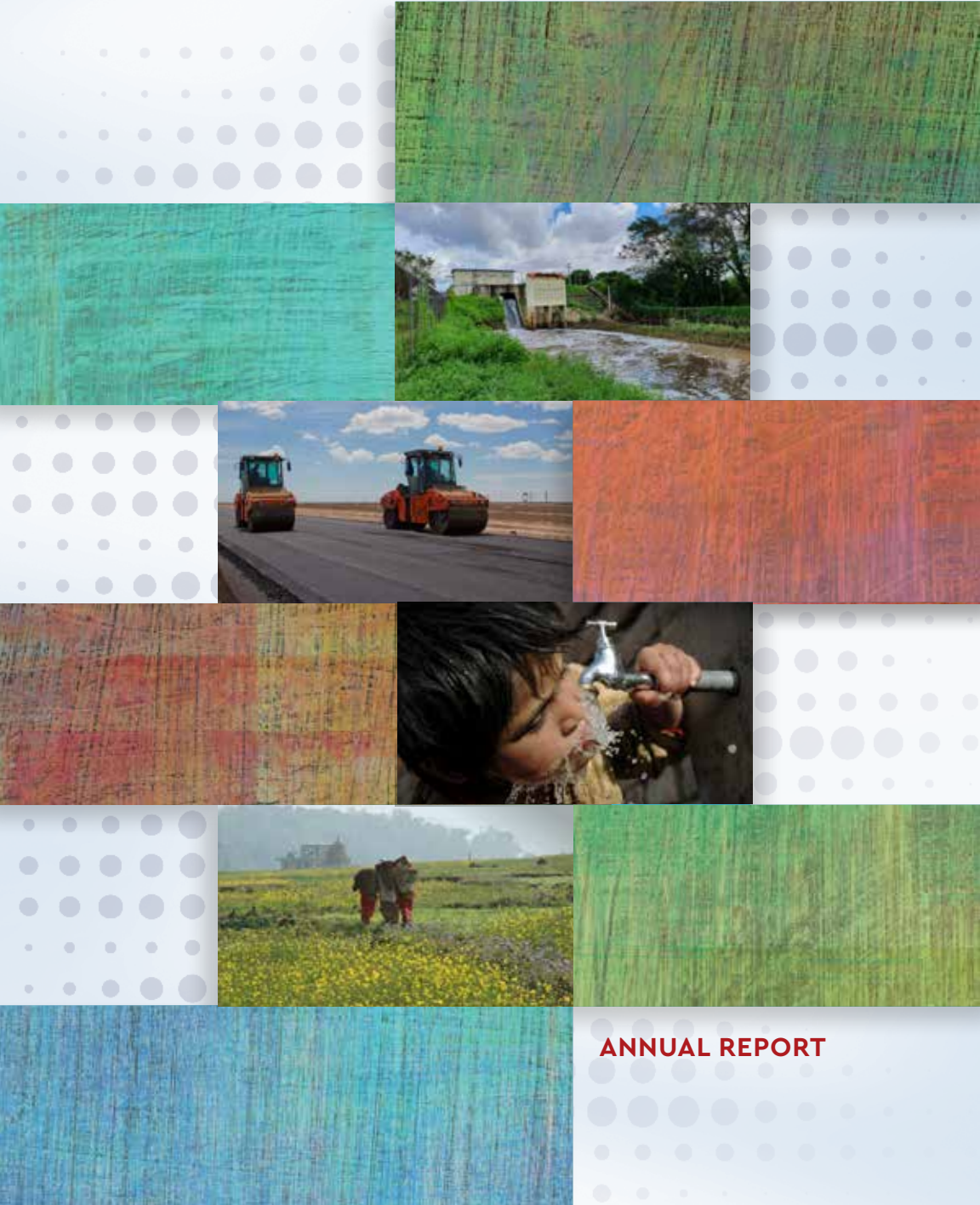


THE INSPECTION PANEL

JULY 1, 2020–JUNE 30, 2021



ANNUAL REPORT

FOREWORD BY THE CODE CHAIR



Since it was established by the Board of Executive Directors in 1993, the Inspection Panel has provided an important avenue for people and communities who believe they have been adversely affected by World Bank projects to air their concerns and seek recourse.

For over 25 years, the Panel has been instrumental in ensuring accountability and improving compliance with World Bank policies and procedures. It has been key in bringing the voices of the most vulnerable to the highest reaches of our institution and, in doing so, has contributed to improving development outcomes in support of the World Bank's twin goals of ending extreme poverty and boosting shared prosperity.

In 2018 and 2020, the Board approved enhancements to the Panel's toolkit that will provide further recourse for people and communities, including extending the time limit to 15 months after the closing of a World Bank project to present a complaint, enabling the Panel to share its Investigation Reports with Requesters to allow them to more meaningfully consult on the development of Management Action Plans (MAPs) and the possibility of verifying the implementation of MAPs. Some of these new tools are already in use. The Panel, for example, has shared its Investigation Report on three occasions in cases in India, Brazil and Uganda. Other tools, like MAP verification, will be utilized over time.

With the establishment of the World Bank Accountability Mechanism, which will house the Panel and a new Dispute Resolution Service, interested parties will now have an option to resolve complaints in a voluntary time-bound dispute resolution process.

As the World Bank continues to increase its work in challenging environments, the work of the Inspection Panel will continue to be key for improving the effectiveness of Bank policies and procedures, strengthening the Board's oversight, increasing the accountability and development impact, and for ensuring that no voice goes unheard.

Rajesh Khullar
Chair
Committee on Development Effectiveness
Board of Executive Directors

MESSAGE FROM THE PANEL

The COVID-19 pandemic certainly posed challenges for all of us during the past year, but the Inspection Panel was able to pursue its work on a number of fronts.

During the year, the Board of Executive Directors considered a Panel Investigation Report related to a municipal governance project in Brazil, and the Panel began an investigation of a road project in Uganda. The Board also approved Panel recommendations not to investigate projects in Peru and Kazakhstan.

Travel restrictions resulting from the pandemic, however, caused delays in some casework. The Panel received Board approval to put on hold a recommendation on whether to investigate a trade and transport project in Nepal until COVID-19-related restrictions are lifted and the Panel team can conduct its eligibility visit. In addition, a January 2020 Panel Investigation Report for a water project in India remained with the Board pending the completion of the Management Action Plan (MAP), which was delayed due to COVID-19 travel restrictions.

The Panel utilized its time to continue with its advisory work following the Board's 2018 decision to formalize this function as part of its review of the Panel toolkit. In December 2020, the Panel published the sixth report in its Emerging Lessons Series, this one on responding to gender-based violence complaints through an independent accountability mechanism, and prepared reports on reprisals against complainants to the Panel and on land issues.



Inspection Panel Members (from left to right): Ramanie Kunanayagam, Mark Goldsmith, Imrana Jalal (chair)

Working with Group Internal Audit and Bank management at the Board's request, the Panel also published the framework for proportionality criteria and modalities for the independent verification (monitoring) of the implementation of MAPs, another new tool the Board approved during its review.

Using that framework and the resolutions approved by the Board in September 2020 to add to the Panel toolkit and to establish the World Bank Accountability Mechanism, the Panel began to update its Operating Procedures and will publish them in the new fiscal year.

The Panel welcomes Orsolya Szekely, the new World Bank Accountability Mechanism secretary and head of dispute resolution, and looks forward to working alongside the new Dispute Resolution Service to provide complainants with different ways to have their concerns addressed.

The Panel expresses its thanks to the president of the World Bank Group, David Malpass, and senior management and staff for their continued engagement with the Panel. We are humbled by the trust that Requesters place in the Panel and thank civil society for their efforts to promote accountability. We also want to acknowledge the Secretariat staff for their hard work and dedication throughout the year.

Finally, the Panel expresses its thanks to the Board for its strong support of our work and for the additional tools it provided the Panel during its review.

As the Panel implements these new tools, it is important to remember that the Panel at its core has not changed. It still reports to the Board and operates independently of Bank management. And, as it has in more than 150 cases to date, the Panel in the upcoming year will continue to provide those who the Bank is trying to help but may inadvertently harm a chance to have their concerns heard and addressed.

Imrana Jalal, *Chair*
Ramanie Kunanayagam
Mark Goldsmith

THANKS TO DILEK BARLAS

The Inspection Panel wishes to express its appreciation to Dilek Barlas, who retired in 2021 after nearly three decades with the World Bank, including 13 years with the Panel. Dilek joined the Panel in 2007 as deputy executive secretary and became executive secretary in 2014. She participated in more than 100 Panel cases, worked with a dozen Panel members, and was heavily involved in the updating of the Panel's operating procedures in 2014, the adoption of its anti-reprisal guidelines in 2016, the launch of the Panel's Emerging Lessons report series and the Board's recent review of the Panel toolkit. Panel members and staff will miss the Dilek's intelligence, sense of humor, wisdom, attention to detail and, perhaps most importantly, her big heart. Thank you, Dilek!!

THE INSPECTION PANEL

JULY 1, 2020–JUNE 30, 2021

ANNUAL REPORT



TABLE OF CONTENTS

- 4 PANEL DESCRIPTION**
- 8 INVESTIGATIONS**
- 8 Case Nos. 128, 129.** India. Rural Water Supply and Sanitation Project for Low Income States
- 11 Case No. 140.** Brazil. Teresina Enhancing Municipal Governance and Quality of Life Project Additional Financing
- 13 PENDING INVESTIGATION**
- 13 Case No. 149.** Uganda. North Eastern Road-corridor Asset Management Project
- 15 PENDING DECISIONS**
- 15 Case No. 147.** Nepal. Nepal-India Regional Trade and Transport Project
- 17 Case No. 151.** Uganda. Second Kampala Institutional and Infrastructure Development Project
- 19 CASES NOT INVESTIGATED**
- 19 Case No. 148.** Peru. Cusco Transport Improvement Project
- 21 Case No. 150.** Kazakhstan. South-West Roads: Western Europe-Western China International Transit Corridor Project (CAREC 1B & 6B)
- 23 CASES NOT REGISTERED**
- 23 Case No. 152.** Kenya. Second Education Quality Improvement Project and Kenya Climate Smart Agriculture Project
- 25 APPENDICES**
- Appendix I:** Graphs on Panel Cases, Fiscal Years 1995–2021
 - Requests Received
 - Major Policy Issues Raised in Requests
 - Map of Geographic Distribution of Cases
 - Geographic Distribution of Cases
 - Types of Requesters and Representatives
 - Project Funding Source
 - Case Processing History
- Appendix II:** Biographies of Panel Members
- Appendix III:** Inspection Panel Budget
- 31 HIGHLIGHTS OF THE PANEL'S YEAR**

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 World 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 (IBRD) and International Development Association (IDA). The Panel assesses allegations of harm to people or the environment and reviews whether the Bank followed its operational policies and procedures.

This often includes 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 related to dam safety, use of pesticides and other indirect effects of investments.
- 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.

As approved by the Board in 2018, the Panel also provides advisory services through different reports and publications on lessons emerging from its cases.

HOW IS THE INSPECTION PANEL STRUCTURED?

The Inspection Panel consists of three members appointed by the Board for a five-year non-renewable 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.

In fiscal year 2021, the three Panel members were Imrana Jalal, a member since January 2018 who has served as chair since December 2018, Ramanie Kunanayagam, a member since December 2018, and Mark Goldsmith, a member since November 2019.

The Panel also has a permanent Secretariat that provides operational, technical and logistical support to the chair and Panel members, and assists the Panel in processing complaints, conducting investigations and responding to questions from potential complainants. It organizes outreach events and provides information about the Panel through publications and social media.

The Panel executive secretary, Dilek Barlas, retired in 2021. At the end of fiscal year, the Panel Secretariat consisted of Senior Operations Officer Serge Selwan, Senior Environmental Officer Nicolas Kotschoubey, Operations Officers Birgit Kuba and Tamara Milsztajn, Senior External Affairs Officer Rob Doherty, Senior Executive Assistant Oriana Bolvaran, Research Assistant Rupes Dalai, Junior Professional Officer Ayako Kubodera and Analyst Camila Jorge do Amaral.

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.



Serge Selwan
*Senior Operations
Officer*



Nicolas Kotschoubey
*Senior Environmental
Officer*



Birgit Kuba
Operations Officer



Tamara Milsztajn
Operations Officer



Rob Doherty
*Senior External
Affairs Officer*



Oriana Bolvaran
*Senior Executive
Assistant*



Rupes Dalai
Research Assistant



Ayako Kubodera
*Junior Professional
Officer*




Camila Jorge do Amaral
Analyst





CASE SUMMARIES

The Inspection Panel received five new Requests for Inspection and continued work on two previous Requests in fiscal year 2021. 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, a description of the Request for Inspection, Bank management's response to the Request, the Panel's action in response to the Request, the Management Action Plan in response to a Panel investigation and the Board discussion or action. More detailed information on all of these cases can be found on the Panel's website.



INVESTIGATIONS

INDIA: RURAL WATER SUPPLY AND SANITATION PROJECT FOR LOW INCOME STATES (RWSSP)

CASE NOS. 128, 129

THE REQUESTS

The Panel registered two Requests for Inspection of the project in November and December 2018, respectively, and processed them jointly.

The first Request was submitted by 104 Santhal tribal community members from a village in the state of Jharkhand. The Requesters, who asked for confidentiality, were concerned about the construction of a water treatment plant (WTP) near their village as part of the Bagbera rural water multi-village scheme financed under the RWSSP. They questioned the location of the WTP and alleged the plant was constructed on their community land, which has historical and cultural significance to the Santhal tribe due to the presence of an ancestral sacred grove, as well as burial and cremation grounds. They claimed a loss of access to community resources and medicinal herbs. Additionally, they expressed concern over the environmental impact of the proposed plant, the lack of analysis of alternatives and insufficient environmental and social assessment. The Requesters also claimed a lack of consultation and information disclosure in local languages and expressed concern about retaliation.

The second Request came from 130 Santhal and Ho tribal community members from another village in Jharkhand. They also asked for confidentiality. These Requesters were concerned about the construction of an elevated storage reservoir (ESR) as part of the Chhotagovindpur rural water multi-village scheme funded by the project. The Requesters contended that the ESR location is an important martyrdom site both for the community and for the state of Jharkhand in honor of men from this community who gave their lives to the struggle for Jharkhand's statehood. They also claimed they will be impoverished by having to pay for water they currently access for free. They further raised concerns that no social assessment was prepared to evaluate this scheme's impact on indigenous peoples or examine project alternatives concerning environmental impact, as well as additional concerns about a lack of consultation and disclosure of information.

PROJECT INFORMATION

Rural Water Supply and Sanitation Project for Low-Income States

Project No:	P132173
Region:	South Asia
IDA Credit Amount:	US\$500 million equivalent
Board Approval Date:	December 30, 2013
Closing Date:	March 31, 2020

The project development objectives were "to improve piped water supply and sanitation services for selected rural communities in the target states through decentralized delivery systems and to increase the capacity of the participating states to respond promptly and effectively to an eligible crisis or emergency."



MANAGEMENT RESPONSE

In its response to the Requests, management acknowledged shortcomings in compliance with Bank safeguard policy requirements in the implementation of the project component for the construction of the WTP and the ESR in the vicinity of the Requesters' habitations. In both cases management stated that the shortcomings pertained "to weaknesses in design and supervision, the conduct and documentation of consultations, the disclosure of key scheme-specific documents, a non-objection to the initiation of works ahead of an approved Environmental Management Plan (EMP) and failure to apply" Operational Policy 4.11 on Physical Cultural Resources.

In responding to the first Request, management stated that since many members of the community have expressed interest in benefiting from the clean water supply that will be delivered by the project, it was not feasible to stop project works. However, management identified several actions in response to community concerns and to address overall project shortcomings—including working with the government to conduct consultations, supported by experts in anthropology and cultural heritage, to better understand community concerns and identify compensatory measures. Management also committed to conducting consultations on the updated EMPs and ensuring that executive summaries of safeguard documents be translated into Hindi. Management explained that the project would be restructured and OP 4.11 will apply to the project.

In responding to the second Request, management explained that the complainants' demand to stop construction works and remove the scheme was not practical since the ESR was virtually completed and operational trial runs were ongoing. Management added that there was a strong demand for piped water from associated communities and stopping the works could pose risks of retaliation against those opposing the scheme. However, management agreed with the borrower on several actions to address the second Requesters' concerns and overall project shortcomings—including consulting the second Requesters on several possible remedial measures, updating the Information, Education and Communication materials and finalizing the versions in Santhali and Ho, and consulting and disclosing the EMP.

PANEL RECOMMENDATION/BOARD ACTION

On February 12, 2019, the Panel sent its eligibility report to the Board, recommending an investigation of the project. The Board approved the Panel's recommendation on March 1, 2019.

A Panel team visited the project sites in late June and early July of 2019. The Panel submitted its Investigation Report to the Board on January 15, 2020, and shared a copy of report with the Requesters so that they could better participate in the consultations on the Management Action Plan (MAP) in response to the Panel's findings.

Preparation of the MAP continued to be delayed because travel restrictions as a result of the COVID-19 pandemic affected the Bank's ability to complete consultations with the affected communities. As a result, a Board meeting to consider the Panel's Investigation Report and to approve the MAP remained pending as of June 30, 2021.



BRAZIL: TERESINA ENHANCING MUNICIPAL GOVERNANCE AND QUALITY OF LIFE PROJECT ADDITIONAL FINANCING

CASE NO. 140

THE REQUEST

The Panel received a Request for Inspection of Phase 2 of the project on August 23, 2019, from 202 families who live in the Mafrense and São Joaquim neighborhoods of Teresina. The Requesters expressed their support for the project. However, they opposed their resettlement and claimed alternate project designs would enable them to stay in their homes. They contended community members have been living in these locations for several decades and that by displacing and relocating their community, the project would cause cultural, social and economic harm. They also expressed concern about a lack of disclosure of information and consultation and a lack of opportunity to participate in the resettlement planning.

The Catholic Archdiocese of Teresina's Human Rights Commission and the Federal Public Defender's and Public Prosecutor's offices in Piauí submitted letters in support of the Request.

The Panel registered the Request on September 19, 2019.

MANAGEMENT RESPONSE

Bank management stated the project was designed to respond to two challenges faced by the Municipality of Teresina related to recurrent floods in Lagoas do Norte, one of the most environmentally and socially vulnerable and poorest areas of the city, and to unplanned urban development over the years. Management further stated the World Bank made every effort to follow the policies and procedures applicable to the matters raised in the Request. It added it identified some weaknesses in the project's Resettlement Action Plans that were being addressed in line with Bank policy and that it agreed with the borrower on actions to improve project implementation.

PROJECT INFORMATION

Teresina Enhancing Municipal Governance and Quality of Life Project Additional Financing

Project No:	P146870
Region:	Latin America and Caribbean
IBRD Loan Amount:	US\$88 million
Board Approval Date:	February 24, 2016
Closing Date:	December 15, 2021

The project development objectives are to modernize and improve the management capacity of the Municipality of Teresina in the financial, urban, environmental, service-delivery and economic development fields and to improve the quality of life of the low-income population of the Lagoas do Norte region. An Additional Financing loan of US\$88 million was approved on February 24, 2016, as Phase 2 of the project.



PANEL RECOMMENDATION & INVESTIGATION/BOARD ACTIONS

The Panel recommended an investigation to the Board on November 25, 2019, and the Board approved the recommendation on December 13, 2019.

The Panel submitted its Investigation Report to the Board on July 22, 2020, and later shared it virtually with the Requesters on a confidential basis so they could meaningfully take part in the consultation on the Management Action Plan (MAP) responding to the Panel's findings.

The Board met on December 1, 2020, to consider the Panel's Investigation Report and approved the MAP.

The key finding from the Panel's investigation was the lack of a systematic and comprehensive application of the Bank's Policy on Involuntary Resettlement. The Panel found a lack of solid data collection and early assessment, along with insufficient consultation and participation, which led to inadequate livelihood restoration measures and assistance to vulnerable groups, among other issues. While the Panel recognized that the technical studies on the flood works were comprehensive, it found a lack of integration of social considerations into the technical assessments, which did not appear to factor in minimization of resettlement. This led to suspicion about the justification for the resettlement on the part of some project-affected people, according to the Panel. The investigation also found the Bank in compliance for not triggering its Indigenous Peoples Policy and for its assessment of and mitigation measures on cultural property.

The Panel recognized the steps taken by Bank management to rectify the weaknesses in the project following the receipt of the Request for Inspection, as well as during and after the Panel's investigation.

In the MAP, Management, among other things, agreed to: review and advise the borrower on its community information campaign regarding flood works; undertake a housing market study, the findings of which will inform the Bank's evaluation of the viability of the resettlement options offered to project-affected people; review the evidence of payment of compensation to eligible identified owners of the dismantled structures in line with Bank Policy on Involuntary Resettlement; and review the findings of a post-resettlement satisfaction survey for families and recommend to the borrower additional assistance measures that may be necessary to meet the objectives of Bank policy.

The Panel's Investigation Report and the Management Report and Recommendation, including the MAP, can be found on the Panel's website.

PENDING INVESTIGATION

UGANDA: NORTH EASTERN ROAD-CORRIDOR ASSET MANAGEMENT PROJECT

CASE NO. 149

THE REQUEST

The Request for Inspection was submitted on October 1, 2020, by 10 community members from the project area in Uganda who asked the Panel to keep their identities confidential.

The Request pertained to four interlinked issues. First, the Requesters claimed that the project planned to use Oruja Rock, a large rock located in their community, as a stone quarry for the rehabilitation of the Tororo-Kamdini Road. They alleged that the valuation of Oruja Rock was not done properly, they were coerced into signing 10-year lease agreements, and the compensation is insufficient. Secondly, they alleged that their crops, trees and structures were destroyed as part of an involuntary resettlement process in the buffer zone surrounding Oruja Rock. This process had been initiated without prior notice or adequate compensation for their losses, according to the Requesters. Thirdly, they raised concerns about the non-disclosure of project-related information. Finally, the Requesters raised concerns about coercion, intimidation and reprisals in relation to the issues above. The Panel registered the Request on November 9, 2020.

MANAGEMENT RESPONSE

Bank management submitted its response on December 11, 2020. Management stated that some of the concerns of the project-affected persons regarding the integrity of the Oruja Rock, potential impact from the quarry operations and intimidation had been addressed, as the quarry will not be used for the project and the project contractor's staff and equipment had been demobilized. Management also stated that it informed the Uganda National Roads Authority that all works under the project would remain suspended, with the exception of the emergency works along the road corridor, until several issues were resolved to the Bank's satisfaction. Management stated that the Bank had made every effort to apply its policies and procedures applicable to the points raised by the Request and further stated that it had asked the borrower to take specific steps to address relevant issues in line with the project loan agreement.

PROJECT INFORMATION

North Eastern Road-corridor Asset Management Project (NERAMP)

Project No:	P125590
Region:	Africa East
IDA Credit Amount:	US\$243.8 million
Board Approval Date:	April 30, 2014
Closing Date:	October 31, 2024

The development objective of the project is "to reduce transport costs, enhance road safety, and improve and preserve the road assets sustainably by applying cost effective performance-based asset management contracts, along the Tororo-Kamdini road corridor."



PANEL RECOMMENDATIONS/BOARD ACTIONS

On January 15, 2021, the Board approved a Panel request to postpone the deadline for its recommendation on whether to investigate the project. The original deadline for the Panel's recommendation was January 21, 2021. The Panel asked the Board to extend the deadline to February 26, 2021, citing presidential, parliamentary and local elections taking place in Uganda from January 14, 2021, until the end of that month, and the unavailability of government officials to meet with the Panel team during that period.

The Panel submitted its eligibility report on February 26, 2021. The Panel welcomed Bank management's commitments to audit the compensation payments made to community members regarding the destruction of crops and structures in the buffer zone to assess whether the community is being adequately compensated for damage incurred. The Panel also welcomed management's strong position with regard to the allegations of coercion, intimidation and reprisals. However, the Panel stated it was not satisfied that management's response addressed all the concerns raised by the Requesters—including 10-year lease agreements for Oruja Rock and its surrounding area that the Requesters say they signed with the project subcontractor under duress or the lack of meaningful community engagement. The Panel indicated it was also not satisfied with the lack of sufficient consideration to the reasons that led to the alleged harms materializing. The Panel therefore recommended carrying out an investigation into the alleged issues of harm and related non-compliance with Bank policies, including on the sequencing of project-related activities as they relate to the Bank policies on Environmental Assessment, OP/BP 4.01, Involuntary Resettlement, OP/BP 4.12, and Investment Project Finance, OP/BP 10.00.

The Board approved the Panel's recommendation to investigate on March 12, 2021.

The Panel published its Investigation Plan on its website on April 8, 2021. It stated it would make every effort to conclude the investigation within nine months, taking into account the ongoing travel restrictions resulting from the COVID-19 pandemic.

PENDING DECISIONS

NEPAL: NEPAL-INDIA REGIONAL TRADE AND TRANSPORT PROJECT

CASE NO. 147

THE REQUEST

The Request for Inspection was submitted on April 25, 2020, by nine community members from the Kirtipur Municipality in southern Kathmandu. During the Panel's initial due diligence, it received the signature of an additional Requester as well as a letter authorizing a representative to represent the Requesters during the Panel process. The Requesters and their representative asked the Panel to keep their identities confidential.

The Requesters claimed to be adversely affected by the Chobhar dry port, which is one of the project's subcomponents. They alleged non-compliance with the World Bank's policies on Environmental Assessment, Indigenous Peoples, Physical Cultural Resources and Involuntary Resettlement, and argued that the project failed to address historical land claims, pollution and labor concerns relating to a cement factory that used to be located at the site of the new dry port. According to the Request, the dry port will have environmental and social impact on neighboring communities, including Newars, who the project did not identify as indigenous, thus infringing indigenous peoples' rights in various ways. The Requesters argued the project will also damage Chobhar's historical, religious and cultural heritage. Further, they alleged a lack of effective consultation, disclosure of information and grievance redress, and raised concerns about the deployment of armed police forces at the construction site against community members opposing the project.

The Panel registered the Request on May 27, 2020.

PROJECT INFORMATION

Nepal-India Regional Trade and Transport Project

Project No:	P144335
Region:	South Asia
IDA Credit and Grant Amount:	US\$99 million equivalent
Board Approval Date:	June 28, 2013
Closing Date:	November 30, 2021

The development objective of the project is to "decrease transport time and logistics costs for bilateral trade between Nepal and India and transit trade along the Kathmandu-Kolkata corridor for the benefit of traders by reducing key infrastructure bottlenecks in Nepal and by supporting the adoption of modern approaches to border management."

PANEL RECOMMENDATIONS/BOARD ACTIONS

On July 28, 2020, the Panel sought from the Board approval to postpone its recommendation on whether to investigate the project until August 24, 2020, because COVID-19 and related restrictions prevented the Panel from conducting its field visit and it thus adopted a virtual format that required additional time to complete. On August 18, 2020, the Panel sought a second postponement until September 21, 2020, because it was unable to conduct field verification through the adopted virtual format due to the lockdown that was imposed at the time in Nepal. After conducting its document review and virtual engagements with different stakeholders, the Panel noted the complexity of this case and the need to conduct a field visit to be able to make its recommendation to the Board. As such, the Panel on September 21, 2020, requested a third postponement of the deadline for its investigation recommendation until four weeks from the date that World Bank missions to Nepal are reauthorized and national travel restrictions that would inhibit the Panel team from visiting the project area have been lifted. The Board approved the Panel's request on September 22, 2020.



UGANDA: SECOND KAMPALA INSTITUTIONAL AND INFRASTRUCTURE DEVELOPMENT PROJECT (KIIDP-2)

CASE NO. 151

THE REQUEST

The Request for Inspection was submitted on June 17, 2021, by Witness Radio Uganda, a not-for-profit and non-partisan registered advocacy organization for the protection and promotion of human rights in development, on behalf of 24 community members and representatives living in the project area. The Requesters asked the Panel to keep their identities confidential and authorized Witness Radio Uganda to represent them during the Panel process. Accountability Counsel also supports this Request. The Panel also received seven signatures of local council leaders supporting the Request.

The Requesters raised concern about works on the Lubigi Primary Drainage Channel financed under the project. They alleged that the project failed to include their community in its resettlement and compensation program. They explained that, under the World Bank's reduced supervision during the COVID-19 lockdown, an attempt was made to forcefully evict Project-Affected Persons (PAPs) without compensation and in violation of the Bank's safeguard policies. According to the Request, following interventions from PAPs' advocates and the local council, the Requesters were then rushed through a resettlement process that did not follow due process. They also alleged that this resettlement process was threatening and coercive. The Requesters explained that they are willing to move but require fair and adequate compensation and resettlement assistance to sustain their livelihoods.

The Requesters further raised a number of concerns related to impact from the First Kampala Institutional and Infrastructure Development Project (KIIDP-1) that were never addressed—including damage to structures and crops that had been taken by force, increased flooding, and health and safety issues. According to the Requesters, community members had been informed that anything left unaddressed would be resolved under KIIDP-2, but they claimed that this did not happen. The Request described several areas of alleged actual and expected harm—including physical displacement, loss and disruption of family remains including burial sites, risk of food shortages, an increase in the number of

PROJECT INFORMATION

Second Kampala Institutional and Infrastructure Development Project

Project No.:	P133590
Region:	Africa East
IDA Credit Amount:	US\$175 million equivalent
Board Approval Date:	March 20, 2014
Closing Date:	November 30, 2021

The development objective of the project is enhanced infrastructure and institutional capacity of Kampala Capital City Authority to improve urban mobility in Kampala.

school dropouts, and impact on children's safety and welfare, and on women. The Requesters also alleged inadequate information disclosure, a lack of meaningful consultation and participation and the failure to establish an adequate grievance redress mechanism. The Request included several community demands focusing on the resolution of the issues described above.

The Panel issued a Notice of Receipt for the Request on July 2, 2021, and registered the Request on July 26, 2021. A decision on whether to recommend an investigation was pending as this report was being completed.

CASES NOT INVESTIGATED

PERU: CUSCO TRANSPORT IMPROVEMENT PROJECT

CASE NO. 148

THE REQUESTS

The Request for Inspection was submitted on July 16, 2020, by two individuals who stated their land was being taken without compensation to make way for the Via Expresa Avenue built under the project. The Panel registered the case on September 28, 2020, and on November 2, 2020, received an additional signature from an individual who also claimed to co-own part of the land, as well as nine signatures of brickmakers who explained that they had rented the land for several years and claimed that they were forcibly evicted without prior notification and compensation. The brickmakers authorized their landlord, who was one of the Requesters, to represent them during the Panel process. The Requesters alleged non-compliance with the Bank's Policy on Involuntary Resettlement and lack of consultation and disclosure of information.

MANAGEMENT RESPONSE

World Bank management submitted its response to the Request on November 6, 2020. In it, management explained that the borrower's implementing agency had conducted the necessary due diligence in the preparation of the Resettlement Action Plan (RAP) to identify all project-affected persons entitled to compensation. Management argued that the Requesters' complaint related to a matter of Peruvian law, and not to the application of Bank policy, and that the Requesters were not project-affected persons for the purposes of the Bank's Policy on Involuntary Resettlement and the RAP. Management further stated that the Request conflated i) evictions that did not occur in the project area and were unrelated to the project, and ii) a code enforcement action in the project area that involved no structures and concerned the removal of brickmakers and materials without the use of force.

PROJECT INFORMATION

Cusco Transport Improvement Project

Project No:	P132505
Region:	Latin America and Caribbean
IRBD Loan Amount:	US\$120 million
Board Approval Date:	February 28, 2014
Closing Date:	May 31, 2021

The project had the development objective of improving "mobility in the east-west corridor of Cusco Provincial Municipality" and included four components. The Request for Inspection related to the first component, the improvement of Cusco's Via Expresa Avenue.

PANEL RECOMMENDATION/BOARD ACTION

Due to COVID-19 and related travel restrictions, the Panel was not able to conduct a field visit during its eligibility assessment and adopted a virtual format to gather information for its recommendation on whether an investigation was warranted.

The Panel on December 15, 2020, recommended the project not be investigated after determining i) the land ownership claims in the Request are a matter for the Peruvian courts and outside the Panel's purview, ii) the ineligibility of the claims of the brickmakers due to a lack of prior knowledge of the matter by Bank management as required in the Panel process, and iii) management's commitment to ask the borrower to review the claims of the brickmakers to ascertain their possible eligibility, or lack thereof, to receive compensation or assistance under the project's RAP.

The Board approved the Panel's recommendation on January 12, 2021.

The Management Response and the Panel's Report and Recommendation can be found on the Panel's website.

KAZAKHSTAN: SOUTH-WEST ROADS: WESTERN EUROPE-WESTERN CHINA INTERNATIONAL TRANSIT CORRIDOR PROJECT (CAREC 1B & 6B)

CASE NO. 150

THE REQUEST

The Request for Inspection was submitted on December 24, 2020, by four community members from the project area who asked the Panel to keep their identities confidential. The Requesters authorized someone to represent them in the Panel process.

The Request pertained to five issues. First, the Requesters alleged that in 2017 eight houses were flooded and sustained material damage as a result of poorly maintained drains for which the project was responsible but not all homeowners were compensated. Second, they alleged that roadworks associated with the project caused floods that blocked private wells, cut off access to a canal that used to supply local households with irrigation water, and disrupted access to natural spring water from an adjacent mountain range. Third, the Requesters alleged that their village had seen an increase in road traffic accidents linked to the roadworks. They also claimed that traffic safety plans had not been adequately consulted on or disclosed to the public. Fourth, the Requesters claimed that a crossing point for cattle under the road was partially blocked with debris because of gravel from the roadworks. Finally, the Requesters alleged a general lack of meaningful consultation and disclosure of information concerning the project, in addition to the alleged inadequate disclosure of the traffic safety plans. In substance, the Requesters alleged non-compliance with the Bank's Policy on Environmental Assessment (OP/BP 4.01).

The Panel registered the Request on February 11, 2021.

MANAGEMENT RESPONSE

Management submitted its response to the Request for Inspection on March 15, 2021.

Management stated that the Request was "misleading" as it tried to link a number of unrelated-yet-adverse impacts experienced by the Shakpak Baba community to the project while ignoring the actual sources of these impacts. Man-

PROJECT INFORMATION

South-West Roads: Western Europe-Western China International Transit Corridor Project (CAREC 1B & 6B)

Project No:	P099270
Region:	Europe and Central Asia
IRBD Loan Amount:	US\$2.125 billion equivalent
Board Approval Date:	April 30, 2009
Closing Date:	December 31, 2021

The development objective of the project is to "increase transport efficiency along the road sections between Aktobe/Kyzylorda oblast border and Shymkent, and to improve road management and traffic safety in Kazakhstan."

agement concluded that the issues raised in the Request did not pertain to the project and were not supported by facts, while acknowledging shortcomings in disclosure of information.

PANEL RECOMMENDATION/BOARD ACTION

In its Report and Recommendation, which was submitted to the Board on April 13, 2021, the Panel recommended the project not be investigated. In doing so, the Panel found the absence of a plausible link between the project and the 2017 flood, the alleged clogging of wells and loss of irrigation water. The Panel also noted no material increase in the rate of road accidents in Shakpak Baba and the acceptable state and maintenance of cattle crossing culverts underneath the bypass road. Despite weaknesses in the consultation and disclosure process, the Panel stated it did not find sufficient grounds to recommend an investigation.

The Board approved the Panel's recommendation not to investigate on April 26, 2021.

The Management Response and the Panel's Report and Recommendation can be found on the Panel's website.

CASES NOT REGISTERED

KENYA: SECONDARY EDUCATION QUALITY IMPROVEMENT PROJECT (SEQIP) AND KENYA CLIMATE SMART AGRICULTURE PROJECT (KCSAP)

CASE NO. 152

THE REQUESTS

The Request for Inspection was submitted on June 21, 2021, by eight community members who live and represent others living in the area known as Cherangany Hills in Kenya.

The Request alleged adverse impact on the Cherangany community from the projects. The Requesters claimed that the non-recognition of their community as indigenous in project documents for several years, and most recently in the above-referenced projects, has led to a community and territorial identity crisis and has increased discrimination through tribalism. The Requesters further alleged that both projects leave out the most vulnerable and marginalized indigenous peoples. They also claimed that project information was not disclosed in a timely manner and consultations excluded them and their indigenous peoples' organizations. According to the Requesters, the approach adopted in identifying sub-projects was wrong, especially in regard to the KCSAP, with very small and unsustainable projects being funded that do not benefit their communities.

PROJECT INFORMATION

Secondary Education Quality Improvement Project

Project No:	P160083
Region:	Africa East
IDA Credit Amount:	US\$200 million equivalent
Board Approval Date:	September 15, 2017
Closing Date:	December 31, 2023

The development objective of the project is to improve student learning in secondary education and transition from primary to secondary education, in targeted areas.

Kenya Climate Smart Agriculture Project

Project No.:	P154784
Region:	Africa East
IDA Credit Amount:	US\$250 million equivalent
Board Approval Date:	February 9, 2017
Closing Date:	June 30, 2023

The development objective of the project is to increase agricultural productivity and build resilience to climate change risks in the targeted smallholder farming and pastoral communities, and in the event of an Eligible Crisis or Emergency to provide immediate and effective response.

PANEL DECISION

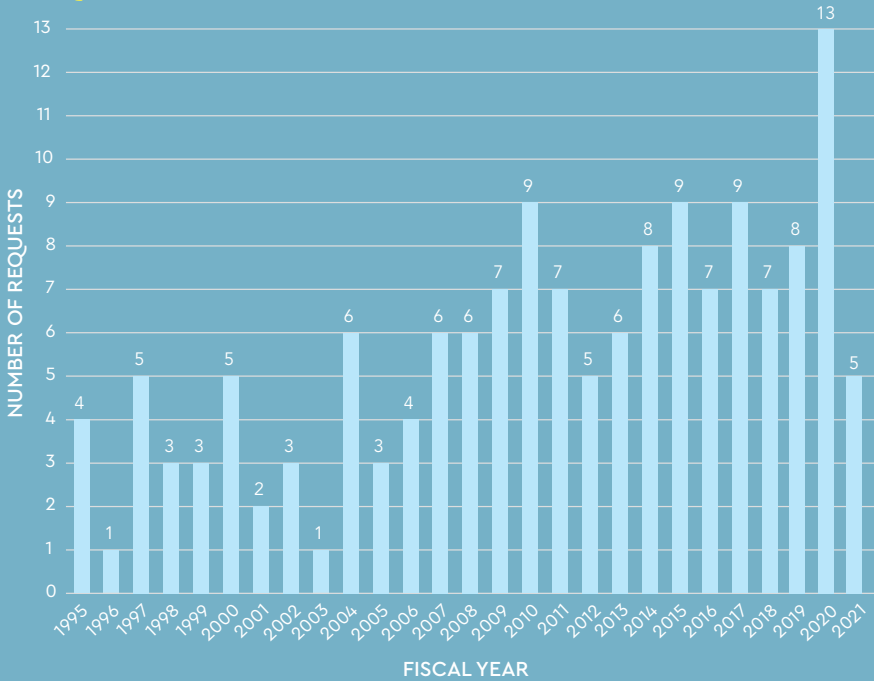
The Panel on August 10, 2021, issued a Notice of Non-Registration for the Request. In doing so, the Panel determined that for KCSAP the Requesters raised similar concerns to those raised in a complaint that was submitted but not registered in 2019 and provided no new evidence to alter the Panel's earlier decision. In regard to SEQIP, the Panel stated it understood that the community's concerns about lack of consultation and lack of mention in project documents had now been addressed.



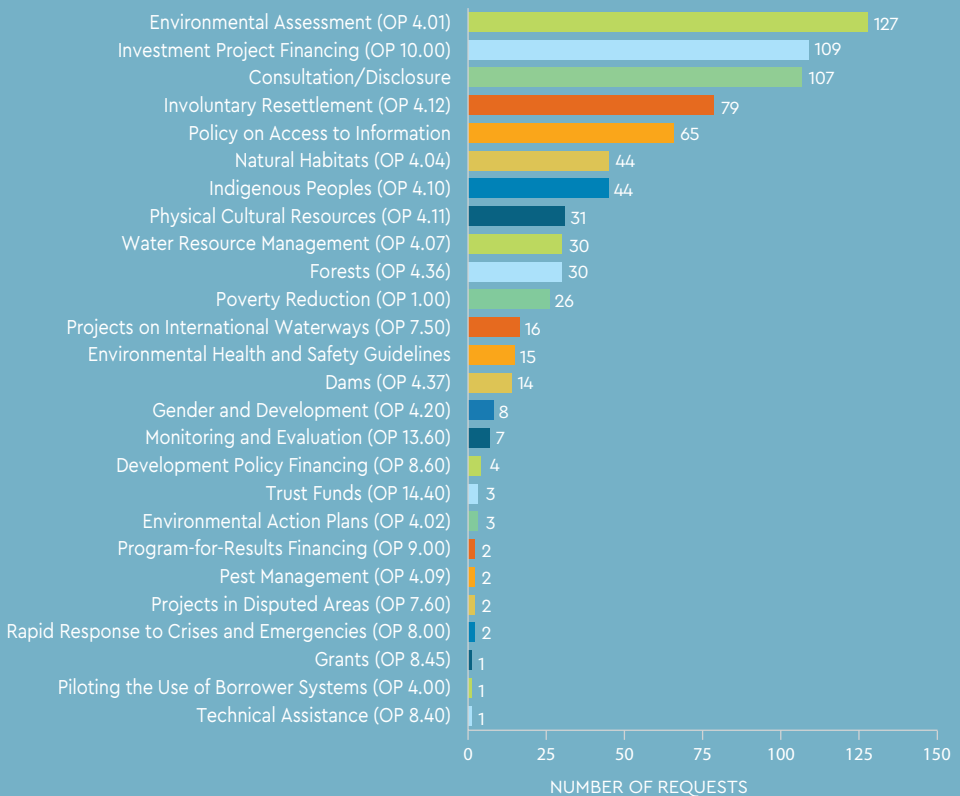
APPENDICES

APPENDIX I: GRAPHS ON PANEL CASES, FISCAL YEARS 1995–2021

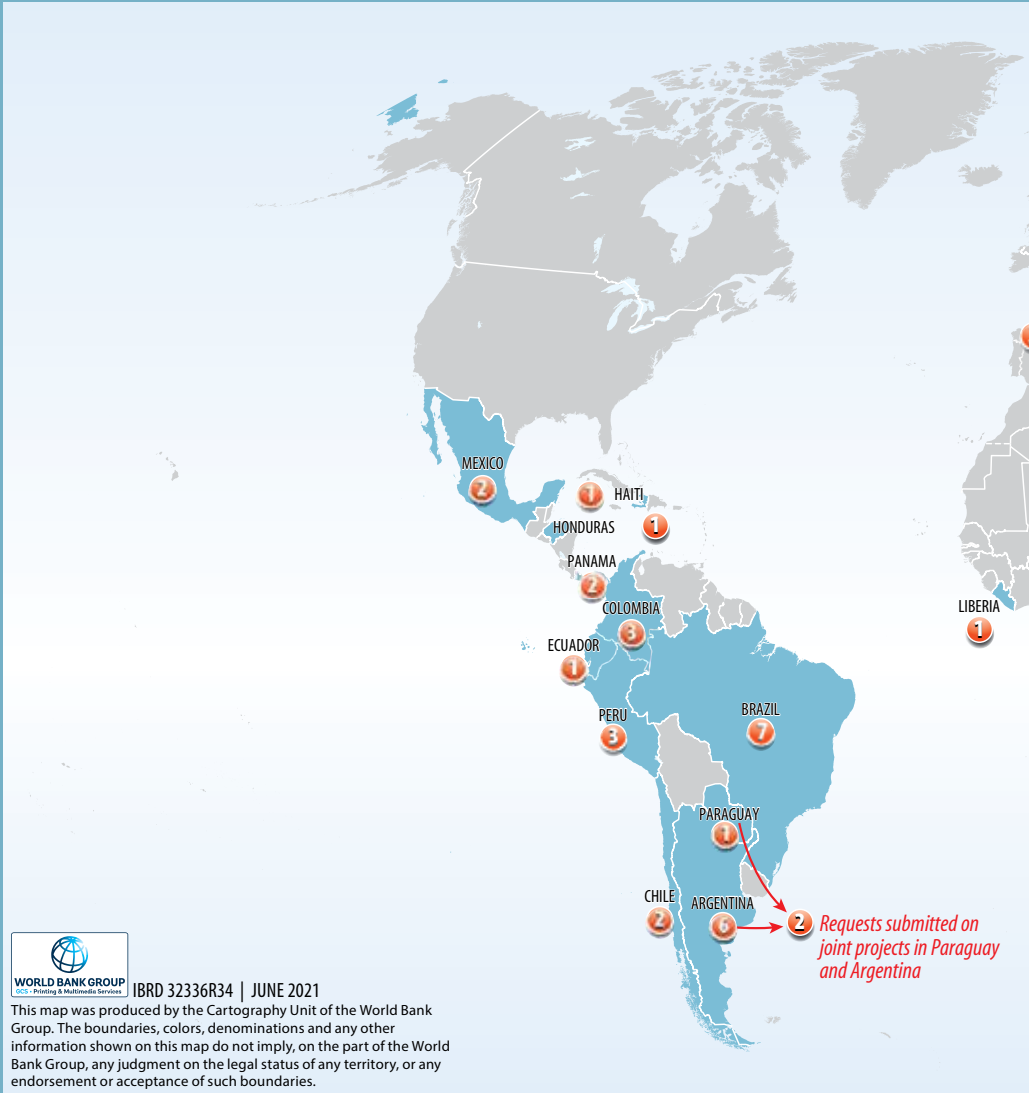
REQUESTS RECEIVED



MAJOR POLICY ISSUES RAISED IN REQUESTS

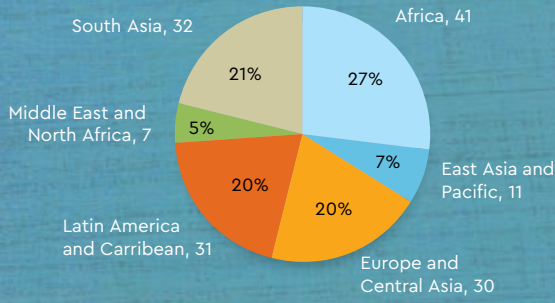


GEOGRAPHIC DISTRIBUTION OF CASES, FISCAL YEARS 1995–2021

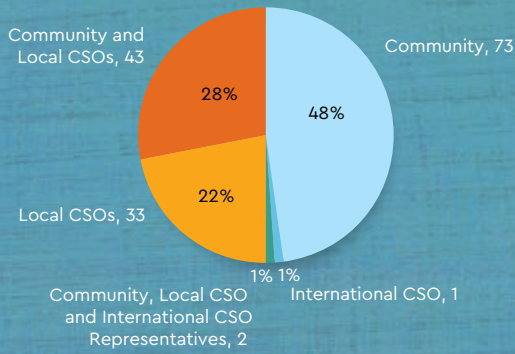




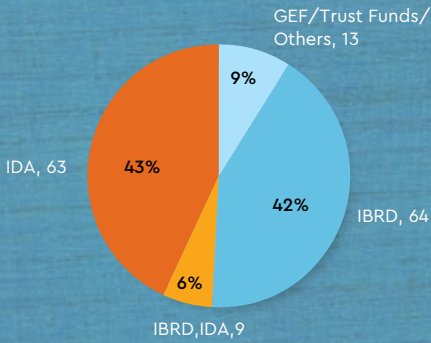
REGIONAL DISTRIBUTION OF CASES



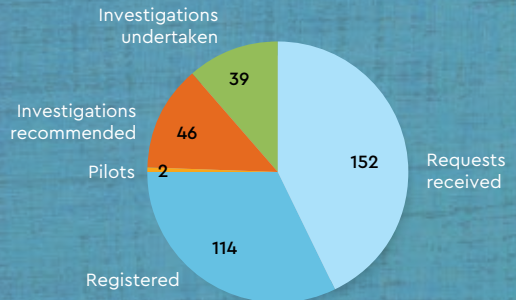
TYPE OF REQUESTERS AND REPRESENTATIVES



PROJECT FINANCING SOURCE



CASE PROCESSING HISTORY



APPENDIX II: BIOGRAPHIES OF PANEL MEMBERS

IMRANA JALAL (Chair)

Imrana Jalal was appointed to the Inspection Panel on January 1, 2018, and became chair on December 16, 2018. A Fiji national, Ms. Jalal brings to the Panel more than 30 years of experience across diverse geopolitical and multicultural environments in the private and public sectors.

As a Principal Social Development Specialist (Gender and Development) for the Asian Development Bank from 2010–2017, Ms. Jalal gained intimate knowledge of multilateral development bank operations in various sectors and demonstrated her ability to engage and build rapport and trust with stakeholders around various and complex issues. She was Chief Technical Adviser at the Pacific Regional Rights Resource Team Office from 1995–2010.

A lawyer by profession, Ms. Jalal was a Commissioner from 1999–2001 on the initial Fiji Human Rights Commission, the first of its kind in the Pacific Island countries. She is the author of "Law for Pacific Women: A Legal Rights Handbook," architect of the Fiji Family Law Act 2003, and was a founding member of the Fiji Women's Rights Movement. She was elected a Commissioner on the Geneva-based International Commission of Jurists (ICJ) in 2006 and served on the Commission's Executive Board from 2011–2017. The ICJ was established to protect the independence of judges and lawyers.

Ms. Jalal earned a master's degree with a focus on gender and development from the University of Sydney, and an LLB and LLM (Hons.) in international law from the University of Auckland.

In early 2021 the Panel voted unanimously to extend Ms. Jalal as chair through the end of calendar year 2021. Her term as a Panel member runs through December 31, 2022.



RAMANIE KUNANAYAGAM

Ramanie Kunanayagam, a Sri Lankan-born Australian citizen, was appointed to the Inspection Panel on December 16, 2018. She brings to the Panel three decades of experience across diverse geopolitical and multicultural environments in the private and public sectors.

Ms. Kunanayagam spent more than 10 years doing fieldwork in a remote part of East Kalimantan, Indonesia. She has held leadership positions in sustainability in both the private sector (working for two FTSE 10 companies) and the nonprofit sector. Most recently before joining the Panel she was the Global Head for Social Performance and Human Rights for BG Group. She is a member of the boards of two international non-profit development organizations—RESOLVE and the Institute of Human Rights and Business.



Ms. Kunanayagam has strong operational experience working across the entire project cycle. Her experience with multinational and international organizations and valuable experience living and working in more than 30 countries make evident her people skills and ability to broker trust relationships. Her appointment as a secondee to the World Bank very early in her career also gives her insight into and knowledge of the organization's operations that complement the expertise she has developed working alongside civil society, multilaterals, bilaterals and communities affected by World Bank projects.

She earned a master's degree in anthropology from Monash University, Australia.

In early 2021 the Panel voted unanimously for Ms. Kunanayagam to become Panel chair starting on January 1, 2022. Her Panel term runs through December 15, 2023.

MARK GOLDSMITH

Mark Goldsmith, a United Kingdom citizen, was appointed to the Inspection Panel on November 17, 2019. He brings to the Panel more than 25 years of experience managing complex projects and teams across the financial services, development, strategy consulting and energy sectors. His leadership extends to both the public and private sectors where he has demonstrated the ability to manage multiple stakeholders, understand complex issues and lead the implementation of industry-wide and sector-leading solutions.



Through his work in both emerging and developed economies, Mr. Goldsmith has dealt with a wide portfolio of complex and sensitive matters, including environmental, social, sustainability, safety, risk management and governance issues – experience that provides great value to the Panel.

Before creating his own sustainability consultancy "FiveOak" in 2015, Mr. Goldsmith was Director, Responsible investment for Actis for more than 10 years. During that time, he was a leader in environmental and social governance (ESG) thinking in the emerging markets. In this capacity he developed and promoted world class standards in business integrity, health and safety, social, environmental and climate change areas across all investment areas and companies and implemented robust corporate governance standards and transparent practices. From 2014 to 2019, Mr. Goldsmith was a non-executive director of ENEO, the power company of Cameroon, and chaired the board subcommittee on ESG for four of those years.

Mr. Goldsmith has led several assignments, including developing environmental and social training for CDC Group (the UK's developmental finance institute) on the International Finance Corporation's Performance Standards and providing ESG expert advice to an East Africa private equity fund and its portfolio companies.

He has a bachelor's degree in manufacturing engineering from the University of Nottingham and a master's degree in environmental pollution control, with distinction, from the University of Leeds.

His Panel terms runs through November 16, 2024.

APPENDIX III: INSPECTION PANEL BUDGET

FY21 Budget (July 1, 2020–June 30, 2021)

Salaries ^(a)	1,431,419
Benefits ^(a)	1,003,875
Communications & IT Services	116,493
Office Occupancy	172,513
Equipment and Building Services	0
Temporaries	1,718
Consultants ^(b)	663,651
ETC Consultant	58,667
ETC Benefits	17,600
Travel	1,060
Representation & Hospitality	352
Publications	14,087
Contractual Services	67,734
Other Expenses	860
Total Budget Spent	3,550,029
Original Budget	5,014,000
Revised Budget	3,614,000

Notes

^(a) Includes Chair salary and benefits

^(b) Includes Panel members fees

HIGHLIGHTS OF THE PANEL'S YEAR

Approval of the Inspection Panel and World Bank Accountability Mechanism Resolutions: The World Bank Board of Executive Directors completed its review of the Inspection Panel toolkit in 2020 and put in place a number of changes to the Bank's social and environmental accountability framework. Those changes are enshrined in the [Inspection Panel Resolution](#), which added tools to the Panel, and the World Bank [Accountability Mechanism \(AM\) Resolution](#), which created the AM to house the Panel and a new Dispute Resolution Service. Both resolutions were approved on September 8, 2020.

Hiring of the AM Secretary/Head of Dispute Resolution: The World Bank on May 3, 2021, announced [the appointment of Orsolya Szekely](#), a Hungarian national with more than 20 years' experience working with a broad range of multilateral organizations and the private sector, as AM secretary and head of dispute resolution. Both the AM secretary and Panel members report to the Board and are independent of Bank management. Panel members coordinate with, but are not subject to the supervision of, the AM secretary. Ms. Szekely began work in July 2021.

Extension for Panel Chair, Selection of New Chair: Inspection Panel members voted unanimously to extend Imrana Jalal's term as Panel chair through the end of calendar year 2021 and selected Panel Member Ramanie Kunanayagam to succeed her as chair on January 1, 2022. Ms. Jalal became chair in December 2018. Her term as chair was to have ended on June 30, 2021.

Caseload: The Panel received five new Requests for Inspection during the fiscal year, and the Board considered a Panel Investigation Report related to a municipal governance project in Brazil.

In addition, the Panel began an investigation of a road project in Uganda while the Board approved Panel recommendations not to investigate a transport project in Peru and a roads project in Kazakhstan. The Panel registered a Request from Uganda that was received in mid-June 2021 but did not register a complaint from Kenya that was submitted later that month.

The Panel received Board approval to put on hold a recommendation on whether to investigate a trade and transport project in Nepal until COVID-19-related restrictions are lifted and the Panel team can conduct its eligibility visit. A January 2020 Panel Investigation Report for a water project in India remained with the Board pending the completion of the Management Action Plan (MAP), which was delayed due to COVID-19 travel restrictions.

MAP Verification Framework: The Inspection Panel on March 1, 2021, published the [framework for proportionality criteria and modalities for independent verification of the implementation of MAPs](#) developed in response to Panel investigation findings. The framework was developed at the direction of the Board and in consultation with Bank management and the Bank's Group Internal Audit (GIA). The 2020 Panel Resolution permits the Panel and GIA, with Board approval, to verify MAP implementation in some cases.

As part of the toolkit implementation process, the Panel held four workshops in May 2021 to better understand the experiences of other independent accountability mechanisms (IAMs) in the verification of MAP implementation and to share best practice. These workshops included the consideration of the scope of IAM monitoring/verification of MAP implementation, the different levels of monitoring/verification and the timeline of the process.

Updated Operating Procedures: The Panel began work to update its Operating Procedures, using the Inspection Panel and AM resolutions and the MAP Verification Framework as a basis for the changes. After a period of internal drafting, the Operating Procedures were offered for management and public feedback in April 2021. The Panel's Operating Procedures will be finalized and sent to the Board's Committee on Development Effectiveness along with the Operating Procedures of the World Bank Accountability Mechanism in the new fiscal year.

Emerging Lessons Series: The Panel in December 2020 released the [sixth report in its Emerging Lessons Series](#), this one on responding to gender-based violence (GBV) complaints through an independent accountability mechanism (IAM). The report – released to coincide with "16 Days of Activism against Gender-Based Violence" and dedicated to the memory of U.S. Supreme Court Justice Ruth Bader Ginsburg – is based on two recent Panel investigations in Uganda and the Democratic Republic of Congo.

To mark the release of the report, the Panel hosted [a virtual discussion](#) on the topic that included opening remarks by Michele Bachelet, the former president of Chile who is now UN high commissioner for human rights. More than 250 people viewed the virtual discussion live on YouTube and another 500-plus later watched a video of the discussion.

Outreach: While working from home during the entire fiscal year because of the COVID-19 pandemic, the Panel continued to organize and participate in virtual workshops and meetings to inform civil society and community representatives about the Panel's mandate and operations.

Those outreach events included a presentation to the monthly meeting of the Movement for Community-led Development and virtual seminars throughout the year, either alone or with other IAMs, in Brazil, Nigeria, Fiji, southern Africa, Vietnam, Cambodia and Uzbekistan. The Panel also joined with other IAMs to present at a session sponsored by the Office of the UN High Commissioner on Human Rights titled, "Business and Human Rights: The Role of Civil Society Organizations." CSO representatives from Argentina, Costa Rica and Panama participated.

In addition, in October 2020 Ms. Jalal took part in a discussion titled "Are the World Bank Group's Accountability Systems Working for Communities?" The session was part of the virtual Civil Society Policy Forum at the International Monetary Fund-World Bank Group Annual Meetings and was sponsored by the Center for International Environmental Law, the Bank Information Center and Accountability Counsel.

Later that month, the Panel hosted [a virtual discussion](#) on what the changes approved by the Board to the World Bank's environmental and social accountability framework mean for project-affected communities. In April 2021, the Panel released [a series of short videos](#) in which Ms. Jalal explained the changes and their importance.

That same month, Ms. Jalal discussed the topic of GBV in development projects at a seminar sponsored by the Johns Hopkins University School of Advanced International Studies Europe.

In May 2021, the Panel took part in [a virtual session titled, "International Financial Institutions and Adoption of Lessons Learned Through their Accountability Functions"](#) at the annual conference of the International Association for Impact Assessment. Ms. Jalal was joined by Charles Di Leva, the World Bank's chief environmental and social standards officer, in discussing the two landmark Panel cases investigating GBV in Bank-funded projects and the Bank's actions in response.

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