February 13, 2014

Dear Ms. Watanabe, Ms. El Bakri, and Mr. Castro de la Mata:

It has come to our attention that a proposed change to the position of Executive Secretary of the Inspection Panel has come before the World Bank's Board of Directors. The proposed restructuring of the Panel's Secretariat, about which civil society was not officially informed or consulted, has the potential to undermine the independence of Inspection Panel.

As members of civil society who value the work of the Inspection Panel, we are concerned that that the proposed changes, without any feedback from civil society, or past and present users of the Panel, could put the Inspection Panel's next Executive Secretary in a position where their independence could be compromised by fears that their work at the Inspection Panel could subsequently affect their future career advancement within the Bank. Accountability and the protection of the rights of communities impacted by Bank-supported projects hinges on the Inspection Panel and its Secretariat retaining the highest standards of independence and transparency.[i]

We request your commitment to consulting with civil society on the Terms of Reference for the Executive Secretary position to ensure there are measures to protect the Panel's independence. This might include, for example, a cooling off period before a Bank staff member assumes a position at the Inspection Panel Secretariat,[ii] and a cooling off period before a Secretariat staff member can return to work for the Bank.[iii] We urge you to select the best person for this position through a robust public search for appropriate candidates. We look forward to a full and open public consultation process with you before such a significant reform is made.

Thank you for your attention to this urgent matter.

Sincerely,

Pol Vandevoort, 11.11.11 – Coalition of the Flemish North-South Movement, Belgium
Natalie Fields, Accountability Counsel, USA
Titi Soentoro, Aksi! for Gender, Social and Ecological Justice, Indonesia
David Banisar, Article 19, UK
Chad Dobson, Bank Information Center, USA
Pieter Jansen, Both ENDS, The Netherlands
Petra Kjell, The Bretton Woods Project, UK
Petr Hlobi, CEE Bankwatch Network
Jorge Daniel Taillant, Center for Human Rights and the Environment (CEDHA), Argentina
Jocelyn Medallo, Center for International Environmental Law (CIEL), USA
Kristen Genovese, The Centre for Research on Multinational Corporations (SOMO), The Netherlands
Antonio Gambini, Centre national de coopération au développement, CNCD-11.11.11, Belgium
Will Hurd, Cool Ground, USA

Cesar Gamboa, Derecho Ambiente y Recursos Naturales (DAR), Peru
Kate Horner, Environmental Investigation Agency, USA
Helen Tugendhat, Forest Peoples Programme, UK
Karen Orenstein, Friends of the Earth, USA
Mariana González Armijo, Fundar, Analysis and Research Center, Mexico
Elaine Zuckerman, Gender Action, USA
Jessica Evans, Human Rights Watch
David Pred, Inclusive Development International, USA
Andy Whitmore, Indigenous Peoples Links (PIPLinks), UK
Janet Redman, Institute for Policy Studies, Climate Policy Program, USA
Mayra Tenjo, Instituto Latinoamericano para una Sociedad y un Derecho Alternativos (ILSA), Colombia
Florencia Ortuzar, Interamerican Association for Environmental Defense (AIDA)
Ryan Schlief, International Accountability Project, USA
Zachary Hurwitz, International Rivers, USA
Maurice Ouma Odhiambo, Jamaa Resource Initiatives, Kenya
Hilda Domig, Kosovo Civil Society Consortium for Sustainable Development (KOSID), Kosovo
Lori Udall, Monpelier Consulting, USA
Frank Muramuzi, National Association of Professional Environmentalists (NAPE), Uganda
Johanna von Braun, Natural Justice, South Africa
Nicolas Mombrial, Oxfam International
Doug Norlen, Pacific Environment, USA
Antonio Tricarico, Re:Common, Italy
Maria Dyveke Styve, The Norwegian Coalition for Debt Cancellation (SLUG), Norway
Derek MacCuish, The Social Justice Committee of Montreal, Canada
Bandula Kothalawala, Trades Union Congress, UK
Norman Jiwan, Transformation for Justice (TuK), Indonesia
Stephanie Fried, 'Ulu Foundation, USA
Knud Vöcking, Urgewald, Germany

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[i] The importance of preserving the independence of the Panel's Executive Secretary is articulated in the 2011 review of the World Bank Group's oversight and accountability mechanisms, which took into account feedback from Bank management. Specifically, the report states that, "As the Secretary has a fundamental role in reviewing complaints, assessing their eligibility and carrying out investigations if warranted, he or she should be prevented from immediately joining or re-joining the Group staff upon termination of service with the Panel." "External Review of the Oversight and Accountability Units," COGAM2011-0014, June 9, 2011, para. 100.
[ii] Several financial institutions impose cooling off periods for their staff before being able to join the staff of their institution's accountability mechanism: European Bank of Reconstruction and Development ("The [Project Complaint Mechanism] Officer will not have worked for the Bank (either as a staff member, Bank official, Director, Alternate Director, Director's Adviser or consultant for at least two (2) years prior to being appointed as the Officer." 2010 EBRD PCM Rules of Procedure, para. 55); Asian Development Bank ("The [Special Project Facilitator] must not have worked in any ADB operations departments for at least five years before appointment." 2012 Revised Accountability Mechanism Policy, para.109); African Development Bank Group ("The Director [of the Compliance

Review and Mediation Unit] shall not have worked for the Bank Group in any capacity whatsoever for the period of at least five (5) years prior to his or her appointment." 2010 AfDB Independent Review Mechanism Operating Rules and Procedures, para.61).

[iii] A post-cooling off period after employment at an accountability mechanism and before rejoining bank staff is a requirement at a number of accountability mechanisms, including the: Compliance Advisor Ombudsman, the accountability mechanism of the private sector side of the World Bank Group ("Contracts for CAO staff restrict specialists and staff above that level from obtaining employment with IFC or MIGA for a period of two years after they end their engagement with CAO. The CAO Vice President is restricted for life from obtaining employment with the World Bank Group;" and consultant contracts "may impose time-bound restrictions to their future involvement with IFC or MIGA." 2013 CAO Operational Guidelines, p.5-6); the European Bank of Reconstruction and Development ("The [Project Complaint Mechanism] Officer, upon completion of his or her term of service, will not be entitled to work for the Bank (either as a Staff member, Bank official, Director, Alternate Director, Director's Adviser or consultant) for at least the three (3) years immediately following." 2010 EBRD PCM Rules of Procedure, para. 55); African Development Bank Group ("The Director [of the Compliance Review and Mediation Unit]…shall not be entitled to work for the Bank Group in any capacity whatsoever for a period of three (3) years following each 5 year period served as Director following the expiry of his or her appointment." 2010 AfDB Independent Review Mechanism Operating Rules and Procedures, para.61).