



Bank Procedure

Release from Permanent Debarment Imposed on Certain Individuals

Bank Access to Information Policy Designation

Public

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Content

The President determines with this Procedure a process for a termination of the sanction of ineligibility for an indefinite period of time to be awarded Bank-financed contracts imposed on individuals pursuant to sanctions procedures set out in the Operational Memorandum dated January 5, 1998, and the World Bank Sanctions Committee Procedures dated August 2, 2001.

Applicable to

IBRD,IDA

Issuer

President, IBRD/IDA

Sponsor

Senior Vice President and General Counsel, LEGVP

SECTION I – PURPOSE AND APPLICATION

1. The President determines with this Procedure a process for a termination of the sanction of ineligibility for an indefinite period of time to be awarded Bank-financed contracts imposed on individuals pursuant to sanctions procedures set out in the Operational Memorandum dated January 5, 1998, and the World Bank Sanctions Committee Procedures dated August 2, 2001.
2. This Procedure applies to the Bank.

SECTION II – DEFINITIONS

As used in this Procedure, the capitalized terms and acronyms have the meanings set out below:

1. **Affiliate** means any legal or natural person that controls, is controlled by, or is under common control with, the Debarred Individual, as determined by the Bank.
2. **Bank** means the International Bank for Reconstruction and Development and the International Development Association.
3. **Bank-Financed Project** means an investment project, for which IBRD or IDA (as the case may be), whether acting for its own account or in the capacity as administrator of trust funds funded by donors, has provided financing in the form of a loan, credit or grant and governed by the Bank's Procurement Guidelines, Consultant Guidelines, or Procurement Regulations or the Anti- Corruption Guidelines.
4. **Debarred Individual** means a natural person who was Permanently Debarred pursuant to the rules expressed in the Bank's sanctions procedures set out in the Operational Memorandum dated January 5, 1998, and the World Bank Sanctions Committee Procedures dated August 2, 2001.
5. **IBRD** means the International Bank for Reconstruction and Development.
6. **IDA** means the International Development Association.
7. **ICO** means Integrity Compliance Officer(s) of the Bank.
8. **Permanent Debarment** refers to the sanction of ineligibility for an indefinite period of time to be awarded Bank-financed contracts.
9. **Sanctions Procedures** means the Bank Procedure: Sanctions Proceedings and Settlements in Bank Financed Projects (Catalogue Number MDCAO6.03-PROC.106, effective 1/7/2016).

SECTION III – SCOPE

1. The Bank terminates a Debarred Individual's sanction of Permanent Debarment, and releases such Debarred Individual from such Permanent Debarment, in accordance with the following procedures.
2. **Request for Release.** The Debarred Individual may submit a written request to the ICO for release from sanction (the "**Request for Release**"). In the Request for Release, the Debarred Individual shall list any past and present Affiliates under their control since the imposition of Permanent Debarment.
3. Release Requirements:
 - a. Lapse of time: The entry into force of the sanction of Permanent Debarment onto a Debarred Individual occurred at a minimum 20 years before the Request for Release.
 - b. No evasion of sanction: Based on a review of the Bank's available records of project related documentation, no evidence has been identified that the Debarred Individual has sought to evade or has evaded their sanction, individually or through Affiliates under their control, by: (i) attempting to be or being awarded or otherwise benefiting from a Bank-financed contract, financially or in any other manner; or (ii) attempting to be or being a nominated sub-contractor, consultant, manufacturer or supplier, or service provider of an otherwise eligible firm being awarded a Bank-financed contract.
 - c. Meeting of Release Conditions: The Debarred Individual demonstrates compliance with certain remedial, preventative, and/or other conditions for release, as determined by the ICO (the "**Release Conditions**"). The Release Conditions may include (but are not limited to) verifiable actions taken by the Debarred Individual, such as: (i) remedial measures to address the sanctionable practices for which the Debarred Individual was sanctioned; and (ii) the completion of training and/or other educational programs that demonstrate a continuing commitment to personal integrity and business ethics. The Release Conditions may also include verifiable actions taken by Affiliates controlled by the Debarred Individual to address the sanctionable practices for which the Debarred Individual was sanctioned (e.g., the adoption and implementation of an integrity compliance program or elements thereof).
4. Release Process:
 - a. Within thirty (30) days after receipt of the Request for Release, the ICO shall begin their review thereof to establish the **Release Conditions** for the Debarred Individual, provided that: (i) the sanction of debarment was imposed on the Debarred Individual at least 20 years prior to the Request for Release; and (ii) no evidence has been identified by the Bank that the Debarred Individual has sought to evade or evaded their sanction, individually or through Affiliates under their control, based on the Bank's available project related records. The ICO may require the Debarred Individual to submit additional information and documentation, including but not limited to information and documentation

regarding any Affiliates that may be controlled by the Debarred Individual, in order to determine if and/or how to establish the Release Conditions. The ICO may advise the Debarred Individual of actions that may be required to meet the Release Conditions, including the minimum amount of time that likely will be required to demonstrate such actions.

- b. Within a period of three (3) years after the date on which the ICO notified the Debarred Individual of the Release Conditions or conveyed the Release Conditions to the Debarred Individual's last known physical address or email address, but no earlier than ninety (90) days after such date (the "**Application Window**"), the Debarred Individual may submit to the ICO a statement setting forth arguments for, and evidence of, their compliance with the Release Conditions (the "**Application for Release**").
- c. Within thirty (30) days after receipt of the Application for Release, the Bank, through the ICO, shall begin their review thereof to determine, based on the arguments and evidence set forth in the Application for Release and any other factors they may deem relevant, whether or not the Debarred Individual has complied with the Release Conditions. Before making such determination, the ICO, or an agent designated by the ICO, may verify the arguments and evidence contained in the Application for Release. The Debarred Individual shall, and shall cause any Affiliates controlled by them to, cooperate fully with any such verification, including by permitting the ICO (or such agent) access to relevant books and records and to interview relevant staff.
- d. The ICO shall conclude their verification and make their determination as soon as practicable, and thereafter shall promptly notify the Debarred Individual of such determination and the basis therefor.
- e. In the case of a determination by the ICO that the Debarred Individual has complied with all Release Conditions, the Debarred Individual shall, from the date of such determination or such other date as the ICO may specify, be released from sanction. Any Affiliate that had been permanently debarred solely as a result of its status as an Affiliate controlled by the Debarred Individual shall also be released from sanction on the same date as the Debarred Individual's release date.
- f. In the case of a determination by the ICO that the Debarred Individual has not complied with all Release Conditions, Section III.A, paragraph 9.03(e) of the Sanctions Procedures shall apply mutatis mutandis.
- g. Default by the Debarred Individual. In the event that a Debarred Individual fails to submit an Application for Release during the Application Window or to fully cooperate with any verification of compliance conducted under paragraph 4(c) above, the Debarred Individual shall be deemed not to have complied with the Release Conditions. A determination of non-compliance by reason of default shall not be subject to review.

SECTION IV – EXCEPTION

N/A

SECTION V – WAIVER

The President may waive any provision of this Procedure.

SECTION VI – OTHER PROVISIONS

N/A

SECTION VII – TEMPORARY PROVISIONS

N/A

SECTION VIII – EFFECTIVE DATE

This Procedure is effective as of the date on its cover page.

SECTION IX – ISSUER

The Issuer of this Procedure is the President.

SECTION X – SPONSOR

The Sponsor of this Procedure is the Senior Vice President and General Counsel, LEGVP.

SECTION XI – RELATED DOCUMENTS

1. Operational Memorandum dated January 5, 1998, entitled “Fraud and Corruption under Bank-Financed Contracts: Procedures for Dealing with Allegations against Bidders, Suppliers, Contractors, or Consultants”.
2. August 2, 2001 Procedures of the Sanctions Committee

ANNEX(ES)

None.

Questions regarding this Procedure should be addressed to the Sponsor.