

HOW TO FILE A REQUEST FOR INSPECTION TO THE WORLD BANK INSPECTION PANEL

GENERAL GUIDELINES

SCOPE AND MANDATE OF THE PANEL

The Inspection Panel is an independent complaints mechanism for people who believe that they have been, or are likely to be, harmed by World Bank-funded projects to channel their concerns directly to the World Bank's Board of Executive Directors. [The Board created the Inspection Panel in 1993](#) to promote accountability at the Bank and to ensure that the voices of people who may be adversely affected by Bank-funded projects are heard.

The Panel carries out its mandate as an impartial fact-finding body, independent of Bank Management. In response to complaints by affected people, the Panel has the mandate to review Bank-funded projects and determine whether Bank Management is following the [World Bank's operational policies and procedures](#). These policies and procedures are designed to ensure that Bank-funded projects provide social and economic benefits, and avoid harm to people or the environment.

When it carries out an investigation, the Panel reports to the Board on whether the harm, alleged by the Requesters, have totally or partially resulted from failure of the Bank to comply with its policies and procedures, including social and environmental safeguard policies, during design, appraisal and implementation of Bank-financed projects.

The Panel does not act as a court of law. It is a non-judicial body that acts independently, impartially and objectively in evaluating the process followed by the Bank. The Panel does not investigate projects and programs unless it receives a formal Request for Inspection. Investigations do not seek to place guilt on individuals, but rather to ensure that the Bank as an institution follows its policies and procedures and avoids or mitigates harm and benefits local people.

Types of Harm and Projects Covered by the Panel

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

The Panel's mandate covers projects financed by the International Bank for Reconstruction and Development (IBRD) and International Development Association (IDA) of the World Bank Group, in addition to Trust Funds managed by the Bank. Complaints about projects supported by the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA) are dealt with by the

Office of the Compliance Advisor Ombudsman (CAO). More information about the CAO can be found at www.cao-ombudsman.org.

The Panel and CAO's mandates do not extend to issues relating to procurement of goods or services, fraud and corruption. Issues related to suspected fraud or corruption, to misprocurement in a World Bank-supported project, or to Bank staff misconduct in relation to allegations of fraud and corruption should be reported to the Bank's Fraud and Corruption Hotline: www.worldbank.org/integrity.

WHO CAN FILE A REQUEST

Who Can Submit a Request for Inspection

The Panel has authority to receive Requests for Inspection, which raise issues of harm as a result of a violation of the Bank's policies and procedures from:

- Any group of two or more people in the country where the Bank financed project is located who believe that, as a result of the Bank's violation of its policies and procedures, their rights or interests have been, or are likely to be adversely affected in a direct and material way. They may be an organization, association, society or other group of individuals;
- A duly appointed local representative acting on explicit instructions as the agent of adversely affected people;
- In exceptional cases, a foreign representative acting as the agent of adversely affected people;
- An Executive Director of the Bank in special cases of serious alleged violations of the Bank's policies and procedures.

REQUEST REQUIREMENTS

Basic Requirements for Admissibility of a Request for Inspection

As part of basic requirements, the Requesters need to show in writing that:

- They live in the project area (or represent people who do) and have been or are likely to be affected adversely by project activities;
- They believe that they may suffer actual or are likely to suffer harm resulting from a failure by the Bank to follow its policies and procedures;
- Their concerns have been brought to the attention of Bank staff and Management and they are not satisfied with the outcome.

The Panel is **not** authorized to deal with the following:

- Requests which do not involve any actions or omissions on the part of the International Bank for Reconstruction and Development (IBRD) and International Development Association (IDA) of the World Bank Group, or a Trust Fund managed by the Bank;

- Requests against procurement decisions by Bank borrowers from suppliers of goods or services financed by the Bank under a loan/credit agreement;
- Requests filed after the Closing Date of a project or program, and when 95% or more of the funds have been disbursed.
- Requests related to a matter over which the Panel already made its recommendation after having received a prior Request, unless justified by new evidence or circumstances not known at the time of the prior Request.

Contents of a Request for Inspection

A Request for Inspection should contain, in substance, the following information:

- **Harm.** A description of how the Requesters believe that their rights or interests may be adversely affected by a Bank-funded project, and the harm that they believe they are suffering, or are likely to suffer as a result.
- **The project.** A description of the Bank-financed project or proposed project as far as it may be known to the Requesters, stating how, in their view, the harm suffered or likely to be suffered by them is linked to the project activities that the Requesters believe may be relevant to their concerns.
- **Actions or omissions of the Bank.** A description of action or omission of the Bank with respect to the design, appraisal and/or implementation of the Bank-funded project. Requesters are not required to mention or quote specific Bank operational policies and procedures, but if known, may elaborate upon how that action or omission is a result of a failure by the Bank to follow its operational policies and procedures, including, but not limited to, [the Bank's safeguard policies](#).
- **Informing the Bank.** A Request should describe steps taken or efforts made to bring the issue to the attention of Bank staff (if possible, with dates, people contacted, and copies of correspondence with the Bank), and a statement explaining why, in the Requesters' view, the Bank's response was inadequate.

If some information cannot be provided at the time of submitting the Request, the Requesters should indicate as to when such information may be made available to the Panel.

How and When to Submit a Request for Inspection

- **Format.** All Requests must be submitted in writing, but no specific form or format is necessary. The Request should be dated and signed by the Requesters or their representative. Requests with original signatures, and any supporting documentation, may be sent via post or may also be submitted electronically. Requesters may ask for confidentiality in the handling of the Request.
- **Language.** Requests may be submitted in the Requesters' local language. The working language of the Panel is English. If Requests are not in English, the time needed to translate and ensure the accuracy of the translation may add some days to the Panel's initial determination of whether to register the Request.
- **Representatives.** If the Request is submitted by a local representative of the affected people, s/he must provide written evidence that s/he is acting on behalf of the people submitting the

Request. Non-local representatives are also allowed in exceptional cases where the party submitting the Request contends that appropriate representation is not locally available and the Board so agree at the time they consider the Request for Inspection. In that case the Request must include an explanation of the reasons for why there is no available representation in the country where the project is located or where the harm has or may occur.

- **Supporting information.** If available, the Requesters may include any other evidence that documents their concerns.
- **Confidentiality.** If Requesters wish that their names and personal information remain confidential, the Panel will keep all such information strictly within the Panel. However, for purposes of correspondence, the name of a contact person that can be made public should be provided.
- **Submission of Request.** Requests may be submitted in hard copy by mail or electronically to ipanel@worldbank.org. Requests by mail should be sent to the ***Executive Secretary of the Inspection Panel, Mail Stop MC 10-1007, 1818 H Street, N.W., Washington, D.C. 20433, U.S.A. or to the Bank's country office in the country where the project is located.*** In the latter case, the country office shall, after issuing a receipt to the Requester, forward the Request to the Panel unopened through the next pouch.
- **Time of submission.** Requests can be submitted during the design, appraisal or implementation of a project. That is, a request may be submitted even before the World Bank approves the financing for the project or program – since the first Project Information Document has been issued and throughout project implementation but not after project closing or once project proceeds have been disbursed by 95% or more.

SUGGESTED FORMAT

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

- I. Name, contact address, and telephone number of the group or people making the request (or their representatives).
- II. Name and description of the Bank project.
- III. Adverse effects of the Bank project.
- IV. If you are a representative of affected people please attach a signed letter authorizing you to act on their behalf (a simple handwritten document is sufficient).

The Inspection Panel will need **answers to the following key questions**:

- I. Is this Request being submitted with confidentiality attached? Are any signatories of the Request requesting confidentiality?
- II. What is the nature and extent of the damage caused by the project to you or those you represent?
- III. In what way would the Bank's actions or omissions, in the context of the project, affect you adversely? How can this be determined?

- IV. Are you familiar with Bank policies and procedures that apply to this type of project? How do you believe the Bank may have violated them? Knowledge of Bank policies and procedures is not a requirement.
- V. Has the Bank been contacted about the project in regards to the issues raised? Please provide information about all such known contacts, and the responses, if any. The issues raised in the Request must have been raised with Bank Management *before* a Request for Inspection is filed.
- VI. If you know that the Panel has dealt with this matter before, do you have any new facts or evidence to submit?

Please provide a summary of this information. Attach to the Request for Inspection any additional documentation you believe is necessary. Please list these attachments in your summary.

You may wish to use this sample form

SAMPLE FORM: REQUEST FOR INSPECTION

To: Executive Secretary, the Inspection Panel
1818 H Street NW, MSN 10-1007, Washington, DC 20433, USA
Email: ipanel@worldbank.org
or the appropriate World Bank Country/Regional Office

1. We [insert names] live and/or represent others who live in the area known as [insert name of area]. Our addresses are attached.
2. We have suffered, or are likely to suffer, harm as a result of the World Bank's failures or omissions in the [insert name and/or brief description of the project or program] located in [insert location/country].
3. [Describe the damage or harm you are suffering or are likely to suffer from the project or program.]
4. [List (if known) the World Bank's operational polices you believe have not been observed.]
5. We have complained to World Bank staff on the following occasions [list dates] by [explain how the complaint was made]. No response was received, [or] we believe that the response received is not satisfactory as it does not answer or solve our problems for the following reasons:
6. We request the Inspection Panel recommend to the World Bank's Executive Directors that an investigation of these matters be carried out.

Signatures:

Date:

Contact address, telephone number, fax number, and e-mail address:

List of attachments

We [do/do not] authorize you to disclose our identities

INFORMATION AND ADVICE

Need Advice on the Panel Process and Filing a Request for Inspection?

If you have questions or need advice about the Inspection Panel process or the procedures for submitting a Request for Inspection, you may contact the office of the Inspection Panel, which will provide information about the relevant requirements or may meet to clarify the Panel process and procedures. Such inquiries may be made **by email at ipanel@worldbank.org, by phone at +1-202-458-5200 or by fax at +1 202-522-0916 (Washington, D.C.)**.

The Panel may also be contacted by mail at: **Inspection Panel, Mail Stop MC 10-1007, 1818 H Street, N.W., Washington, D.C. 20433, U.S.A.**

Additional information about the Inspection Panel and its work is available on the Panel website: www.inspectionpanel.org.