

THE INSPECTION PANEL ANNUAL REPORT JULY 1, 2015–JUNE 30, 2016



FOREWORD BY THE PRESIDENT OF THE WORLD BANK GROUP

Since its creation in 1993 as the first independent accountability mechanism at an international financial institution, the Inspection Panel has been integral to the work of the World Bank. Its investigations into the concerns of communities that believe they have been harmed by World Bank projects allow us to learn from our mistakes and to turn shortcomings into better outcomes as we work toward our ambitious goals of ending extreme poverty by 2030 and boosting shared prosperity.

In the past year, the Inspection Panel has taken several steps to maintain and to improve accountability at the World Bank and assist us in helping our partners implement transformational projects. Beyond its important investigations work, the Panel launched its “Emerging Lessons Series” of reports. The World Bank Group must acknowledge its errors and learn from them to become a stronger institution, and this series will help.

These reports look back at Panel cases over 22 years and identify important lessons. The first report, released in April 2016, details lessons from cases related to involuntary resettlement, an area where the World Bank Group must and will do better. I look forward to the Panel’s upcoming reports on what we have learned in cases involving indigenous peoples, environmental and social assessment, and requirements for consultation, participation, and disclosure of information.

The Panel also updated its Operating Procedures in fiscal year 2016 to enhance consultation with those who request investigations, as well as to facilitate the tracking of actions taken by Bank Management in response. On a pilot basis, the Panel will make its findings available to those who requested the investigation at the same time as they are shared with the Board of Executive Directors and Bank Management. The twice-yearly public release of reports tracking Management Action Plans represents another first. This will increase transparency in our operations.

A fundamental premise of the Inspection Panel is that people and communities affected by Bank projects are granted safe access to the Panel. This year the Panel became the first accountability mechanism at an international financial institution to issue guidelines intended to address retaliation. The guidelines will help the Panel to identify and monitor potential risks to those who request investigations, adopt preventive measures to address these risks, and identify appropriate responses if retaliation does occur.

Being accountable, learning from failure, and moving quickly to fix problems are central to the operations of any great institution. As has been true for more than two decades, the work of the Inspection Panel in this past year reflects our commitment to those tenets and to upholding the highest standards of international development.

Jim Yong Kim

*President, The World Bank Group
Washington, DC*



MESSAGE FROM THE PANEL

This past year has been an active and productive one, marked by activities aiming to strengthen the role the Panel plays in fostering accountability and learning within the World Bank. These activities have been designed to increase the effectiveness of Panel operations, enhance outreach to key stakeholders, and streamline the efficiency of our investigations.

A major initiative was the release of the first report in our **“Emerging Lessons Series.”** The idea behind the series is to identify lessons derived from Panel cases over its 22 years of existence to promote institutional knowledge and sustainable development outcomes. We started the series with the theme of involuntary resettlement, as this has been one of the most recurring issues in Panel cases. In the coming months, we will release emerging lessons reports on indigenous peoples, environmental and social assessment, and the requirements for consultation, participation, and disclosure of information. The series has been welcomed by civil society, academics focusing on accountability, and the Bank’s Board and Management as a constructive contribution to institutional learning.

Understanding that people who come to the Panel are often vulnerable and lack influence, and may feel pressure not to raise complaints, we issued **guidelines aimed at reducing the risk of retaliation** against those requesting Panel investigations. With the implementation of these guidelines, we will foster a safer environment for those who seek to express their concerns to us.

To help enhance meaningful consultations with those who ask for investigations, we updated our Operating Procedures so that, on a pilot basis, the findings in Panel investigation reports will be disclosed confidentially to the Requesters at the same time that the report goes to the Bank’s Board of Executive Directors and Management. This should help level the playing field.

Although the Panel is the first independent accountability mechanism (IAM), it plays no role in following up its investigations. A second change to our **Operating Procedures**, therefore, involves Bank Management preparing and making public biannual reports tracking progress in implementing Management Action Plans approved by the Board in response to Panel investigations.

Always seeking to collaborate with other IAMs on innovative solutions, the Panel this past year completed a joint investigation in Kenya in partnership with

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Inspection Panel members (from left to right): Gonzalo Castro de la Mata (chairman), Zeinab Bashir Elbakri, and Jan Mattsson.

the European Investment Bank's Complaints Mechanism (EIB-CM). As a result, the Board approved the Bank's cooperation with the EIB-CM on a mediation process. Bank Management will report back to the Board on the result of that process and the actions agreed by the parties responding to Panel findings.

Over the past year the Panel also continued its efforts to engage with key stakeholders, including holding outreach and knowledge-sharing events in several regions around the globe and continuing to enhance our social media and online presence. We have substantially revamped our electronic tools, including improving our website and actively disseminating procedural decisions via Twitter.

Of course the "bread and butter" of our work remains our investigations. As described in more detail elsewhere in this report, the Panel this year undertook complex investigations involving cases in Uganda and Kosovo, with both reports going to the Board in the summer of 2016. As the new fiscal year began, the Board approved Panel recommendations to defer decisions on whether to investigate requests from Mongolia and Armenia, and the Panel was reviewing new complaints from Colombia and Uganda to determine their admissibility.

The Panel thanks the Executive Directors for their steadfast support. We also thank Dr. Jim Yong Kim, the President of the World Bank Group, and senior Management and staff for their continued supportive interaction with the Panel. The Panel expresses its sincere gratitude to complainants for their trust in our accountability role. We are also grateful for the engagement with civil society and other stakeholders and for their efforts in promoting accountability and transparency. Finally, we wish to record our appreciation to the staff of the Secretariat, whose professionalism and dedication are critical to the Panel's success.

We look forward to another meaningful year furthering the Panel's mandate in response to the requests from affected people to ensure that Bank projects are being carried out in compliance with its operational policies and procedures. Improved projects implemented in a context of transparency and accountability are central to our effectiveness, and we will continue to work hard toward attaining this goal.

Gonzalo Castro de la Mata, *Chairman*
Zeinab Bashir Elbakri
Jan Mattsson



ANNUAL REPORT

JULY 1, 2015–JUNE 30, 2016





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PANEL DESCRIPTION

WHAT IS THE INSPECTION PANEL?

The Inspection Panel is an independent complaints mechanism for people and communities who believe that they have been, or are likely to be, adversely affected by a World Bank–funded project. The Bank’s Board of Executive Directors created the Panel in 1993 to ensure that people have access to an independent body to express their concerns and seek recourse.

The Panel is an impartial fact-finding body, independent from the World Bank Management and staff, reporting directly to the Board. Its process aims to promote accountability at the World Bank, give affected people a greater voice in activities supported by the Bank that affect their rights and interests, and foster redress when warranted.

HOW DOES THE INSPECTION PANEL WORK?

In response to complaints from project-affected people, the Panel has a mandate to review projects funded by the World Bank through the International Bank for Reconstruction and Development and International Development Association. The Panel assesses allegations of harm to people or the environment and reviews whether the Bank followed its operational policies and procedures.

Panel reviews often address issues such as:

- adverse effects on people and livelihoods as a consequence of displacement and resettlement related to infrastructure projects, such as dams, roads, pipelines, mines, and landfills
- risks to people and the environment
- risks to indigenous peoples, their culture, traditions, lands tenure, and development rights
- adverse effects on physical cultural heritage, including sacred places
- adverse effects on natural habitats, including protected areas, such as wetlands, forests, and water bodies

Complaints related to the projects supported by other agencies of the World Bank Group—the International Finance Corporation and Multilateral Investment Guarantee Agency—are dealt with by the Office of the Compliance Advisor Ombudsman.

This year, the Panel produced two videos explaining its mandate and procedures to potentially affected communities and their representatives. **Both can be found on the Panel website.**

HOW IS THE INSPECTION PANEL STRUCTURED?

The Inspection Panel consists of three members appointed by the Board for a five-year nonrenewable term. Members are selected on the basis of their ability to deal thoroughly and fairly with the complaints brought to them, their integrity and independence from Bank Management, and their exposure to development issues and living conditions in developing countries.

The current members are Zeinab Bashir Elbakri (member since September 2012), Gonzalo Castro de la Mata (member since December 2013 and chairman since November 2014), and Jan Mattsson (member since November 2014).

The Panel has a permanent Secretariat that provides operational and administrative support in the execution of its duties. The Secretariat assists and advises the Panel in processing complaints, conducting its investigations, and responding to questions from potential complainants. The Secretariat also organizes outreach events and provides information about the Panel through publications and social media. The Secretariat is currently headed by Executive Secretary Dilek Barlas.

The Panel hosts student interns each summer and welcomes others for temporary practical learning experiences. For its investigations, the Panel hires independent, internationally recognized experts to ensure objective and professional assessment of the issues under review.



(From left to right): Panel member Jan Mattsson, Operations Officers Tamara Milsztajn and Birgit Kuba, Senior Operations Officer Mishka Zaman, Senior Executive Assistant Oriana Bolvaran, Program Assistant Rupes Dalai, consultant Patricia Nunez Benitez, Panel member Zeinab Bashir Elbakri, Communications Adviser Rob Doherty, Senior Operations Officer Serge Selwan, Executive Secretary Dilek Barlas and Panel Chairman Gonzalo Castro de la Mata.





CASE SUMMARIES

The Panel processed 11 cases in fiscal year 2016. Information on these cases is presented in summary fashion over the next several pages. Depending on the case, the following information is provided: Project information, description of the Request for Inspection, the Management response to the Request, the Panel's action in response to the Request, Board discussion, and the Management Action Plan. More detailed information on all of these cases can be found on the Panel's website.



KENYA: ELECTRICITY EXPANSION PROJECT

CASE NO. 97

THE REQUEST

On October 26, 2014, the Panel received a Request for Inspection raising concerns related to the World Bank–financed Kenya Electricity Expansion Project. The European Investment Bank is a co-financier of this Project. Members and representatives of a Maasai community who were resettled because of Project developments in the greater Olkaria geothermal area submitted the Request. The Panel and the Complaints Mechanism of the European Investment Bank (EIB-CM), which received complaints relating to the same concerns, entered into a memorandum of understanding in order to coordinate the processing of these complaints.

The Requesters claimed the community agreed to resettle on the condition it would receive communal land title, which had not been obtained at the time of the complaint. They asserted the resettlement adversely affected them and, instead of restoring or improving their livelihoods, led to impoverishment and social tensions. Many of those resettled now live far from their previous sources of income. They also alleged a group of 14 families—largely consisting of orphans, widows, and the most poor—were excluded from receiving houses at the resettlement site. They raised concerns about the cultural compatibility of the resettlement housing, health impacts due to new drilling near the resettlement site, and fear of future relocation. The Requesters lacked trust in their community representatives and the Bank, and complained about inadequate consultation and participation, and corruption, nepotism, and discrimination.

MANAGEMENT RESPONSE

Management submitted its response on December 16, 2014. It said that it closely monitored the design and implementation of the Project’s resettlement activities. Management also said that the Resettlement Action Plan (RAP) adequately mitigated potential adverse impacts. According to Management, the livelihoods of project-affected households were restored to pre-displacement levels, or better. A RAP Implementation Committee and a project-level grievance redress mechanism allowed project-affected people to seek redress if desired. Management stated it did not find that 14 households were excluded from the RAP and did not see evidence of corruption, nepotism, irregular payments, or threats of retaliation. A memorandum of understanding between the implementing agency, Kenya Electricity Generating Company Limited (KenGen), and the community was agreed in a transparent process. The memorandum includes, among other things, criteria to determine inclusion

PROJECT INFORMATION

Electricity Expansion Project

Project No.:	P103037
Region:	Africa
IDA Credit Amount:	US\$330 million
Board Approval Date:	May 27, 2010
Closing Date:	September 30, 2016

The Project’s development objectives were to increase the capacity, efficiency, and quality of electricity supply, and to expand access to electricity in urban, peri-urban, and rural areas. The Project had four components: (i) generation, (ii) transmission, (iii) distribution, and (iv) institutional development/operational support.



in the RAP, eligibility for housing and cash compensation, housing conditions, and the provision of post-resettlement transportation. Management concluded that it had followed its policies and procedures, and the Requesters' rights or interests had not been, nor will they be, directly or adversely affected.

PANEL INVESTIGATION

A Panel team visited Kenya in January 2015 and met with the Requesters and other stakeholders in Nairobi and in the Project area to assess whether an investigation was warranted. On February 2, 2015, the Panel submitted its Report and Recommendation to the Bank's Board of Executive Directors, confirming the eligibility of the Request and recommending an investigation. The Board approved the recommendation on February 13, 2015.

A joint field mission with the EIB-CM took place from March 25 to April 2, 2015, and included meetings in Nairobi and in the Project area with Requesters and other villagers, KenGen, and other government officials, Bank staff, and representatives from other donor agencies. The investigation included extensive examination of documentation obtained in both Washington, DC, and Kenya, and additional fact-finding through interviews conducted in Washington. The investigation focused on the identification of indigenous peoples and physical cultural resources as well as different aspects of the resettlement process, such as the identification of project-affected people, consultation and participation, and grievance redress. The investigation further examined the socioeconomic impacts of the resettlement on the affected community as well as aspects of supervision and monitoring. The Panel assessed whether the World Bank complied with its policies on indigenous peoples, involuntary resettlement, and physical cultural resources. The Panel's Investigation Report was submitted to the Board on June 29, 2015.

BOARD DISCUSSION

The Board met on October 20, 2015, to discuss the Panel's investigation. The Panel found that the resettlement had caused harm to the most vulnerable households due to non-compliance with the Bank's policies on indigenous peoples and involuntary resettlement. The Board approved Management's involvement, through its Grievance Redress Service, in a mediation process that had already been initiated by the EIB-CM and aimed to have the KenGen and the complainants agree on remedial action. The Board asked Bank Management to return within one year to present the results of the mediation and an Action Plan for its approval.



UGANDA: TRANSPORT SECTOR DEVELOPMENT PROJECT—ADDITIONAL FINANCING

CASE NO. 98

THE REQUEST

On December 19, 2014, the Inspection Panel received a Request for Inspection from community members of the Bigodi town in Uganda. At that time, the Panel conducted its due diligence and determined that Bank Management was not aware of the concerns in the Request, one of the conditions for registration. Therefore, the Panel did not register the Request to provide Management with an opportunity to address these concerns. The Panel issued a Notice of Receipt on January 21, 2015.

On September 11, 2015, the Panel received a new Request from three members of the Bigodi and Nyabubale-Nkingo communities in Uganda, which restated earlier concerns. The Requesters claimed they were dissatisfied with Bank actions in response to their concerns, asked to keep their identities confidential, and designated a local civil society organization, Joy for Children Uganda (JFCU), to act on their behalf. The Requesters restated the allegations previously raised, including sex with minors and teenage pregnancies by road workers, increased sex work, the spread of HIV/AIDS, sexual harassment of female employees, child labor, school dropouts, lack of compensation and inadequate compensation, fear of retaliation, lack of participation, and lack of adequate road and workplace health and safety measures. The Inspection Panel registered the Request on September 28, 2015.

MANAGEMENT RESPONSE

Management submitted its response on December 17, 2015. Management said that since road works commenced on August 1, 2013, Bank missions had repeatedly found instances of non-compliance with environmental and social requirements—particularly concerning land acquisition and various physical impacts of construction—and had flagged these to the Ugandan National Roads Authority (UNRA) as requiring remediation. Management said concerns specifically related to the sexual misconduct of road workers, however, only came to the Bank’s attention for the first time with the December 2014 letter of complaint from the community. In response to that letter, Management said, the Bank alerted the government of Uganda in writing and held high-level meetings with it, consulted with the Panel, and intensified supervision missions.

PROJECT INFORMATION

Transport Sector Development Project—Additional Financing

Project No.:	P121097
Region:	Africa
IDA Credit Amount:	US\$75 million
Board Approval Date:	June 16, 2011
Closing Date:	Project canceled on December 21, 2015

The development objective of the Project was to enhance the connectivity and efficiency of the transport sector by improving (i) the condition of the national road network, (ii) the capacity for road safety management, and (iii) transport sector and national road management. The Additional Financing was intended to finance scale-up under Component A of the Project through the paving of the Kamwenge-Fort Portal Road (66 kilometers).



Following the December 2014 complaint, the Bank conducted 11 missions to the site to review the issues raised, according to the response. It said the Bank worked closely with JFCU during a mission in May 2015. As a result of these missions, Management said the Bank concluded that there was credible evidence of at least three cases of Project road workers engaging in sexual misconduct with minors, with one of those cases resulting in a pregnancy.

On June 18, 2015, Management said the Bank's country director wrote to the government and UNRA to alert them to the findings of the May 2015 mission and urge that due attention be given to the allegations of sexual misconduct. Following this letter, the Bank and UNRA worked to develop an Action Plan, including steps to address issues related to sexual misconduct. The Bank's concern about delays in the implementation of the Action Plan was communicated in a letter to the government on September 28, 2015, and the government was advised that withdrawals under the loan for this road component should be halted. Progress continued to be slow, and after an October 2015 mission the Bank suspended the Project, effective October 22, 2015, due to the Borrower's non-compliance with its obligations to carry out the Project in conformity with appropriate environmental and social standards and practices. On December 21, 2015, the Bank canceled the Project due to the contractor's failure to remedy instances of non-compliance and the lack of demonstrated willingness from UNRA to address the identified social risk.

PANEL INVESTIGATION

As a result of the postponements of the Management Response to the Request, the Panel delayed its eligibility visit to Uganda until December 18–21, 2015. In Kampala, the Panel team met with officials of the Ministry of Finance, the Ministry of Works and Transport, and UNRA. The Panel also met with the World Bank country director and staff from the Project team. The Panel visited Fort Portal and several communities along the road, including Bigodi, Kahunge, Rwengobe, and Nkingo. The Panel held meetings with JFCU, the Requesters, community leaders and representatives of the grievance redress committee, and numerous affected people who allegedly suffered harm.

On January 8, 2016, the Panel submitted to the Board of Executive Directors its Report and Recommendation, recommending an investigation into the alleged harm. The Board approved the Panel's Report and Recommendation on January 29, 2016. Accompanied by four experts in the relevant fields, the Panel conducted an investigation visit to Kampala and several communities along the Kamwenge-Fort Portal Road between March 28 and April 8, 2016. While there, the Panel met with World Bank staff, government officials, the contractor, service providers, the Requesters, and many other community members. The Panel submitted its Investigation Report to the Board in August 2016.

KOSOVO: PROPOSED KOSOVO POWER PROJECT AND SECOND ADDITIONAL FINANCING ENERGY SECTOR CLEAN-UP AND LAND RECLAMATION PROJECT

CASE NO. 103

THE REQUEST

On June 12, 2015, the Inspection Panel received a Request for Inspection from residents of Hade village and Obiliq municipality in Kosovo. The Request raised several instances of harm related to loss of land, loss of livelihoods, restrictions on economic development, and forced displacement. Requesters believe the Bank caused harm through its engagement in Kosovo's power sector over the years – including through the preparation of the Resettlement Action Plan for the Shala neighborhood of Hade village, and the Resettlement Policy Framework (RPF) for the New Mining Field, which sets the standard for future resettlement expected as the Sibovc Mine expands.

The proposed Kosovo Power Project (KPP) had been the subject of an earlier Request received by the Panel in March 2012 (Case No. 78). In Case No. 78, the Requesters had expressed concerns about potential serious social, economic, and environmental impacts of the proposed project, and raised concerns about the already high level of environmental degradation in the project area. The Panel did not recommend an investigation of the 2012 Request since important analytical work underpinning the Requesters' concerns was yet to begin. At the time, the Panel's decision was that, given the early stage in the project preparation process, there were no key World Bank activities or decisions relevant to the concerns raised in the complaint that could be reviewed by the Panel as a matter of policy compliance. The Panel noted that affected people would have recourse to the Panel at a later stage in the project cycle if they wished. The June 2015 Request followed.

MANAGEMENT RESPONSE

Management submitted its response to the Request on July 27, 2015. In its response, Management explained that no Bank-supported project in Kosovo's mining and energy sector has required resettlement. Management strongly disagreed with the allegation that the harm claimed in the complaint results from its technical advice or is likely to result from the proposed new power plant. Notwithstanding, Management agreed that past resettlement practices in Kosovo, predating the Bank's engagement, have caused adverse impacts on the affected population. They explained that the Bank supports the government's efforts to address environmental legacies from power generation and mining, and helps enhance the government's capacity to improve resettlement practices. The Bank financed the preparation of a RPF to govern mining-related resettlement, and the Shala RAP. According to the Management Response, government capacity has improved significantly, but Management recognized that continuous enhancements could be made during future implementation.

PANEL INVESTIGATION

The Panel registered the Request on June 30, 2015. It conducted an eligibility visit in August 2015 to meet with the Requesters and relevant authorities, and to decide whether the claims of harm were eligible for an investigation. The Panel submitted its Report and Recommendation to the World Bank Board of Executive Directors on September 2, 2015, recommending an investigation. The Board approved the Panel's recommendation on September 17, 2015.

From January 18 to 22, 2016, a Panel team conducted the investigation visit. The team was joined by expert consultants specializing in the social aspects of mining operations and coal mine planning, and Management. The team held meetings with the Requesters, other affected community members, officials of the Ministry of Finance, the Ministry of Economic Development, the Ministry of Environment and Spatial Planning, representatives of the Kosovo Energy Corporation (KEK), and officials of the municipality of Obiliq. The Panel team also met with staff in the World Bank country office, representatives of the European Union, the United States Agency for International Development, the Kosovo Independent Commission for Mines and Minerals, and representatives of Kosovar civil society organizations (CSOs).

The Panel's Investigation Report was submitted to the Board for its consideration in late summer 2016.

PROJECT INFORMATION

Second Additional Financing: Energy Sector Clean-up and Land Reclamation Project (CLRP-SAF)

Project No.:	P131539
Region:	Eastern Europe and Central Asia
IDA Credit Amount:	US\$4.2 million
Board Approval Date:	May 10, 2013
Closing Date:	August 31, 2016

The Project development objectives are to (i) address environmental legacy issues related to open dumping of ashes on land, (ii) enable KEK to free land for community development purposes currently taken by overburden materials and enable KEK to remediate the Kosovo A ash dump, and (iii) build capacity in KEK for continued clean up and environmentally good-practice mining operations. Relevant to the Request for Inspection is Part F, Environmental Monitoring and Management. Part F finances the environmental and social impact assessment (ESIA) for the proposed Kosovo e Re Power Plant, monitoring of the implementation of the RAP for the Shala neighborhood of Hade village, and international ESIA and RAP Panel of Experts.

Republic of Kosovo: Kosovo Power Project (proposed)

Project No.:	P118287
Region:	Eastern Europe and Central Asia
Product Line:	Guarantees
IDA Credit Amount:	US\$40 million
Board Approval Date:	n.a. as the project is in the pipeline
Closing Date:	n.a.

According to the project information document, the objective of any prospective World Bank financial support to the proposed Kosovo Power Project would be to reduce the environmental impact of electricity generation and strengthen security of supply in Kosovo in an economically efficient, environmentally sustainable, and carbon-neutral manner. The proposed Kosovo Power Project is envisaged as replacing the Kosovo A Power Station with a rehabilitated existing power plant (Kosovo B) and a new power plant, as well as developing a mine to meet the fuel needs.



MONGOLIA: MINING INFRASTRUCTURE INVESTMENT SUPPORT PROJECT (MINIS)

CASE NO. 102

THE REQUEST

The Panel received a Request on February 10, 2015, from community representatives and local CSOs in Mongolia and the Russian Federation. They asked to keep their identities confidential. The complaint alleges that through MINIS, the World Bank is supporting assessment studies of two subprojects, the Shuren Hydropower Plant and the Orkhon Gobi Water Diversion Project (OGW), which may have potential irreversible environmental, social, and economic impacts on the Selenge River and surrounding areas and on Lake Baikal in Russia, a World Heritage Site. The Requesters claim that the subprojects were selected through a process lacking clarity and not based on risk and alternatives assessments, including transboundary and cumulative impact assessments. They also state that consultations with civil society and communities affected by the subprojects have been inadequate.

The Request describes the potential environmental impacts of these two subprojects, including the decrease in fish stocks, degradation of critical natural habitats, increase in greenhouse gas emissions, and degradation of Lake Baikal. The Requesters also raise potential social impacts, including loss of access to traditional water and pasture resources by nomadic communities in southern Mongolia, loss of land as a result of reservoir flooding, loss of ecotourism opportunities, and loss of culturally significant archeological and sacred sites, including Lake Baikal.

MANAGEMENT RESPONSE


Management submitted its response on April 21, 2015. It said it considered the Request for Inspection ineligible for investigation because the issues raised by the Requesters focus on potential harm that could derive from the construction, operation, and/or failure of the proposed subprojects, but not from the assessment studies the Bank is financing under MINIS. Management noted that the Bank was

PROJECT INFORMATION

Mining Infrastructure Investment Support Project

Project No.:	P118109/P145439
Region:	East Asia and the Pacific
IBRD Loan Amount:	US\$25 million
Board Approval Date:	June 26, 2008/January 8, 2014
Closing Date:	September 30, 2016

MINIS is a technical assistance project aimed at facilitating infrastructure investments to support mining operations in Mongolia. MINIS finances assessment studies for subprojects that a project steering committee identifies and proposes for the development of mining activities. Such assessments include prefeasibility, feasibility, and environmental studies. Two of the proposed subprojects are the subject of the Request for Inspection: the Shuren Hydropower Plant and the OGW Project. The assessment studies for the two subprojects are to be carried out in three phases: (i) project identification and screening, (ii) prefeasibility study, and (iii) feasibility studies, including ESIAAs.



not involved in financing construction of the proposed subprojects that are being studied under MINIS, no subprojects were under construction, and Management had not made any decision or commitment to finance them. Management further said it believes that the Requesters' rights or interests have not been, nor will they be, directly and adversely affected by a failure of the Bank to implement its policies and procedures.

PANEL RECOMMENDATION

The Panel registered the Request on March 13, 2015. On July 27, 2015, the Board of Executive Directors approved the Panel's recommendation to defer for one year the decision on whether an investigation is warranted. Since then, the Panel has been following Project developments closely. The Panel attended the Rivers of Siberia Conference in November 2015 in Irkutsk and Baykalsk, Russia, and met with the Requesters, CSOs, the government of the Republic of Buryatia, and academics. The Panel also held several meetings with Bank Management and the Requesters.

On May 16, 2016, Management submitted an update note to the Inspection Panel, explaining that since the issuing of the Panel's first Eligibility Report, considerable progress has been made in the consultation process and in the updating of the Terms of Reference for the ESIA's. Based on this information, the Panel on July 6, 2016, recommended deferring its decision on whether to investigate for a second time and said it would report back to the Board within a year. The Board approved the Panel's recommendation on July 20, 2016.



ARMENIA: IRRIGATION SYSTEM ENHANCEMENT PROJECT

CASE NOS. 106, 107

THE REQUESTS

On March 18, 2016, the Panel received a Request for Inspection from residents of the Goght community affected by the Gegardalich Gravity Irrigation Scheme of the Irrigation System Enhancement Project in Armenia. The Request included signatures of 98 Goght community members who asked the Panel to keep their identities confidential. The Request raised concerns that the Project may lead to a shortage of irrigation water for the Goght community and alleged a lack of consultation and participation.

On May 3, 2016, after the Panel had registered the first Request, the Panel received a second Request relating to the same Project. The Request was submitted by Sara Petrosyan and Arusyak Ayyazyan on their own behalf and on behalf of 531 residents of Garni village affected by the Kaghtsrashen Gravity Irrigation System. The Requesters asked the Panel to keep the identities of the 531 residents confidential. The Requesters are concerned about a lack of water for gravity irrigation, the destruction of the Azat Gorge with impacts on tourism, and issues relating to consultation and participation.

MANAGEMENT RESPONSE

In its response received on June 10, 2016, Management said it “does not agree that harm alleged exists, or that it results from instances of Bank policy non-compliance.” The Management Response explained that the Project would not change the volume of available irrigation water nor its distribution; the water would merely be transported by gravity. Management maintained that the two irrigation schemes are viable, the water flow calculations are realistic and conservative, and the Project is designed to ensure both communities will continue to receive their irrigation water supply. Management argued that many of the concerns in both Requests are based on inaccurate information and incorrect assumptions.

PROJECT INFORMATION

Irrigation System Enhancement Project

Project No.:	P127759
Region:	Europe and Central Asia
IBRD Loan Amount:	US\$30 million
Board Approval Date:	May 22, 2013
Closing Date:	June 30, 2017

The Project supports Armenia’s irrigated agriculture, which provides about 80 percent of the sector’s contribution to GDP. The objectives of the Project are to (i) reduce the amount of energy used and improve the irrigation conveyance efficiency in targeted irrigation schemes, and (ii) improve the availability and reliability of important sector data and information for decision-makers and other stakeholders. The relevant Project component involves removing old, unreliable, and expensive electric pumps and introducing gravity-fed pipelines in four irrigation systems. The World Bank expects electricity and maintenance savings of approximately US\$2 million annually, as well as a reduction of 17.8 million kilowatt hours of electricity consumption.



PANEL DECISION

The Panel registered the first Request on April 26, 2016, and the second one on May 24, 2016. Since both Requests raised similar issues relating to gravity irrigation under the same Project, the Panel, for reasons of economy and efficiency, processed them jointly. Shortly after the Panel's eligibility visit in June 2016, Bank Management informed the Panel that the government of Armenia was proposing modifications to the Project that require the Bank's reappraisal of it. As a result, the Panel recommended deferring its decision on whether to investigate the complaints. The Panel said it would reassess the situation when further developments take place and will inform the Board of its recommendation on whether to investigate within a year. The Board approved the Panel's recommendation on July 20, 2016.

COLOMBIA: BOGOTÁ ENVIRONMENTAL RECUPERATION AND FLOOD CONTROL PROJECT

CASE NO. 108

THE REQUEST

The Panel received a Request for Inspection on June 23, 2016. The Request raised concerns about the expansion of the Salitre Waste Water Treatment Plant, claiming that it will have negative environmental impacts on the wetlands and ecosystem of the area, and public health impacts on the nearby communities. The Requesters also complained about lack of consultation and access to information. The Request was submitted by members of the UPZ 72 community who claimed that they will be directly affected by the Project and who have asked for confidentiality.

As the fiscal year ended, the Panel, in line with its Operating Procedures, was reviewing the Request to determine its admissibility.

PROJECT INFORMATION

Bogotá Environmental Recuperation and Flood Control Project

Project No.:	P111479
Region:	Latin America and Caribbean
IBRD Loan Amount:	US\$250 million
Board Approval Date:	December 14, 2010
Closing Date:	December 30, 2017

The Project development objective is to “assist the Borrower to transform the Rio Bogotá into an environmental asset for the Bogotá Distrito Capital metropolitan region by improving water quality, reducing flood risks and creating multi-functional areas along the said river.”



UGANDA: WATER MANAGEMENT AND DEVELOPMENT PROJECT AND THE PRIVATE POWER GENERATION (BUJAGALI) PROJECT (KALAGALA OFFSET)

CASE NO. 110

THE REQUEST

The Panel received a Request for Inspection on June 20, 2016. The Request related to both the Bank-financed Uganda Water Management and Development Project and the Uganda Private Power Generation (Bujagali) Project. The Requesters claimed that the two Projects will fail in their objective to remedy the environmental and social harm that may occur to the Kalagala Offset from the filling of a reservoir for a downstream dam. The complaint was submitted by three individuals from Uganda who have asked for confidentiality.

As the fiscal year ended, the Panel, in line with its Operating Procedures, was reviewing the Request to determine its admissibility.

PROJECT INFORMATION

Water Management and Development Project

Project No.:	P123204
Region:	Africa
IDA Credit Amount:	US\$135 million
Board Approval Date:	June 26, 2012
Closing Date:	December 31, 2018

The Project development objectives are to improve (i) integrated water resources planning, management, and development, and (ii) access to water and sanitation services in priority urban areas. The Project will contribute to higher-level goals of sustaining natural resources, improving service delivery, and increasing economic productivity.

The Private Power Generation (Bujagali) Project

Project No.:	P089659
Region:	Africa
IDA Credit Amount:	US\$115 million
Board Approval Date:	April 26, 2007

The main objective of the Private Power Generation (Bujagali) Project is to provide least-cost power generation capacity that will eliminate power shortages.

SERBIA: FLOODS EMERGENCY RECOVERY PROJECT

CASE NO. 104

THE REQUEST

On September 8, 2015, the Panel received a Request for Inspection related to the World Bank–financed Floods Emergency Recovery Project from the Center for Ecology and Sustainable Development (CEKOR), a Serbian civil society organization working on environment, energy, and human rights. CEKOR submitted the complaint on behalf of a family that lived in close proximity to the Tamnava West open-pit coal mine in Radljevo village, Ub Municipality. The complaint related to the removal of water from a flooded coal mine. The Requesters raised concerns regarding emissions, vibrations, noise, and a lack of drinking water for community members. They claimed that the World Bank’s Policy on Involuntary Resettlement was not applied and there was a lack of consultation with affected communities.

PANEL DECISION

Panel Member Jan Mattsson and Operations Officer Birgit Kuba traveled to Serbia on October 11–13, 2015, to meet with the Requesters, CEKOR, and Bank staff. The Panel could not establish a plausible link between the alleged harm and the Bank-financed project and therefore did not register the Request.

PROJECT INFORMATION

Floods Emergency Recovery Project

Project No:	P152018
Region:	Europe and Central Asia
IBRD Loan Amount:	US\$300 million
Board Approval Date:	October 3, 2014
Closing Date:	December 31, 2017

The Project objectives are to (i) help restore power system capability to reliably meet domestic demand, (ii) protect livelihoods of farmers in flood-affected areas, (iii) protect people and assets from floods, and (iv) improve the Borrower’s capacity to respond effectively to disasters.



INDIA: ANDHRA PRADESH AND TELANGANA ROAD SECTOR PROJECT

CASE NO. 105

THE REQUEST

On December 18, 2015, the Panel received a Request for Inspection from East Godavari District of the State of Andhra Pradesh, India. The Request was followed by 29 additional complaints raising similar concerns from community members living in the areas of Amalapuram, Anathavaram, Bhatnavili, Bodasakurru, Chippalapalem, Peruru, and Yanam. The Requesters claimed harm caused by involuntary resettlement and the effect on indigenous peoples in the context of the widening of National Highway 216, allegedly financed by the World Bank under the Andhra Pradesh and Telangana Road Sector Project.

PANEL DECISION

After conducting its due diligence, the Panel determined that the alleged harm was not linked to any project supported by the Bank, and decided not to register the Request. The Panel noted that if, in the future, the road mentioned in the Request comes to be supported by Bank financing, the Panel would be in a position to reassess the existence of a plausible link between a Bank-supported project and the alleged harm.

PROJECT INFORMATION

Andhra Pradesh and Telangana Road Sector Project

Project No:	P096021
Region:	South Asia
IBRD Loan Amount:	US\$320 million
Board Approval Date:	October 15, 2009
Closing Date:	May 31, 2017

The development objective of the Project is to provide better quality, capacity, and safer roads to users in a sustainable manner through enhanced institutional capacity of the Andhra Pradesh government in the road sector.

MEXICO: URBAN TRANSPORT TRANSFORMATION PROJECT

CASE NO. 109

THE REQUEST

The Panel received a Request for Inspection on April 1, 2016. The Requesters claimed that inadequate planning and project design is leading to environmental degradation. The Requesters also claimed that the Bank has not followed its policies while implementing the Project.

In line with its Operating Procedures, the Panel conducted extensive due diligence to establish the admissibility of the Request and consequently decided not to register it after confirming that the alleged harm was not linked to a Bank-financed project.

PROJECT INFORMATION

Urban Transport Transformation Project

Project No.:	P107159
Region:	Latin America and Caribbean
Loan Amounts:	IBRD—US\$150 million; Carbon Fund—US\$50 million; Clean Technology Fund—US\$200 million
Board Approval Date:	March 25, 2010
Closing Date:	June 30, 2017

The Project objective is to contribute to the transformation of urban transport in Mexican cities toward a lower-carbon growth path.

GHANA: SECOND URBAN ENVIRONMENT SANITATION PROJECT

CASE NO. 49

In its third progress report, issued in October 2015, Management stated that the government of Ghana intended to reverse its decision to expropriate land in Kwabenya, thereby restoring land rights to the affected people. Management noted that although this was the last progress report, it would follow up with the government until it implements this decision. Management will then issue a final note to the Board accordingly.

INDIA: VISHNUGAD PIPALKOTI HYDRO ELECTRIC PROJECT

CASE NO. 81

In its first progress report, issued in October 2015, Management explained that a detailed “Water Loss and Alternatives Report” for 15 villages is available as a planning tool to develop alternative water supply schemes if water loss is reported. Management plans to submit a second progress report in October 2016.

ETHIOPIA: PROTECTION OF BASIC SERVICES PROGRAM PHASE II, ADDITIONAL FINANCING AND PROMOTING BASIC SERVICES PHASE III PROJECT

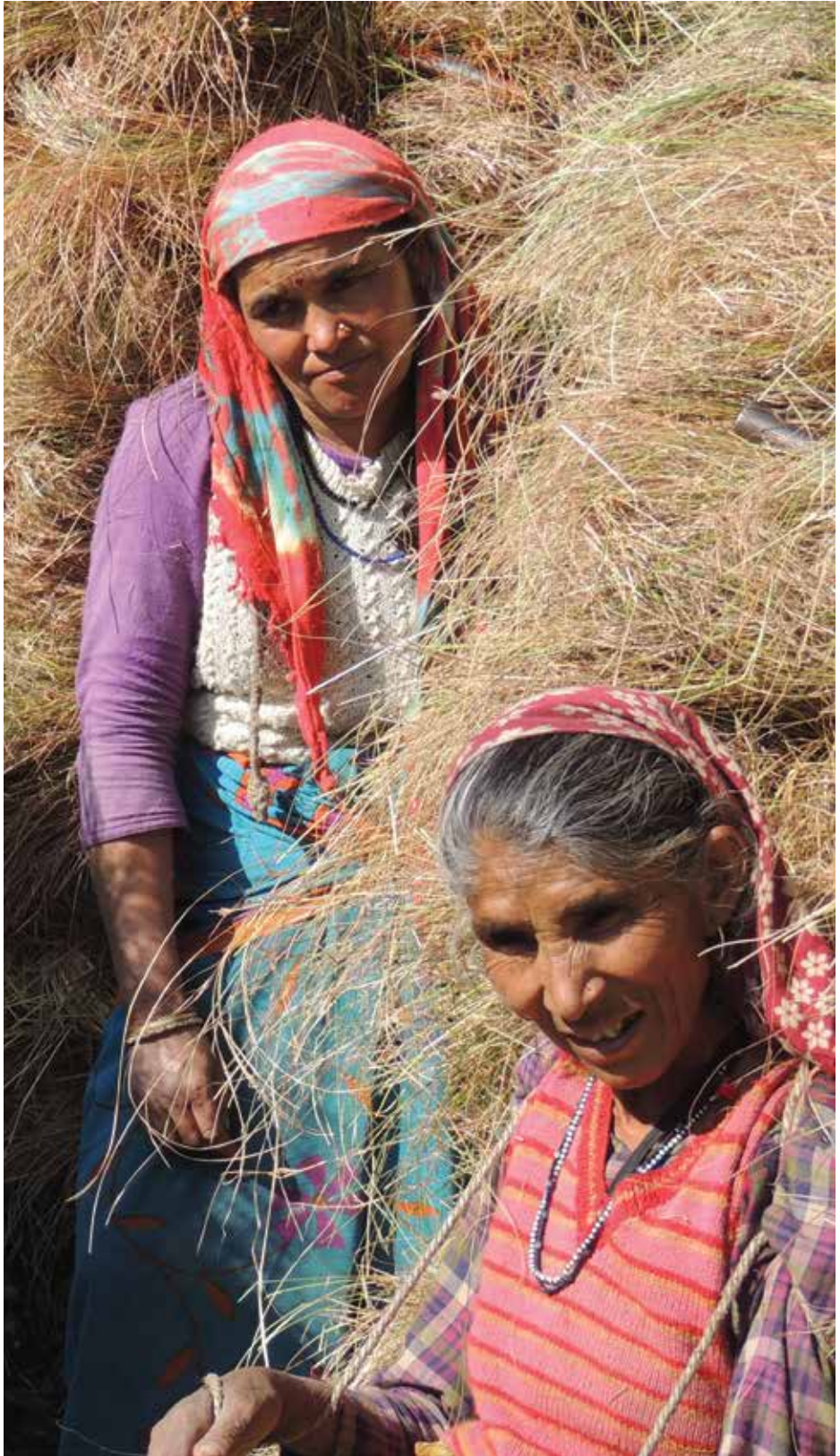
CASE NO. 82

In its first report, issued in March 2016, Management stated that nine of the 15 actions in the Management Action Plan had been completed and the remaining six were due for completion before the end of 2016. Management will prepare another report in February 2017.

KENYA: NATURAL RESOURCE MANAGEMENT PROJECT

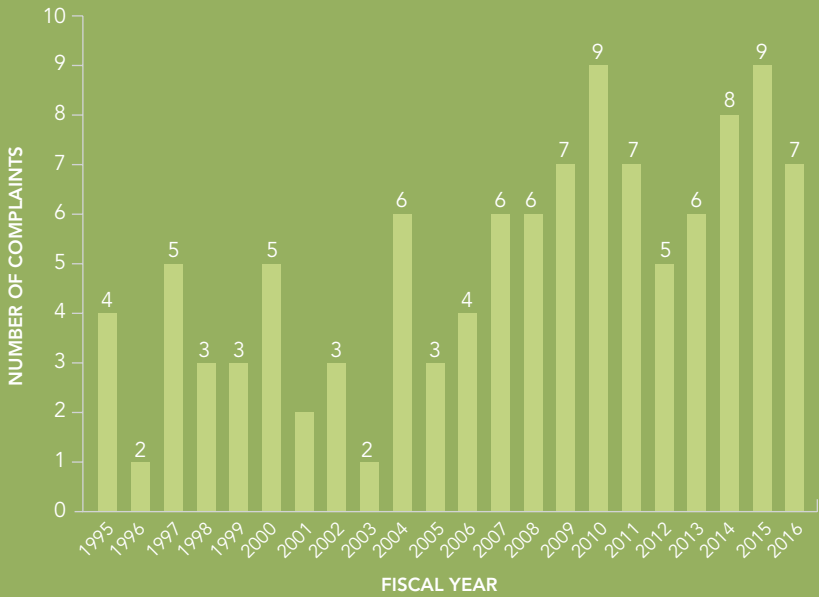
CASE NO. 84

In its first and final report, issued in September 2015, Management noted that a Colloquium on Deepening Dialogue with Stakeholders in the Forest Sector was held on March 3–6, 2015, and attended by more than 300 people. A training session was also conducted on social safeguard policies for 30 vulnerable and marginalized community members.

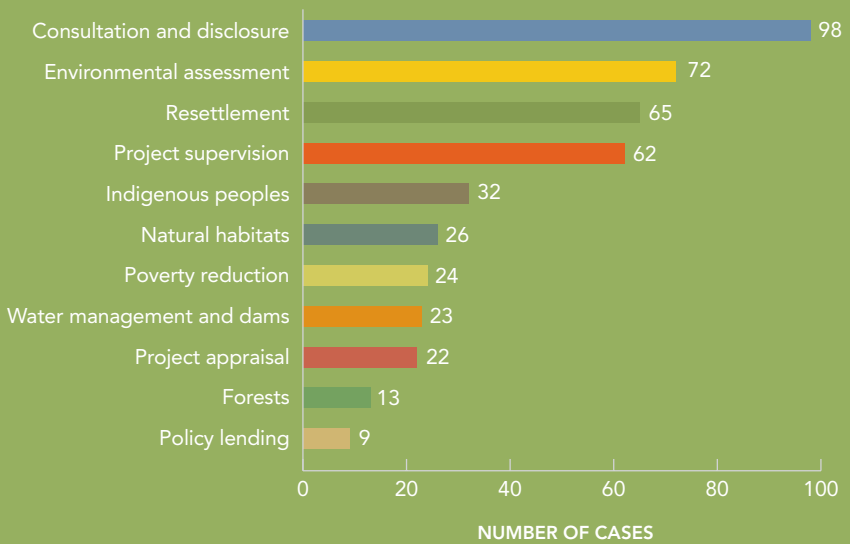


APPENDIX I: GRAPHS ON PANEL CASES

CASES RECEIVED



CASES BY MAJOR POLICY ISSUES RAISED IN REQUESTS, June 2016

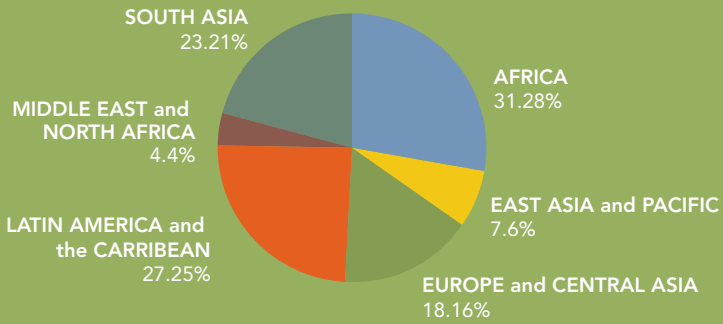


GEOGRAPHIC DISTRIBUTION OF CASES

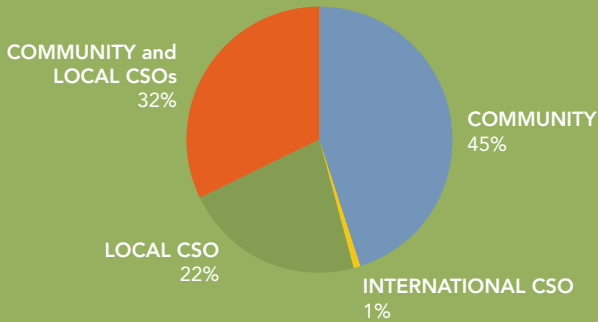




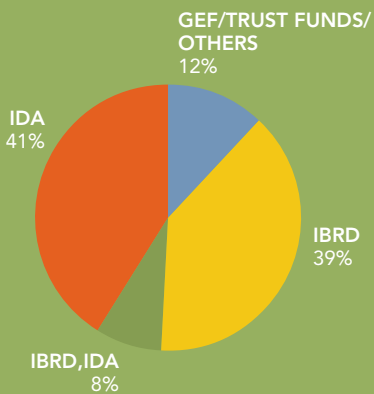
REGIONAL DISTRIBUTION OF CASES



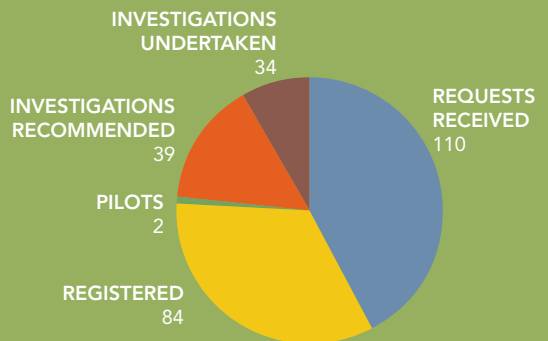
TYPE OF REQUESTERS



PROJECT FUNDING SOURCE



CASE PROCESSING HISTORY



APPENDIX II: BIOGRAPHIES OF PANEL MEMBERS AND EXECUTIVE SECRETARY

GONZALO CASTRO DE LA MATA (Chairman)

Dr. Gonzalo Castro de la Mata was appointed to the Inspection Panel on December 16, 2013, and became its chairman on November 1, 2014. He is a U.S. and Peruvian national with close to three decades of international development experience. His career includes key roles across the private and public sectors and in multiple areas of development work, including biodiversity, climate change, accountability, and ecosystem management. He has been involved in highly visible and complex international projects, including as chair of an independent panel for the U.S. Export-Import Bank for the Camisea project in Peru, and as a member of a UN review panel of the Barro Blanco Dam in Panama.



In 2009 he founded Ecosystem Services LLC, a company specializing in market-based approaches to conservation and renewable energy. Previously, he was managing director of Sustainable Forestry Management (SFM) for the Americas, where he was responsible for seminal investments that generated the first carbon credits from native plantations and forest conservation. Before SFM, he was head of the Biodiversity Unit at the Global Environment Facility, principal environmental specialist at the World Bank, director and vice president of the World Wildlife Fund's Latin American and Caribbean Program in Washington, DC, and founder and chief executive officer of Wetlands for the Americas.

He earned a PhD in ecology and population biology from the University of Pennsylvania and received his MA and BA from Cayetano Heredia University in Lima, Peru. He has served on numerous international private and nonprofit boards. Dr. Castro de la Mata's Panel appointment runs through December 15, 2018. In April 2016, he was reelected as Panel chairman for another term, which ends on October 31, 2017.

ZEINAB BASHIR ELBAKRI

Dr. Zeinab Bashir Elbakri was appointed to the Inspection Panel on September 1, 2012. A national of Sudan, she has more than 20 years of development experience.

Dr. Elbakri built a broad career at the African Development Bank (AfDB), where she was vice president of operations from 2006 to 2009. Between 1991 and 2005, she served in a number of positions at AfDB spanning multiple regions and focusing on portfolios that included social development, gender, agriculture and agro-industry, climate change, and governance. After leaving AfDB, she was appointed director of the Delivery Unit for the Office of His Highness, the Prime Minister of Kuwait, responsible for ensuring delivery of reform initiatives.

Dr. Elbakri's time at AfDB was preceded by an academic career at the University of Khartoum, where she was senior lecturer in anthropology and sociology, and she also managed the Women and Development Programme of the Development Studies and Research Center. Her early career included a number of consultancies within the UN system, philanthropy, and international nongovernmental organizations.



Dr. Elbakri holds a PhD in sociology and anthropology from Hull University, and she received her MA and BA in sociology from the American University in Cairo.

Her Panel appointment runs through August 31, 2017.

JAN MATTSSON

Jan Mattsson was appointed to the Inspection Panel on November 17, 2014. A Swedish national, he brings to the Panel more than three decades of experience in the public and private sectors, as well as in academia. His career has included operational field work, policy advice, program management, and leadership roles at the United Nations, where he established robust systems for results-based management, transparency, and accountability. Throughout his career he has demonstrated the ability to engage and build trust with multiple stakeholders around complex issues, risk management, and innovation. He is passionate about social justice and behavioral ethics.



Mr. Mattsson held positions in several UN agencies—including the Development Programme, the Industrial Development Organization, the Population Fund, the World Food Programme, and the Office on Drugs and Crime. In his final UN assignment, he was under-secretary-general and executive director of the Office for Project Services, an organization specializing in the implementation of development, humanitarian, and peace-building operations on behalf of multiple partners. After leaving the UN, Mr. Mattsson founded M-Trust Leadership, an advisory firm promoting socially responsible investments and partnerships among business, government, and civil society in pursuit of sustainable development. He has a PhD in engineering from the University of Linköping, Sweden, with a multidisciplinary thesis on management of technological change. His Panel term runs through November 16, 2019.

DILEK BARLAS

Ms. Dilek Barlas has served as the Executive Secretary of the Inspection Panel since July 2014. In her capacity as the Executive Secretary, Ms. Barlas provides strategic support and advice to the Panel Chairperson and Panel members; manages the Panel's Secretariat, its staff, consultants, and resources; and maintains the Panel's relations with internal stakeholders (the Board of Executive Directors, its committees, World Bank senior Management and staff) as well as external ones (Requesters, CSOs, academia, and the media). Ms. Barlas was the Panel's Deputy Executive Secretary from 2007 to 2014. A Turkish national, Ms. Barlas has extensive experience in the field of development.



Ms. Barlas joined the World Bank in 1992 and served as the Senior Counsel in the World Bank Legal Vice Presidency for the Europe and Central Asia Region. As Senior Counsel she was responsible for the legal aspects of World Bank operations and conducted negotiations in numerous countries, including Albania, Azerbaijan, Bosnia and Herzegovina, Turkey, and Uzbekistan. Her work also included an overseas field assignment to the World Bank Office in Ankara, Turkey, from 2004 to 2006.

Prior to joining the World Bank, Ms. Barlas served with the Under Secretariat of Treasury and Foreign Trade of Turkey and played a critical role in the preparation of Turkey's anti-dumping and subsidies legislation. Her private law practice includes work as an associate with White and Case in their Washington, DC, office. Ms. Barlas holds a law degree from the University of Ankara, Turkey, and an LLM in International Legal Studies from the Washington College of Law at American University, Washington, DC.

APPENDIX III: INSPECTION PANEL BUDGET

Salaries ^a	\$1,221,536
Benefits ^a	608,207
Communications and IT Services	120,374
Office Occupancy	174,511
Equipment and Building Services	2,054
Temporaries	7,105
Consultants ^b	777,605
Travel	393,709
Representation and Hospitality	11,854
Publications	71,994
Contractual Services	49,909
Other Expenses	25,107
Total Budget Spent	3,463,965
Total Budget Received	3,760,000

Note:

^a Includes Chairman salary and benefits.

^b Include Panel members fees.

HIGHLIGHTS OF THE PANEL'S YEAR

Emerging Lessons Series: The Panel released the first in a series of reports that draw on the main lessons from its 22-year caseload. The lessons identified in the Emerging Lessons Series are intended to help build the Bank's institutional knowledge base, enhance accountability, foster better results in project outcomes, and contribute to more effective development. The first report, on emerging lessons from cases related to involuntary resettlement, was released at an event that attracted an overflow crowd at the 2016 Spring Meetings of the International Monetary Fund (IMF) and World Bank Group. The report identified seven lessons and offered the following conclusions:

- The frequency of involuntary resettlement complaints in the Panel's caseload confirms that it is one of the most challenging aspects of development. Indeed, many of the emerging lessons that the Panel described are recurring and reinforce lessons derived from other recent studies of resettlement. This underscores the need for expertise and additional care and attention when working on projects that involve involuntary resettlement.
- The Bank's goal of conceiving and executing resettlements as sustainable development programs has not been achieved in many of the cases investigated by the Panel. It is clear that project activities do not lead to this goal without a deliberate approach to resettlement.
- Better analysis of the full economics of resettlement is needed and must go beyond project costs and budgets to include a thorough understanding of what it takes to restore or improve the incomes and livelihoods of those who are resettled.
- Panel cases have positively influenced Bank practices on involuntary resettlement. This has resulted in clarifications related to the scope of application of the Bank's Policy on Involuntary Resettlement and guidelines to staff on how to address relevant aspects of the policy.

The Emerging Lessons Series will include reports on other recurring issues in the Panel's caseload, including projects involving indigenous peoples, environmental and social assessment, and requirements for consultation, participation, and disclosure of information.



Retaliation Guidelines: The Panel published guidelines designed to address retaliation aimed at those seeking to work with the Panel. The guidelines, released in March 2016, will help the Panel to (1) identify and monitor potential risks both to those who ask the Panel to investigate World Bank-funded projects and to their representatives; (2) plan and adopt preventive measures to address and reduce these risks; and (3) identify appropriate responses if retaliation occurs. The guidelines build upon the Panel's experience and established practices of other institutions, as well as informal consultations within the Bank, with accountability mechanisms of other organizations, and with relevant civil society organizations (CSOs).

Updated Operating Procedures: The Inspection Panel made two changes to its Operating Procedures with the aim of enhancing consultation with Requesters and facilitating the tracking of Action Plans implemented by World Bank Management following a Panel investigation. The changes, adopted in March 2016, are included as Annex 2 to the Panel's Operating Procedures. Under the first change, the Panel, on a pilot and confidential basis, will make available to Requesters the "Table of Findings" section of its investigation report at the same time the report is submitted to the Board and Bank Management. The second change requires Bank Management to submit to the Board biannual reports documenting progress made in implementing Action Plans approved by the Board following Panel investigations. Management submitted its first such report in April 2016.

Outreach: The Panel continued its efforts to reach out to a diverse group of stakeholders over the past year. At the IMF–World Bank Group Annual Meetings in Peru in October 2015, the Panel joined with other IAMs and CSOs to organize a regional workshop. A similar workshop for Mexico-based CSOs was held in June 2016 in Mexico City. The Panel, along with five other IAMs, held a session for the first time at the annual meeting of the International Association for Impact Assessment in Nagoya, Japan. The May 2016 session discussed the experiences of the IAMs and how they can help build resilient and sustainable projects and respond to the needs of the communities affected by projects supported by development institutions. Among the other events, the Panel participated in the United Nations Framework Convention on Climate Change, 21st Conference of the Parties in Paris, the 15th session of the Permanent Forum on Indigenous Issues, and the 9th session of the Conference of States



Parties to the Convention on the Rights of Persons with Disabilities. The Panel also added to its social media outreach by continuing to enhance its website to make it more user-friendly and producing two brief videos to explain the Panel's mandate and process.

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