area resettled.

The Requesters complained that they were being compelled to move from their rural locations to crowded resettlement colonies without adequate housing and any alternative livelihood such as jobs or land, and that they did not participate in the design of implementation of the resettlement plans. Referring to the remedial action in the project for people involuntarily resettled prior to 1993, the request alleges that remedial actions such as the provision or upgrading of basic infrastructure in existing resettlement sites with participation of the affected people had not taken place.

method of placing ash in dikes seemed to have been the only viable method considered. Behind all this, there appeared to be an absence of adequate analysis of alternatives such as backfilling mines with the ash. This led to very high demands for rural land, resulting in the need for involuntary resettlement.

The Board scheduled a meeting to consider the Panel's recommendation for August 29, 1997 but at the request of an Executive Director, it was postponed to September 9, 1997. In the interim, on September 2, Manage-

ment presented to the Board, a remedial "Action Plan" formulated in response to the Panel's findings.

The Board met on September 9 and 11, 1997. Following difficult discussions a close vote approved an investigation to determine further the extent to which the Bank had adhered or not to its own policies and procedures. However, since Panel members were not authorized to visit the project area, the investigation was restricted to a desk study in Washington, D.C. In addition, the Board asked Management to submit to it periodic progress reports on implementation of the remedial Action Plan.

The Panel submitted its Desk Investigation to Management and the Board in December 1997. Three weeks later Management submitted its first progress report on the status of the Action Plan to the Board. Under the Resolution establishing the Panel, the Management is required to submit to the Board a report indicating its recommendations in response to the Panel investigation findings. This was done on February 4, 1998. The Inspection Panel sent comments on this Management Report to the Board on February 11, 1998. The next day, on February 12, the Board considered the reports in an informal meeting.

Unfortunately the Panel is unable to discuss its investigation findings or the Management response since it is only authorized to do so after the Board has considered the reports in a formal meeting.

Subsequently, Management submitted progress reports on April 21 and June 16, and the Board met again informally on June 23, 1998.

On two occasions, June 12, 1997, and May 12, 1998, the Panel received letters requesting an investigation from different groups in the area. On both occasions the Panel concluded that there were no substantial allegations that were not covered by the original Request for Inspection.

The remedial Action Plan presented by Management prior to the investigation included a proposal to appoint two independent local teams. One was to research and verify claims of the area people, and the second, an Independent Monitoring Panel (IMP) of distinguished Indian nationals, including candidates proposed by NGOs, was to investigate allegations of forceful evictions and harassment of affected families in the project area.

These teams were subsequently appointed and their work was in progress as of July 31, 1998.

Reports of violations of Bank policies continued even after the IMP visited Singrauli for the first time in December 1997. One of these, a report from a human rights group was distributed to the Board on June 23, 1998. Scheduling of a formal Board meeting to consider the Panel's investigation report and Management response is still pending.

Information and Disclosure

Representatives of Affected People Meet with Bank Executive Directors

On January 30, 1998, the Executive Board held an informal seminar organized by the Inspection Panel where Board Members had the opportunity to interact directly, for the first time, with people who felt they were negatively affected by Bank-financed projects. Representatives of the Arun, Itaparica, Yacyretá, and Singrauli requesters among others, exchanged views freely with Board Members. This contributed greatly to an understanding of the inspection process for all concerned.

Consultations on Potential Requests

The Panel received a continuous flow of queries from potential requesters. They related to projects in Africa, South Asia, and Latin America. The issues raised most frequently were on resettlement, environmental protection, indigenous people, and project supervision.

The complexity of potential requests varied greatly. In most cases, potential requesters lacked up-to-date project-specific information. They were generally unfamiliar with the details of how the Bank operates and with the many applicable Bank operational policies and procedures. In some cases, they had found it impossible to obtain information from Bank staff or field offices.

The Panel, through its members and the Secretariat made its best efforts to facilitate access to the required information in line with the Bank's policy on disclosure. Where appropriate, the Panel advised representatives

to have further discussions with relevant Bank Management and staff in the hope that constructive dialogue would resolve questions of alleged damage, thus avoiding the need to resort to a formal Request for Inspection.

Outreach

During this period members of the Inspection Panel were invited to participate in a number of academic meetings, international conferences, and seminars including:

- International Conference on the Inspection Panel at the University of Lund, Sweden, (October 1997)
- International Conference on Community Organizations and NGOs in Istanbul, Turkey. (October 1997)
- International Conference on Chixoy, Lesotho, and Yacyretá Dams at University of Rome, April 1998.
- World Disasters Forum in London, Ombudsman for Humanitarian Assistance Project, May 1998.
- Meeting with Mexican Center for Environmental Law and Transparencia S.C. on functioning of the Inspection Panel, May 1998.

The Panel also continued to have numerous meetings with representatives of local and international NGOs at its headquarters in Washington.

Publications

The publication and translation of an information bulletin summarized the Panel's work up to June 1998. Preparation is under way for

the publication later this year of the volume *The World Bank Inspection Panel: The First Four Years (1994-1998)*. This volume will include the full Panel reports of the main cases, and will represent the actual case history of the Panel.

Information about the existence, purposes, and the procedural steps required for the Panel's involvement in response to Requests is disseminated through many channels. The publication of the Panel's Operating Procedures has been a major avenue for such information, along with the issuance of the Panel's first Report to the Board in August 1996. The Procedures have been translated into French, Spanish, and Portuguese and are available from the Panel's Secretariat upon request.

Disclosure

The Panel has made every effort to keep its processes open and transparent—consistent with the public disclosure policy adopted by the Bank's Board in 1993, and the special accountability required of an inspection mechanism as established in 1994. The Inspection Panel's website, which continuously updates the status of Panel activities, has continued to receive a large number of queries.

The Panel Register

In an effort to deal transparently with Requests, the Panel has maintained a Register. The Executive Secretary records the dates and all actions taken in connection with the processing of a Request, as well as the dates on which any formal notification is sent or received. This Register is open to the public. Similar information is also disseminated through the Panel's home page, accessible via the Internet, to ensure wider disclosure.

A notice that a Request has been registered, and all other notices or documents issued by

the Panel, are made available to the public at: (1) the Bank's InfoShop in Washington, D.C.; (2) the Bank's Resident Mission, or Regional or Field Office for the country where the project relating to the Request is located, or at the relevant regional office; and (3) at the Bank's Paris and Tokyo offices.

When permitted by the Resolution, the Bank makes documents relating to each Request available to the public. Under Paragraph 25 of the Resolution, Requests for Inspection, Panel Recommendations and Board decisions are to be made available to the public after the Executive Directors have considered a Panel Recommendation on, and/or the results of, an investigation. During the 1996 review by the Board, the Directors clarified that provision to ensure that Management Responses would also be made available, within three days after action by the Board, along with the documents already cited. The Board also said that Management should make available any legal opinions issued by the Bank Legal Department related to Inspection Panel matters promptly after Board action, unless the Board decides otherwise in a specific case.

World Bank Annual Meetings

The Panel has participated in each Annual Meeting of the World Bank since 1994, using the opportunity to meet with Government officials, private organizations and citizens, and numerous NGO representatives. Where the Annual Meeting is held outside the United States, it has been particularly useful to make organizations from that region more aware of the Panel's work, the extent of its mandate, and more conscious of the procedures for requesting an inspection.

Public Inquiries

As stated above a heavy demand continues for general information about the Panel and its

activities from the press, NGOs and other organizations, academics, Bank staff, and others. The unprecedented nature of the Panel in international organizations naturally gives rise to basic curiosity and misunderstandings about the role of the Panel. The availability of the Operating Procedures in several languages responds to the needs of many such public inquiries.

Documents

Annex 3 of this Report contains a list of Panel documents issued to date, updating the list published in the 1997 Annual Report. The list does not include the growing inventory of academic and other commentaries on the creation and operations of the Panel.

Second Review of the Inspection Panel Mechanism

In October 1996 the Board completed the review of the Inspection Panel mandated in the establishing Resolution. This resulted in

some "Clarifications" to the Resolution, which are included in Annex I of this Report. In September 1997 the Board concluded that they should again review the functioning of the Inspection Panel. In February 1998, after considering proposals by the Senior Vice President and General Counsel and the Inspection Panel's comments, the Board of Executive Directors decided to create a Working Group composed of three Part I and three Part II Executive Directors to review the operation of the Inspection Panel and propose some solutions primarily to address the tendency of the Board to split mainly between borrowing and nonborrowing members in cases where the Panel has recommended an investigation.. The Inspection Panel has met once with the Working Group whose work is still in progress at the time of writing this report.

ADMINISTRATION AND BUDGET

The Resolution provides that the "Panel shall be given such budgetary resources as shall be sufficient to carry out its activities." The Panel's annual funding level has been set at about US\$1.5 million in real terms for each of the first four years.

The administrative arrangements for the Panel provide for the Chairman to work on a full-time basis supported by a small Secretariat. He calls on the two part-time Panel members on a case-by-case basis as required by the Panel's workload related to Requests, public inquiries, and consultations as well as institutional and administrative matters. In practice the Panel has worked by consensus with the two part-time members fully

involved in all activities related to Requests, informational, institutional, and administrative matters. The Resolution provides that if the workload reaches a level that would make it reasonable for the Panel to recommend it, the Board would appoint one or both part-time members on a full-time basis. The Panel has not yet recommended this, even though the workload of the Panel has increased during each year of its existence.

The demand-driven nature of the Panel's work requires a flexible budgetary strategy to ensure that sufficient resources are available to process all Requests received. Annex 4 contains a breakdown of the Panel's budget and expenditures for FY 1998.

September 22, 1993

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL DEVELOPMENT ASSOCIATION

Resolution No. IBRD 93-10

Resolution No. IDA 93-6

The World Bank Inspection Panel

The Executive Directors:
Hereby resolve:

1. There is established an independent Inspection Panel (hereinafter called the Panel), which shall have the powers and shall function as stated in this resolution.

Composition of the Panel

2. The Panel shall consist of three members of different nationalities from Bank member countries. The President, after consultation with the Executive Directors, shall nominate the members of the Panel to be appointed by the Executive Directors.

3. The first members of the Panel shall be appointed as follows: one for three years, one for four years, and one for five years. Each vacancy thereafter shall be filled for a period of five years, provided that no member may serve for more than one term. The term of appointment of each member of the Panel shall be subject to the continuity of the inspection function established by this Resolution.

4. Members of the Panel shall be selected on the basis of their ability to deal thoroughly and fairly with the requests brought to them, their integrity, and their independence from the Bank's Management, and their exposure to developmental issues and to living conditions in developing countries. Knowledge and experience of the Bank's operations will also be desirable.

5. Executive Directors, Alternates, Advisors, and staff members of the Bank Group may not serve on the Panel until two years have elapsed since the end of their service in the Bank Group. For purposes of this Resolution, the term "staff" shall mean all persons holding Bank Group appointments as defined in Staff Rule 4.01 including persons holding consultant and local consultant appointments.

6. A Panel member shall be disqualified from participation in the hearing and investigation of any request related to a matter in which he/she has a personal interest or had significant involvement in any capacity.

7. The Panel member initially appointed for five years shall be the first Chairperson of the Panel, and shall hold such office for one year. Thereafter, the members of the Panel shall elect a Chairperson for a period of one year.

8. Members of the Panel may be removed from office only by decision of the Executive Directors, for cause.

9. With the exception of the Chairperson who shall work on a full-time basis at Bank headquarters, members of the Panel shall be expected to work on a full-time basis only when their workload justifies such an arrangement, as will be decided by the Executive Directors on the recommendation of the Panel.

10. In the performance of their functions, members of the Panel shall be officials of the Bank enjoying the privileges and immunities accorded to Bank officials, and shall be subject to the requirements of the Bank's Articles of Agreement concerning their exclusive loyalty to the Bank and to the obligations of subparagraphs (c) and (d) of paragraph 3.1 and paragraph 3.2 of the Principles of Staff Employment concerning their conduct as officials of the Bank. Once they begin to work on a full-time basis, they shall receive remuneration at a level to be determined by the Executive Directors upon a recommendation of the President, plus normal benefits available to Bank fixed-term staff. Prior to that time, they shall be remunerated on a per diem basis and shall be reimbursed for their expenses on the same basis as the members of the Bank's Administrative Tribunal. Members of the Panel may not be employed by the Bank Group, following the end of their service on the Panel.

11. The President, after consultation with the Executive Directors, shall assign a staff member to the Panel as Executive Secretary, who need not act on a full-time basis until the workload so justifies. The Panel shall be given such budgetary resources as shall be sufficient to carry out its activities.

Powers of the Panel

12. The Panel shall receive requests for inspection presented to it by an affected party in the territory of the borrower that is not a single individual (i.e., a community of persons such as an organization, association, society or other grouping of individuals), or by the local representative of such party or by another representative in the exceptional cases where the party submitting the request contends that appropriate representation is not locally available and the Executive Directors so agree at the time they consider the request for inspection. Any such representative shall present to the Panel written evidence that he is acting as agent of the party on behalf of which the request is made. The affected party must demonstrate that its rights or interests have been or are likely to be directly affected by an action or omission of the Bank as a result of a failure of the Bank to follow its operational policies and procedures with respect to the

design, appraisal, and/or implementation of a project financed by the Bank (including situations where the Bank is alleged to have failed in its follow-up on the borrower's obligations under loan agreements with respect to such policies and procedures) provided in all cases that such failure has had, or threatens to have, a material adverse effect. In view of the institutional responsibilities of Executive Directors in the observance by the Bank of its operational policies and procedures, an Executive Director may in special cases of serious alleged violations of such policies and procedures ask the Panel for an investigation, subject to the requirements of paragraphs 13 and 14 below. The Executive Directors, acting as a Board, may at any time instruct the Panel to conduct an investigation. For purposes of this Resolution, "operational policies and procedures" consist of the Bank's Operational Policies, Bank Procedures and Operational Directives, and similar documents issued before these series were started, and does not include Guidelines and Best Practices and similar documents or statements.

13. The Panel shall satisfy itself before a request for inspection is heard that the subject matter of the request has been dealt with by the Management of the Bank and Management has failed to demonstrate that it has followed, or is taking adequate steps to follow, the Bank's policies and procedures. The Panel shall also satisfy itself that the alleged violation of the Bank's policies and procedures is of a serious character.

14. In considering requests under paragraph 12 above, the following requests shall not be heard by the Panel:

(a) Complaints with respect to actions that are the responsibility of other parties, such as a borrower, or potential borrower, and that do not involve any action or omission on the part of the Bank.

(b) Complaints against procurement decisions by Bank borrowers from suppliers of goods and services financed or expected to be financed by the Bank under a loan agreement, or from losing tenderers for the supply of any such goods and services, which will continue to be addressed by staff under existing procedures.

(c) Requests filed after the Closing Date of the loan financing the project with respect to which the request is filed or after the loan financing the project has been substantially disbursed.

(d) Requests related to a particular matter or matters over which the Panel has already made its recommendation upon having received a prior request, unless justified by new evidence or circumstances not known at the time of the prior request.

15. The Panel shall seek the advice of the Bank's Legal Department on matters related to the Bank's rights and obligations with respect to the request under consideration.

Procedures

16. Requests for inspection shall be in writing and shall state all relevant facts, including, in the case of a request by an affected party, the harm suffered by or threatened to such party or

parties by the alleged action or omission of the Bank. All requests shall explain the steps already taken to deal with the issue, as well as the nature of the alleged actions or omissions and shall specify the actions taken to bring the issue to the attention of Management, and Management's response to such action.

17. The Chairperson of the Panel shall inform the Executive Directors and the President of the Bank promptly upon receiving a request for inspection.

18. Within 21 days of being notified of a request for inspection, the Management of the Bank shall provide the Panel with evidence that it has complied, or intends to comply, with the Bank's relevant policies and procedures.

19. Within 21 days of receiving the response of the Management as provided in the preceding paragraph, the Panel shall determine whether the request meets the eligibility criteria set out in paragraphs 12 to 14 above and shall make a recommendation to the Executive Directors as to whether the matter should be investigated. The recommendation of the Panel shall be circulated to the Executive Directors for decision within the normal distribution period. In case the request was initiated by an affected party, such party shall be informed of the decision of the Executive Directors within two weeks of the date of such decision.

20. If a decision is made by the Executive Directors to investigate the request, the Chairperson of the Panel shall designate one or more of the Panel's members (Inspectors) who shall have primary responsibility for conducting the inspection. The Inspector(s) shall report his/her (their) findings to the Panel within a period to be determined by the Panel taking into account the nature of each request.

21. In the discharge of their functions, the members of the Panel shall have access to all staff who may contribute information and to all pertinent Bank records and shall consult as needed with the Director General, Operations Evaluation Department and the Internal Auditor. The borrower and the Executive Director, representing the borrowing (or guaranteeing) country shall be consulted on the subject matter both before the Panel's recommendation on whether to proceed with the investigation and during the investigation. Inspection in the territory of such country shall be carried out with its prior consent.

22. The Panel shall submit its report to the Executive Directors and the President. The report of the Panel shall consider all relevant facts, and shall conclude with the Panel's findings on whether the Bank has complied with all relevant Bank policies and procedures.

23. Within six weeks from receiving the Panel's findings, Management will submit to the Executive Directors for their consideration a report indicating its recommendations in response to such findings. The findings of the Panel and the actions completed during project preparation also will be discussed in the Staff Appraisal Report when the project is submitted to the Executive Directors for financing. In all cases of a request made by an affected party, the Bank shall, within two weeks of the Executive Directors' consideration of the matter, inform such party of the results of the investigation and the action taken in its respect, if any.

Decisions of the Panel

24. All decisions of the Panel on procedural matters, its recommendations to the Executive Directors on whether to proceed with the investigation of a request, and its reports pursuant to paragraph 22, shall be reached by consensus and, in the absence of a consensus, the majority and minority views shall be stated.

Reports

25. After the Executive Directors have considered a request for an inspection as set out in paragraph 19, the Bank shall make such request publicly available together with the recommendation of the Panel on whether to proceed with the inspection and the decision of the Executive Directors in this respect. The Bank shall make publicly available the report submitted by the Panel pursuant to paragraph 22 and the Bank's response thereon within two weeks after consideration by the Executive Directors of the report.

26. In addition to the material referred to in paragraph 25, the Panel shall furnish an annual report to the President and the Executive Directors concerning its activities. The annual report shall be published by the Bank.

Review

27. The Executive Directors shall review the experience of the inspection function established by this Resolution after two years from the date of the appointment of the first members of the Panel.

Application to IDA projects

28. In this resolution, references to the Bank and to loans include references to the Association and to development credits.

REVIEW OF THE RESOLUTION ESTABLISHING THE INSPECTION PANEL CLARIFICATION OF CERTAIN ASPECTS OF THE RESOLUTION

The Resolution establishing the Inspection Panel calls for a review after two years from the date of appointment of the first panel members. On October 17, 1996, the Executive Directors of the Bank and IDA completed the review process (except for the question of inspection of World Bank Group private sector projects) by considering and endorsing the clarifications recommended by Management on the basis of the discussions of the Executive Directors' Committee on Development Effectiveness (CODE). The Inspection Panel and Management are requested by the Executive Directors to observe the clarifications in their application of the Resolution. The clarifications are set out below.

The Panel's Function

Since the Resolution limits the first phase of the inspection process to ascertaining the eligibility of the request, this phase should normally be completed within the 21 days stated in the Resolution. However, in cases where the Inspection Panel believes that it would be appropriate to undertake a "preliminary assessment" of the damages alleged by the requester (in particular when such preliminary assessment could lead to a resolution of the matter without the need for a full investigation), the Panel may undertake the preliminary assessment and indicate to the Board the date on which it would present its findings and recommendations as to the need, if any, for a full investigation. If such a date is expected by the Panel to exceed eight weeks from the date of receipt of Management's comments, the Panel should seek Board approval for the extension, possibly on a "no-objection" basis. What is needed at this preliminary stage is not to establish that a serious violation of the Bank's policy has actually resulted in damages suffered by the affected party, but rather to establish whether the complaint is *prima facie* justified and warrants a full investigation because it is eligible under the Resolution. Panel investigations will continue to result in "findings" and the Board will continue to act on investigations on the basis of recommendations of Management with respect to such remedial action as may be needed.

Eligibility and Access

It is understood that the "affected party," which the Resolution describes as "a community of persons such as an organization, association, society or other grouping of individuals," includes any two or more persons who share some common interests or concerns. The word "project" as used in the Resolution has the same meaning as it generally has in the Bank's practice, and includes projects under consideration by Bank management as well as projects already approved by the Executive Directors.

The Panel's mandate does not extend to reviewing the consistency of the Bank's practice with *any* of its policies and procedures, but, as stated in the Resolution, is limited to cases of alleged failure by the Bank to follow its operational policies and procedures *with respect to the design, appraisal and/or implementation of projects*, including cases of alleged failure by the bank to follow up on the borrowers' obligations under loan agreements, with respect to such policies and procedures.

No procurement action is subject to inspection by the Panel, whether taken by the Bank or by a borrower. A separate mechanism is available for addressing procurement-related complaints.

Outreach

Management will make its response to requests for inspection available to the public within three days after the Board has decided on whether to authorize the inspection. Management will also make available to the public opinions of the General Counsel related to Inspection Panel matters promptly after the Executive Directors have dealt with the issues involved, unless the Board decides otherwise in a specific case.

Management will make significant efforts to make the Inspection Panel better known in borrowing countries, but will not provide technical assistance or funding to potential requesters.

Composition of the Panel

No change in the composition of the Panel is being made at this time.

Role of the Board

The Board will continue to have authority to (i) interpret the Resolution and (ii) authorize inspections. In applying the Resolution to specific cases, the Panel will apply it as it understands it, subject to the Board's review. As stated in the Resolution, "[t]he Panel shall seek the advice of the Bank's Legal Department on matters related to the Bank's rights and obligations with respect to the request under consideration."

October 17, 1996

Operating Procedures

as adopted by the Panel on August 19, 1994

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INTRODUCTION

The Inspection Panel (the Panel) is an independent forum established by the Executive Directors of the International Bank for Reconstruction and Development (IBRD) and the International Development Association (IDA) by IBRD Resolution No. 9310 and the identical IDA Resolution No. 936 both adopted by the Executive Directors of the respective institutions on September 22, 1993 (collectively the Resolution). The text of the Resolution is in Annex I. References in these procedures to the "Bank" includes the IBRD and IDA. [NOTE: Quotes removed here and on p.35 to be consistent with rest of ms.]

The Panel's authority is dictated by the Resolution: within that framework, these Operating Procedures are adopted by the Panel to provide detail to the operational provisions. The text is based on the Resolution and takes into account suggestions from outside sources.

In view of the unprecedented nature of the new inspection function the current procedures are provisional: the Panel will review them within 12 months, and in light of experience and comments received, will revise them if necessary; and will recommend to the Executive Directors amendments to the Resolution that would allow a more effective role for the Panel.

Composition

The Panel consists of three Inspectors. At the outset, one Inspector, the Chairperson, will work on a fulltime basis: the other two will work parttime. This arrangement is provisional. The Panel's workload will be dictated by the number and nature of requests received. If necessary, the Panel will recommend alternative arrangements to the Executive Directors.

Purpose

The Panel has been established for the purpose of providing people directly and adversely affected by a Bankfinanced project with an independent forum through which they can request the Bank to act in accordance with its own policies and procedures. It follows that this forum is available when adversely affected people believe the Bank itself has failed, or has failed to require others, to comply with its policies and procedures, and only after efforts have been made to ask the Bank Management (Management) itself to deal with the problem.

Functions

The role of the Panel is to carry out independent investigations. Its function, which will be triggered when it receives a request for inspection, is to inquire and recommend: it will make a preliminary review of a request for inspection and the response of Management, independently assess the information, and then recommend to the Board of Executive Directors whether or not the matters complained of should be investigated. If the Board decides that a request shall be investigated, the Panel will collect information and provide its findings, independent assessment and conclusions to the Board. On the basis of the Panel's findings and Management's recommendations, the Executive Directors will consider the actions, if any, to be taken by the Bank.

Participants

During the preliminary review period up to the time the Panel makes a recommendation to the Board on whether or not the matter should be investigated the Panel will accept statements or evidence from (a) the Requester, i.e. either the affected people and/or their duly appointed representative, or an Executive Director; (b) Management; and, (c) any other individual or entity invited by the Panel to present information or comments.

During an investigation, any person who is either a party to the investigation or who provides the designated Inspector(s) with satisfactory evidence that he/she has an interest, apart from any interest in common with the public, will be entitled to submit information or evidence relevant to the investigation.

Administration

The Panel has approved separate Administrative Procedures which are available from the Office of The Inspection Panel.

Please note that all headings are for ease of reference only. They do not form part of these procedures and do not constitute an interpretation thereof.

SUBJECT MATTER OF REQUESTS

Scope

1. The Panel is authorized to accept requests for inspection (Request(s)) which claim that an actual or threatened material adverse effect on the affected party's rights or interests arises directly out of an action or omission of the Bank as a result of a failure by the Bank to follow its own operational policies and procedures during the design, appraisal and/or implementation of a Bank financed project. Before submitting a Request, steps must have already been taken (or efforts made) to bring the matter to the attention of Management with a result unsatisfactory to the Requester.

Limitations

2. The Panel is not authorized to deal with the following:

- (a) complaints with respect to actions that are the responsibility of other parties, such as the borrower, or potential borrower, and that do not involve any action or omission on the part of the Bank;
- (b) complaints against procurement decisions by Bank borrowers from suppliers of goods and services financed or expected to be financed by the Bank under a loan/credit

- agreement, or from losing tenderers for the supply of any such goods and services, which will continue to be addressed by Bank staff under existing procedures;
- (c) Requests filed after the Closing Date of the loan/credit financing the project with respect to which the Request is filed or when 95 percent or more of the loan/credit proceeds have been disbursed; or
 - (d) Requests related to a particular matter or matters over which the Panel has already made its recommendation after having received a prior Request, unless justified by new evidence or circumstances not known at the time of the prior Request.

PREPARATION OF A REQUEST

3. The Panel's operational proceedings begin when a Request is received. This section of the procedures is primarily designed to give further guidance to potential Requesters on what facts and explanations they should provide.

A. Who Can File a Request

4. The Panel has authority to receive Requests that complain of a violation of the Bank's policies and procedures from the following people or entities:

- (a) any group of two or more people in the country where the Bank financed project is located who believe that as a result of the Bank's violation 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 grouping of individuals; or
- (b) a duly appointed local representative acting on explicit instructions as the agent of adversely affected people; or
- (c) in exceptional cases, referred to in paragraph 11 below, a foreign representative acting as agent of adversely affected people; or
- (d) an Executive Director of the Bank in special cases of serious alleged violations of the Bank's policies and procedures.

B. Contents of a Request

5. In accordance with the Resolution, Requests should contain the following information:

- (a) a description of the project, stating all the relevant facts including the harm suffered by or threatened to the affected party;
- (b) an explanation of how Bank policies, procedures, or contractual documents were seriously violated;
- (c) a description of how the act or omission on the part of the Bank has led, or may lead to, a violation of the specific provision;
- (d) a description of how the party was, or is likely to be, materially and adversely affected by the Bank's act or omission and what rights or interests of the claimant were directly affected;

- (e) a description of the steps taken by the affected party to resolve the violations with Bank staff, and explanation of why the Bank's response was inadequate;
- (f) in Requests relating to matters previously submitted to the Panel, a statement specifying what new evidence or changed circumstances justify the Panel's revisiting the issue; and
- (g) if some of the information cannot be provided, an explanation should be included.

C. Form of Request

Written

6. All Requests must be submitted in writing, dated and signed by the Requester, and contain his/her name and contact address.

Format

7. No specific form is necessary: a letter will suffice. A Requester may wish to refer to the guidance and use the model form specifying required information (Attached as Annex 2).

Language

8. The working language of the Panel is English. Requests submitted directly by affected people themselves may be in their local language if they are unable to obtain a translation. If requests are not in English, the time needed to translate and ensure an accurate and agreed translation may delay acceptance and consideration by the Panel.

Representatives

9. If the Requester is a directly affected person or entity representing affected people, written signed proof that the representative has authority to act on their behalf must be attached.

10. If the Request is submitted by a nonaffected representative, he/she must provide evidence of representational authority and the names and contact address of the party must be provided. Proof of representational authority, which shall consist of the original signed copy of the affected party's explicit instructions and authorization, must be attached.

11. In addition, in the cases of nonlocal representation, the Panel will require clear evidence that there is no adequate or appropriate representation in the country where the project is located.

Documents

12. The following documents should be attached:

- (a) all correspondence with Bank staff;
- (b) notes of meetings with Bank staff;
- (c) a map or diagram, if relevant, showing the location of the affected party or area affected by the project; and
- (d) any other evidence supporting the complaint.

13. If all the information listed cannot be provided an explanation should be included.

D. Delivery of Request

14. Requests must be sent by registered or certified mail, or delivered by hand in a sealed envelope against receipt to the Office of The Inspection Panel at 1818 H Street, N.W., Washington, D.C. 20433, U.S.A., or to the Bank's resident representative in the country where the project is located. In the latter case, the resident representative shall, after issuing a receipt to the Requester, forward the Request to the Panel through the next pouch.

E. Advice on Preparation

15. People or entities seeking advice on how to prepare and submit a Request may contact the Office of The Inspection Panel, which will provide information or may meet and discuss the requirements with potential requesters.

PROCEDURES ON RECEIPT OF A REQUEST

16. When the Panel receives a Request, the Chairperson, on the basis of the information contained in the Request, shall either promptly register the Request, or ask for additional information, or find the Request outside the Panel's mandate.

A. Register

17. If the request, appears to contain sufficient required information the Chairperson shall register the Request in the Panel Register; promptly notify the Requester, the Executive Directors, and the Bank President (President) of the registration; and transmit to the President a copy of the Request with the accompanying documentation, if any.

Contents of Notice

18. The notice of registration shall:

- (a) record that the Request is registered and indicate the date of the registration and dispatch of that notice;
- (b) include the name of the project, the country where the project is located, the name of the Requester unless anonymity is requested, and a brief description of the Request;
- (c) notify the Requester that all communications in connection with the Request will be sent to the address stated in the Request, unless another address is indicated to the Panel Secretariat; and
- (d) request Management to provide the Panel, within 21 days after receipt of the notice and Request, with written evidence that it has complied, or intends to comply with the Bank's relevant policies and procedures. The notice shall specify the due date of the response.

B. Request Additional Information

19. If the Chairperson finds the contents of the Request or documentation on representation insufficient, he/she may ask the Requester to supply further information.

20. Upon receipt of a Request, the Chairperson shall send a written acknowledgement to the Requester, and will specify what additional information is required.

21. The Chairperson may refuse to register a Request until all necessary information and documentation is filed.

C. Outside Scope

22. If the Chairperson finds, that the matter is without doubt manifestly outside the Panel's mandate, he/she will notify the Requesters, of his/her refusal to register the Request and of the reasons therefor; this will include but not be limited to the following types of communications:

- (a) Requests that are clearly outside the Panel's mandate including those listed above at paragraph 2;
- (b) Requests that do not show the steps taken or effort made to
- (c) Requests from an individual or from a nonauthorized representative of an affected party;
- (d) any correspondence, including but not limited to letters, memoranda, opinions, submissions, or requests on any matter within the Panel's mandate that are not requests for an inspection; and
- (e) Requests that are manifestly frivolous, absurd, or anonymous.

Records

23. The number of such Requests and communications received shall be noted in the Register on a quarterly basis and the yearly total included in the Annual Report.

D. Need for Review

24. In cases where additional information is required, or where it is not clear whether a Request is manifestly outside the Panel's mandate, the Chairperson shall designate a Panel member to review the Request.

E. Revised Request

25. If the Requester receives significant new evidence or information at any time after the initial Request was submitted, he/she may consider whether or not it is serious enough to justify the submission of a revised Request.

26. If a revised Request is submitted, the time periods for Management's response and the Panel recommendation will begin again from the time such Request is registered.

MANAGEMENT'S RESPONSE

27. Within 21 days after being notified of a Request, Management shall provide the Panel with evidence that it has complied, or intends to comply with the Bank's relevant policies and procedures. After the Panel receives Management's response, it shall promptly enter the date of receipt in the Panel Register.

28. If there is no response from Management within 21 days, the Panel shall notify the President and the Executive Directors and send a copy to the Requester.

Clarification

29. In order to make an informed recommendation, the Panel may request clarification from Management; in the light of Management's response, request more information from the Requester; and provide relevant portions of Management's response for comment. A time limit for receipt of the information requested shall be specified; and

- (a) whether or not such clarification or information is received within the time limit, make its recommendation to the Executive Directors within 21 days after receipt of Management's response; or
- (b) in the event it is not possible for the Requester to provide the information quickly, the Panel may advise the Requester to submit an amended Request; the Executive Directors and Bank Management will be notified that the process will begin again when the amended Request is received.

PANEL RECOMMENDATION

30. Within 21 days after receiving Management's response, the Panel shall make a recommendation to the Executive Directors as to whether the matter should be investigated.

A. Basis

31. The Panel shall prepare its recommendation to the Board on the basis of the information contained in:

- (a) the Request;
- (b) Management's response;
- (c) any further information the Panel may have requested and received from the Requester and/or Management and/or third parties; and
- (d) any findings of the Panel during this stage.

B. Required Criteria

32. If, on the basis of the information contained in the Request, it has not already been established that the Request meets the following three conditions required by the Resolution, the Chairperson, in consultation with the other Panel members may, if necessary, designate a Panel member to conduct a preliminary review to determine whether the Request:

- (a) was filed by an eligible party;
- (b) is not timebarred; and
- (c) relates to a matter falling within the Panel's mandate.

Criteria for Satisfactory Response

33. The Panel may proceed to recommend that there should not be an investigation, if, on the basis of the information contained in the Request and Management's response, the Panel is satisfied that Management has done the following:

- (a) dealt appropriately with the subject matter of the Request; and
- (b) demonstrated clearly that it has followed the required policies and procedures; or
- (c) admitted that it has failed to follow the required policies and procedures but has provided a statement of specific remedial actions and a timetable for implementing them, which will, in the judgment of the Panel, adequately correct the failure and any adverse effects such failure has already caused.

Preliminary Review

34. If, on the basis of the information contained in Management's response and any clarifications provided, the Panel is satisfied that Management has failed to demonstrate that it has followed, or is taking adequate steps to follow the Bank's policies and procedures, the Panel will conduct a preliminary review in order to determine whether conditions required by provisions of the Resolution exist.

35. Although it may not investigate Management's actions in depth at this stage, it will determine whether Management's failure to comply with the Bank's policies and procedures meets the following three conditions:

- (a) whether such failure has had, or threatens to have, a material adverse effect;
- (b) whether, the alleged violation of the Bank's policies and procedures are, in the judgment of the Panel, of a serious character; and
- (c) whether remedial actions proposed by Management do not appear adequate to meet the concerns of the Requester as to the application of the Bank's policies and procedures.

Initial Study

36. If the Chairperson considers, after the preliminary review and consultation with the other Panel members, that factual data not already provided by the Requester, Management, or any other source is required to make an informed recommendation to the Executive Directors, he/she may designate a Panel member to undertake a preliminary study. The study may include, but need not be limited to, a desk study and/or a visit to the project site.

C. Contents

37. On the basis of the review, the Panel shall make its recommendation to the Board as to whether the matter should be investigated. Every recommendation shall include a clear explanation setting forth reasons for the recommendation and be accompanied by:

- (a) the text of the Request and, where applicable, any other relevant information provided by the Requester;
- (b) the text of Management's response and, where applicable, any clarifications provided;
- (c) the text of any advice received from the Bank's Legal Department;
- (d) any other relevant documents or information received; and
- (e) statements of the majority and minority views in the absence of a consensus by the Panel.

D. Submission

38. The recommendation shall be circulated by the Executive Secretary of the Panel to the Executive Directors for decision. The Panel will notify the Requester that a recommendation has been sent to the Executive Directors.

BOARD DECISION AND PUBLIC RELEASE

39. The Board decides whether or not to accept or reject the Panel's recommendation; and, if the Requester is a nonlocal representative, whether exceptional circumstances exist and suitable local representation is not available.

Notification

40. The Panel shall promptly inform the Requester of the Board's decision on whether or not to investigate the Request and shall send the Requester a copy of the Panel's recommendation.

Public Information

41. After the Executive Directors have considered a Request the Bank shall make such Request publicly available together with the Panel's recommendation on whether to proceed with the inspection and the decision of the Executive Directors in this respect.

AN INVESTIGATION

A. Initial Procedures

42. When a decision to investigate a Request is made by the Board, or the Board itself requests an investigation, the Chairperson shall promptly:

- (a) designate one or more of the Panel's members (Inspector(s)) to take primary responsibility for the investigation;
- (b) arrange for the Panel members to consult, taking into account the nature of the particular Request, on:
 - (i) the methods of investigation that at the outset appear the most appropriate;
 - (ii) an initial schedule for the conduct of the investigation;
 - (iii) when the Inspector(s) shall report his/her (their) findings to the Panel, including any interim findings; and
 - (iv) any additional procedures for the conduct of the investigation.

43. The designated Inspector(s) shall, as needed, arrange for a meeting with the Requester and schedule discussions with directly affected people.

44. The name of the Inspector(s) and an initial work plan shall be made public as soon as possible.

B. Methods of Investigation

45. The Panel may, taking into account the nature of the particular Request, use a variety of investigatory methods, including but not limited to:

- (a) meetings with the Requester, affected people, Bank staff, government officials and project authorities of the country where the project is located, representatives of local and international nongovernmental organizations;
- (b) holding public hearings in the project area;
- (c) visiting project sites;
- (d) requesting written or oral submissions on specific issues from the Requester, affected people, independent experts, government or project officials, Bank staff, or local or international nongovernmental organizations;
- (e) hiring independent consultants to research specific issues relating to a Request;
- (f) researching Bank files; and
- (g) any other reasonable methods the Inspector(s) consider appropriate to the specific investigation.

Consent Required

46. In accordance with the Resolution, physical inspection in the country where the project is located will be carried out with prior consent. The Chairperson shall request the Executive Director representing such country to provide written consent.

C. Participation of Requester

47. During the course of the investigation, in addition to any information requested by the Inspector(s), the Requester (and affected people if the Requester is a nonaffected Representative or an Executive Director) or Bank staff may provide the Inspector(s) either directly or through the Executive Secretary with supplemental information that they believe is relevant to evaluating the Request.

48. The Inspector(s) may notify the Requester of any new material facts provided by Bank staff or by the Executive Director for, or authorities in, the country where the project is located.

49. To facilitate understanding of specific points, the Panel may discuss its preliminary findings of fact with the Requester.

D. Participation of Third Parties

50. During the course of the investigation, in addition to any information requested by the Inspector(s), any member of the public may provide the Inspector(s), either directly or through the Executive Secretary, with supplemental information that they believe is relevant to evaluating the Request.

51. Information should not exceed 10 pages and include a onepage summary. Supporting documentation may be listed and attached. The Inspector(s) may request more details if necessary.

PANEL REPORT

Contents

52. The report of the Panel (the Report) shall include the following:

- (a) a summary discussion of the relevant facts and of the steps taken to conduct the investigation;
- (b) a conclusion showing the Panel's findings on whether the Bank has complied with relevant Bank policies and procedures;
- (c) a list of supporting documents will be available on request from the Office of The Inspection Panel; and
- (d) statements of the majority and minority views in the absence of a consensus by the Panel.

Submission

53. Upon completion of the Report, the Panel shall submit it to:

- (a) the Executive Directors: accompanied by notification that the Report is being submitted to the President on the same date; and
- (b) the President: accompanied by a notice against receipt that within six weeks of receipt of the Report, Management must submit to the Executive Directors for their consideration a report indicating Management's recommendations in response to the Panel's findings.

MANAGEMENT'S RECOMMENDATIONS

54. Within six weeks after receiving the Panel's findings, Management will submit to the Executive Directors for their consideration a report indicating its recommendations in response to the Panel's findings. Upon receipt of a copy of the report, the Panel will notify the Requester.

BOARD DECISION AND PUBLIC RELEASE

55. Within two weeks after the Executive Directors consider the Panel's Report and the Management's response, the Bank shall inform the Requester of the results of the investigation and the action decided by the Board, if any.

56. After the Bank has informed the Requester, the Bank shall make publicly available:

- (a) the Panel's Report;
- (b) Management's recommendations; and
- (c) the Board's decision.

These documents will also be available at the Office of The Inspection Panel.

57. The Panel will seek to enhance public awareness of the results of investigations through all available information sources.

GENERAL

Business Days

58. "Days" under these procedures means days on which the Bank is open for business in Washington, D.C.

Copies

59. Consideration of Requests and other documents submitted throughout the process will be expedited if an original and two copies are filed. When any document contains extensive supporting documentation, the Panel may ask for additional copies.

Consultations

60. The borrower and the Executive Director representing the borrowing (or guaranteeing) country shall be consulted on the subject matter before the Panel's recommendation and during an investigation.

Access to Bank Staff and Information

61. Pursuant to the Resolution and in discharge of their functions, the members of the Panel shall have access to all Bank staff who may contribute information and to all pertinent Bank records and shall consult as needed with the Director General, Operations Evaluation Department, and the Internal Auditor.

Legal Advice

62. The Panel shall seek, through the Vice President and General Counsel of the Bank, the written advice of the Bank's Legal Department on matters related to the Bank's rights and obligations with respect to the Request under consideration. Any such advice will be included as an attachment to the Panel's recommendation and/or Report to the Executive Directors.

Confidentiality

63. Documents, or portions of documents of a confidential nature will not be released by the Panel without the express written consent of the party concerned.

Information to Requester and Public

64. The Executive Secretary shall record in the Register all actions taken in connection with the processing of the Request, the dates thereof, and the dates on which any document or notification under these procedures is received in or sent from the Office of The Inspection Panel. The Requester shall be informed promptly. The Register will be publicly available.

65. A notice that a Request has been registered and all other notices or documents issued by the Panel will be available to the public through the Bank's PIC in Washington, D.C.; at the Bank's Resident Mission in the country where the project is located or at the relevant regional office; at the Bank's Paris, London, and Tokyo offices; or on request from the Executive Secretary of the Panel.

GUIDANCE ON HOW TO PREPARE A REQUEST FOR INSPECTION

The Inspection Panel needs some basic information in order to process a Request for Inspection:

1. Name, contact address, and telephone number of the group or people making the request.
2. Name and description of the Bank project.
3. Adverse effects of the Bank project.
4. If you are a representative of affected people attach explicit written instructions from them authorizing you to act on their behalf.

These key questions must be answered:

1. Can you elaborate on the nature and importance of the damage caused by the project to you or those you represent?
2. Do you know that the Bank is responsible for the aspects of the project that has or may affect you adversely? How did you determine this?
3. Are you familiar with Bank policies and procedures that apply to this type of project? How do you believe the Bank may have violated them?
4. Have you contacted or attempted to contact Bank staff about the project? Please provide information about all contacts, and the responses, if any, you received from the Bank. You must have done this before you can file a request.
5. Have you tried to resolve your problem through any other means?
6. If you know that the Panel has dealt with this matter before, do you have new facts or evidence to submit?

Please provide a summary of the information in no more than a few pages. Attach as much other information as you think necessary as separate documents. Please note and identify attachments in your summary.

You may wish to use the attached model form.

MODEL FORM:
REQUEST FOR INSPECTION

TO: THE INSPECTION PANEL: 1818 H St., N.W., Washington, D.C. 20433, U.S.A.

We, _____, and _____, and other persons whose names and addresses are attached live/represent others, living in the area known as _____ [and shown in the attached map or diagram] claim the following:

1. The Bank is financing the design/appraisal and/or implementation of a project [name and brief description]

2. We understand that the Bank has the following policy(ies) and/or procedures [list or describe]:

3. Our rights/interests are [describe]:

4. The Bank has violated its own policies/procedures in this way:

5. We believe our rights/interests have been, or are likely to be, adversely affected as a direct result of the Bank's violation. This is causing, or is likely to cause, us to suffer [describe harm]:

6. We believe the action/omission is the responsibility of the Bank.

7. We have complained/made an effort to complain to Bank staff by [describe]:

Please attach evidence or explanation.

8. We received no response; or
We believe that the response(s) (attached/not attached) is unsatisfactory because:[describe why]:

9. In addition we have taken the following steps to resolve our problem:

We therefore believe that the above actions/omissions, which are contrary to the above policies or procedures, have materially and adversely affected our rights/interests and request the Panel to recommend to the Bank's Executive Directors that an investigation of these matters be carried out in order to resolve the problem.

As advised in your Operating Procedures, this Request for Inspection is brief. We can provide you with more particulars.

DATE: _____
SIGNATURES: _____
CONTACT ADDRESS: _____

Attachments: [Yes][No]
We authorize you to make this
Request public [Yes][No]

Inspection Panel Documents

All documents are available from the World Bank Public Information Centers. The list was taken from the Inspection Panel internet home page which the Panel updates constantly. The list does not include academic and other commentaries on the creation and operations of the Panel.

General

Inspection Panel Operating Procedures (August 1994) (English, French, Spanish, Portuguese)

Inspection Panel Overview (Rev. June 1997) (English, French, Spanish, Portuguese)

Biographical Summaries of Panel Members

Information Releases:

New Independent Inspection Panel Office Opens (September 1994)

Decision of the Executive Directors of IBRD & IDA on Panel's mandate over Procurement Matters (April 1995)

Election of the Chairperson (August 1995)

Election of the Chairperson (July 1996)

Election of the Chairperson (July 1997)

Appointment of New Panel Member (August 1997)

Request for Inspection #1

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection—Nepal: Arun III Hydroelectric Project—Notification of Registration," (November 3, 1994).

Request for Inspection—Nepal: Arun III Hydroelectric Project—Notice of Registration.

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection: Panel Report—Nepal: Arun III Hydroelectric Project (Credit 2029-NEP)," (December 16, 1994).

The Inspection Panel: "Note for the Executive Directors in Response to a Question from an Executive Director on the Request for Inspection: Nepal—Proposed Arun III Hydroelectric Project and Restructuring of the May 1989 IDA Credit-2029 (Nepal—Arun III Access Road)," (January 9, 1995).

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection—Nepal: Arun III Hydroelectric Project," (January 20, 1995).

Board of Executive Directors of the International Development Association (“IDA”): Decision authorizing an inspection of the Proposed Arun III Hydroelectric Project, (February 2, 1995). (Text in the World Bank Information Release of February 2, 1995.)

The Inspection Panel: Memorandum to the Executive Directors re: “Nepal: Proposed Arun III Hydroelectric Project—Initial Work Plan for Investigation,” (February 15, 1995).

The Inspection Panel: Note to the Executive Directors re: “Request for Inspection Nepal: Proposed Arun III Hydroelectric Project—Note on Investigation by the Inspection Panel,” (April 3, 1995).

The Inspection Panel: Note to the Executive Directors re: “Nepal: Arun III Proposed Hydroelectric Project and Restructuring of IDA Credit-2029—Note on Investigation by the Inspection Panel,” dated May 31, 1995.

The Inspection Panel: Memorandum to the Executive Directors re: “The Inspection Panel Investigation Report—Nepal: Arun III Proposed Hydroelectric Project and Restructuring of IDA Credit-2029-NEP,” (June 22, 1995).

Arun III Hydroelectric Project: President’s Memorandum to the Executive Directors on: “Management Response to the Inspection Panel’s Investigation Report of June 21, 1995,” (August 2, 1995).

Information Releases:

First Request for Inspection—NEPAL: ARUN III (November 4, 1994)

NEPAL: Arun III Hydroelectric Project—Response from Bank Management (November 23, 1994)

Inspection of Arun III Hydroelectric Project Authorized (February 3, 1995)

Proposed Arun III Hydroelectric Project—Inspection Panel Investigation Report (June 23, 1995)

Request for Inspection #2

The Inspection Panel: Note to the Executive Directors re: “Request for Inspection: Compensation for Expropriation and Extension of IDA Credits to Ethiopia,” (April 4, 1995).

The Inspection Panel: Memorandum to the Executive Directors re: “Request for Inspection: Compensation for Expropriation and Extension of IDA Credits to Ethiopia,” (May 19, 1995).

Request for Inspection #3

The Inspection Panel: Memorandum to the Executive Directors re: “Request for Inspection: Tanzania: Power VI Project (Cr. 2489-TA)—Notification of Registration,” (June 16, 1995).

Request for Inspection—Tanzania: Power VI Project (Cr. 2489-TA)—Notice of Registration.

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection: Tanzania: Power VI Project (Cr. 2489TA)—Panel Recommendation," (August 15, 1995).

Memorandum from the Vice President and Secretary re: "Inspection Panel—Request for Inspection—Tanzania: Power VI Project (Cr. 2489TA)—Panel Recommendation," (August 18, 1995).

Information Releases:

TANZANIA: Power VI Project (June 20, 1995)

TANZANIA: Power VI Project (July 25, 1995)

TANZANIA: Power VI Project (August 25, 1995)

TANZANIA: Power VI Project (September 26, 1995)

Request for Inspection #4

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection: Brazil—Rondônia Natural Resources Management Project (Loan 3444-BR)—Notification of Registration," (June 19, 1995).

Request for Inspection—Brazil—Rondônia Natural Resources Management Project (Loan 3444-BR)—Notice of Registration.

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection: Brazil—Rondônia Natural Resources Management Project (Loan 3444-BR)—Panel Recommendation," (August 17, 1995).

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection: Brazil—Rondônia Natural Resources Management Project (Loan 3444-BR)—Report on Additional Review," (December 12, 1995).

Status Report submitted to the "BRAZIL: Rondônia Natural Resources Management Project (Ln. 3444-BR) Status Report," (December 20, 1995).

Submitted to the "BRAZIL: Rondônia Natural Resources Management Project (PLANAFLORO Project) (Ln. 3444-BR) Additional Information," (March 27, 1996).

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection: Brazil—Rondônia Natural Resources Management Project—(Ln. 3444-BR) Report on Review of Progress in Implementation," (March 25, 1997).

Information Releases:

BRAZIL: Rondônia Natural Resources Management Project (June 20, 1995)

BRAZIL: Rondônia Natural Resources Management Project (July 25, 1995)

BRAZIL: Rondônia Natural Resources Management Project (August 25, 1995)

BRAZIL: Rondônia Natural Resources Management Project (January 23, 1996)

BRAZIL: Rondônia Natural Resources Management Project (January 25, 1996)

Inspection Panel Finds Mixed Results in Brazilian Amazon Project (April 10, 1997)

Request for Inspection #5

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection: Alleged Policy Violations by IFC in the Financing of Hydroelectric Dams in the Biobío River in Chile," (December 1, 1995).

Information Release:

CHILE: Alleged Policy Violations by IFC in the Financing of Hydroelectric Dams in the Biobío River (January 23, 1996)

Request for Inspection #6

The Inspection Panel: Memorandum to the Executive Directors re: "Request for Inspection: Bangladesh: Jamuna Bridge Project (Credit 2569-BD)," (August 26, 1996).

Request for Inspection—Bangladesh: Jamuna Bridge Project (Credit 2569-BD)—Notice of Registration.

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Bangladesh: Jamuna Bridge Project (Credit 2569-BD)—Extension of Initial Review Period," (October 10, 1996).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Bangladesh: Jamuna Bridge Project (Credit 2569-BD)—Panel Report and Recommendation," (November 26, 1996).

Information Releases:

Inspection Panel Receives Request to Investigate Jamuna Bridge Project—Bangladesh (August 27, 1996)

Request for Inspection: Jamuna Bridge Project (Credit 2569-BD) Management Response (September 24, 1996)

Request for Inspection: Jamuna Bridge Project (Credit 2569-BD)—Panel Report and Recommendation (November 26, 1996)

World Bank Accepts Inspection Panel Recommendation on Jamuna Bridge Project (April 8, 1997)

Request for Inspection #7

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Argentina/Paraguay: Yacyretá Hydroelectric Project—Notification of Registration," (October 1, 1996).

Request for Inspection—Argentina/Paraguay: Yacyretá Hydroelectric Project—Notice of Registration.

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Argentina/Paraguay: Yacyretá Hydroelectric Project—Note on the Investigation by the Inspection Panel," (December 9, 1996).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Argentina/Paraguay: Yacyretá Hydroelectric Project—Panel Report and Recommendation," (December 24, 1996).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Argentina/Paraguay: Yacyretá Hydroelectric Project," (February 13, 1997).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Argentina/Paraguay: Yacyretá Hydroelectric Project," (February 28, 1997).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Argentina/Paraguay: Yacyretá Hydroelectric Project," (June 12, 1997).

Information Releases:

Inspection Panel Receives Request to Investigate the Argentina/Paraguay: Yacyretá Hydroelectric Project (October 1, 1996)

Inspection Panel Receives Request to Investigate the Argentina/Paraguay: Yacyretá Hydroelectric Project—Management Response (November 6, 1996)

Inspection Panel Receives Request to Investigate the Argentina/Paraguay: Yacyretá Hydroelectric Project—Panel Report & Recommendation (December 24, 1996)

Yacyretá Dam Review (February 28, 1997)

Argentina/Paraguay: Yacyretá Dam Review (September 16, 1997)

Request for Inspection #8

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Bangladesh: Jute Sector Adjustment Credit 2567-BD—Notification of Registration," (November 25, 1996).

Request for Inspection: Bangladesh: Jute Sector Adjustment Credit 2567-BD—Notice of Registration.

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Bangladesh: Jute Sector Adjustment Credit 2567-BD—Initial Review Period," (January 23, 1997).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Bangladesh: Jute Sector Adjustment Credit 2567-BD—Extension Initial Review Period," (February 12, 1997).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Bangladesh: Jute Sector Adjustment Credit 2567-BD—Panel Report and Recommendation," (March 14, 1997).

Information Releases:

Inspection Panel Receives Request to Investigate Bangladesh: Jute Sector Adjustment Credit 2567-BD (November 25, 1996)

Inspection Panel Receives Request to Investigate Bangladesh: Jute Sector Adjustment Credit 2567-BD—Management Response (December 27, 1996)

Inspection Panel Receives Request to Investigate Bangladesh: Jute Sector Adjustment Credit 2567-BD—Panel Report and Recommendation (March 18, 1997)

World Bank Accepts Inspection Panel Recommendation on Bangladesh Jute Sector Reform Project (April 18, 1997)

Request for Inspection #9

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Itaparica Resettlement and Irrigation Project in Brazil—Notification of Registration," (March 19, 1997).

Request for Inspection: Itaparica Resettlement and Irrigation Project in Brazil—Notice of Registration.

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Itaparica Resettlement and Irrigation Project in Brazil—Initial Review Period," (May 28, 1997).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Itaparica Resettlement and Irrigation Project in Brazil—Panel Report and Recommendation," (June 24, 1997).

Information Releases:

Inspection Panel Receives Request to Investigate the Itaparica Resettlement and Irrigation Project (March 19, 1997)

World Bank Board Agrees to Action Plan for Itaparica Resettlement and Irrigation Project (September 10, 1997)

Request for Inspection #10

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: India: NTPC Power Generation Project (Loan 3632)—Notification of Registration," (May 2, 1997).

Request for Inspection: India: NTPC Power Generation Project (Loan 3632)—Notice of Registration

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: India: NTPC Power Generation Project (Loan 3632)," (July 2, 1997).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: India: NTPC Power Generation Project (Loan 3632)—Panel Report and Recommendation," (July 24, 1997).

Information Release:

Inspection Panel Receives Request to Investigate the NTPC Power Generation Project (Loan 3632) in India (May 7, 1997)

Request for Inspection #11

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: India: Ecodevelopment Project (Loan No. 29160-IN) (GEF Trust Fund Grant Number TF028479 IN)—Notification of Registration," (April 3, 1998).

Request for Inspection: India: Ecodevelopment Project (Loan No. 29160-IN) (GEF Trust Fund Grant Number TF028479 IN)—Notice of Registration

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: India: Ecodevelopment Project (Loan No. 29160-IN) (GEF Trust Fund Grant Number TF028479 IN)," (April 3, 1998).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: India: Ecodevelopment Project (Loan No. 29160-IN) (GEF Trust Fund Grant Number TF028479 IN) Extension: Preliminary Assessment Period."

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: India: Ecodevelopment Project (Loan No. 29160-IN) (GEF Trust Fund Grant Number TF028479 IN)—Panel Report and Recommendation," (October 21, 1998).

Information Releases:

Inspection Panel Receives Request to Investigate the Ecodevelopment Project (Loan No. 29160-IN) (GEF Trust Fund Grant Number TF028479 IN) in India (April 6, 1998)

Inspection Panel Announces Results of Review of India Ecodevelopment Project (December 22, 1998)

Request for Inspection #12

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Lesotho/South Africa: Proposed Loan for Phase IB of Lesotho Highlands Water Project," (May 15, 1998).

Request for Inspection: Lesotho/South Africa: Proposed Loan for Phase IB of Lesotho Highlands Water Project—Notice of Registration.

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Lesotho/South Africa: Proposed Loan for Phase IB of Lesotho Highlands Water Project," (May 15, 1998).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Lesotho/South Africa: Proposed Loan for Phase IB of Lesotho Highlands Water Project—Panel Report and Recommendation," (August 19, 1998).

Information Releases:

Inspection Panel Receives Request to Investigate Lesotho Highlands Water Project (May 15, 1998)

World Bank Board Agrees There Shall Be No Inspection Panel Investigation (September 3, 1998)

Request for Inspection #13

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Nigeria: Lagos Drainage and Sanitation Project (Credit No. 2517-UNI)," (June 26, 1998).

Request for Inspection: "Request for Inspection: Nigeria: Lagos Drainage and Sanitation Project (Credit No. 2517-UNI)—Notice of Registration.

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: Nigeria: Lagos Drainage and Sanitation Project (Credit No. 2517-UNI)," (June 26, 1998).

The Inspection Panel: Memorandum to the Executive Directors and Alternates re: "Request for Inspection: "Request for Inspection: Nigeria: Lagos Drainage and Sanitation Project (Credit No. 2517-UNI) – Panel Report and Recommendation," (November 6, 1998).

Information Release:

Inspection Panel Receives Request to Investigate the Lagos Drainage and Sanitation Project in Nigeria (June 26, 1998).

ANNEX 4

The Inspection Panel Expenses July 1, 1997 to June 30, 1998 (in U.S. dollars)

Fees—Panel Members	\$237.9
Salaries*	\$409.7
Temporaries	\$32.2
Consultants Short-term	\$14.0
Overtime	\$0.0
Travel—Members/Staff	\$107.4
Benefits*	\$287.2
Equipment/Contractual Services	\$35.4
Internal Computing/Other Costs	\$33.8
Office Occupancy	\$96.0
Total Expenses	\$1,253.6
Original Budget	\$1,690.1

* Includes the Chairman's salary



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