

Notice of Uncontested Sanctions Proceedings

September 19, 2024

**Sanctions Case No. 781
IDA Grant No. D1910-AF
(Afghanistan Urban Development Support Project)
IDA Grant No. H681-AF
(Afghanistan Irrigation Restoration and Development Project)**

**Respondent:
Comsis Information Technology Solutions Services**

1. On June 4, 2024, the World Bank’s Chief Suspension and Debarment Officer (the “SDO”) issued a Notice of Sanctions Proceedings (the “Notice”) to Comsis Information Technology Solutions Services (the “Respondent”) pursuant to sub-paragraph 4.1(a) of Section III.A of the Bank Procedure: Sanctions Proceedings and Settlements in Bank Financed Projects issued by the Bank on November 30, 2023 (the “Sanctions Procedures”).
2. The Statement of Accusations and Evidence (the “SAE”) prepared by the Bank’s Integrity Vice Presidency (“INT”) and appended to the Notice contained INT’s accusations that the Respondent engaged in Sanctionable Practices (as defined in the Sanctions Procedures) in connection with the above-named project (the “Project”). The SAE also contained the evidence gathered by INT in support of these accusations.
3. The specific accusations made by INT in the SAE were that the Respondent engaged in fraudulent practices by submitting false manufacturer’s authorization documents in: (a) the Respondent’s bid for a contract to supply information technology (“IT”) equipment under one Bank-financed project in Afghanistan; (b) the Respondent’s bid for a different contract to supply IT equipment under a second Bank-financed project in Afghanistan; and (c) the Respondent’s vendor proposal for a purchase order to supply IT equipment for the World Bank Country Office in Afghanistan.
4. Based on a review of INT’s SAE conducted in accordance with sub-paragraph 4.1(a) of Section III.A of the Sanctions Procedures, and pursuant to sub-paragraph 4.1(c), sub-paragraph 9.1, and sub-paragraph 9.4 of Section III.A of the Sanctions Procedures, with due consideration of the factors set forth in sub-paragraph 9.2 of Section III.A of the Sanctions Procedures and in the World Bank Group Sanctioning Guidelines, the SDO recommended in the Notice that the Respondent, together with certain Affiliates (as defined in the Sanctions Procedures) where so specified, be sanctioned as follows:

Comsis Information Technology Solutions Services
("Comsis Afghanistan")

**Recommended Sanction: Debarment with Conditional Release
Minimum Period of Ineligibility of Two (2) Years**

It is recommended that Comsis Afghanistan (together with any entity that is an Affiliate directly or indirectly controlled by Comsis Afghanistan) be declared ineligible (i) to be awarded or otherwise benefit from a Bank-financed contract, financially or in any other manner;¹ (ii) to be a nominated² sub-contractor, consultant, manufacturer or supplier, or service provider of an otherwise eligible firm being awarded a Bank-financed contract; and (iii) to receive the proceeds of any loan made by the Bank or otherwise to participate further in the preparation or implementation of any Bank-Financed Project; provided, however, that after a minimum period of ineligibility of two (2) years, Comsis Afghanistan may be released from ineligibility only if Comsis Afghanistan has, in accordance with sub-paragraph 9.3 of Section III.A of the Sanctions Procedures, demonstrated to the World Bank Group's Integrity Compliance Officer that Comsis Afghanistan has complied with the following conditions:

- (a) Comsis Afghanistan has taken appropriate remedial measures to address the Sanctionable Practices for which Comsis Afghanistan has been sanctioned; and*
- (b) Comsis Afghanistan has adopted and implemented, in a manner satisfactory to the Bank, integrity compliance measures as may be imposed by the World Bank Group's Integrity Compliance Officer pursuant to sub-paragraph 9.3(b) of Section III.A of the Sanctions Procedures (e.g., an integrity compliance program or elements thereof) to address the Sanctionable Practices.*

In determining this recommended sanction, the SDO took into account, as an aggravating factor, that Comsis Afghanistan engaged in a repeated

¹ For the avoidance of doubt, the declaration of ineligibility to be awarded a contract will include, without limitation, (i) applying for pre-qualification, expressing interest in a consultancy, and bidding, either directly or as a nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider, in respect of such contract, and (ii) entering into an addendum or amendment introducing a material modification to any existing contract.

² A nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider (different names are used depending on the particular bidding document) is one which has been (i) included by the bidder in its pre-qualification application or bid because it brings specific and critical experience and know-how that allow the bidder to meet the qualification requirements for the particular bid or (ii) appointed by the borrower.

pattern of misconduct by engaging in fraudulent practices in connection with two separate Bank-financed projects, as well as a Bank vendor contract. The SDO also took into account, as mitigating factors, (i) the passage of time since the misconduct occurred and the Bank was made aware of it, and (ii) INT's representations as to the extent of Comsis Afghanistan's cooperation during the course of the investigation, noting in particular that while Comsis Afghanistan communicated with INT and provided some of the documents INT requested, Comsis Afghanistan did not provide INT with many of the documents requested. The SDO also took into account the November 3, 2021, debarment of Comsis Afghanistan from contracting directly with the Bank, with a period of ineligibility of five years, as well as INT's request that, in order to "enable streamlined release processes and timelines," Comsis Afghanistan's sanction "should reflect the duration of the vendor debarment." The SDO did not apply any additional aggravating or mitigating factors.

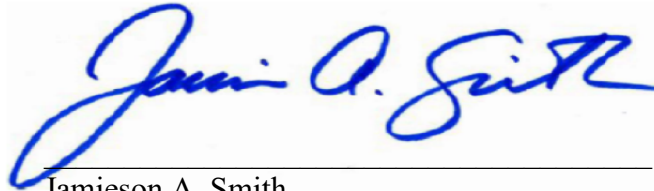
This declaration of ineligibility will extend across the operations of the World Bank Group, including IFC, MIGA, and the guarantee and carbon finance operations of the Bank.³ The Bank will also provide notice of this declaration of ineligibility to the other multilateral development banks ("MDBs") that are party to the Agreement for Mutual Enforcement of Debarment Decisions (the "MDB Cross-Debarment Agreement") so that they may determine whether to enforce the declarations of ineligibility with respect to their own operations in accordance with the MDB Cross-Debarment Agreement and their own policies and procedures.⁴

5. The Respondent did not submit an Explanation (as defined in the Sanctions Procedures) in accordance with sub-paragraph 4.2(b) of Section III.A of the Sanctions Procedures.

³ *Sanctions Procedures, . . . sub-paragraph 9.1(c) of Section III.A. For the avoidance of doubt, the declaration of ineligibility also extends to activities financed through trust funds administered by the Bank to the extent governed by the Bank's Procurement Regulations (or either of the Regulations' predecessor documents, the Procurement Guidelines and Consultant Guidelines) or Anti-Corruption Guidelines. Id., sub-paragraph 1.1(c)(i) of Section III.A.*

⁴ *At present, the parties to the MDB Cross-Debarment Agreement are the Bank Group, the African Development Bank Group, the Asian Development Bank, the European Bank for Reconstruction and Development, and the Inter-American Development Bank Group. The MDB Cross-Debarment Agreement provides that, subject to the prerequisite conditions set forth in the MDB Cross-Debarment Agreement, unless a participating MDB (i) believes that any of the prerequisite conditions set forth in the MDB Cross-Debarment Agreement have not been met or (ii) decides to exercise its rights under the "opt out" clause set forth in the MDB Cross-Debarment Agreement, each participating MDB will promptly enforce the debarment decisions of the other participating MDBs.*

6. Sub-paragraph 4.4 of Section III.A of the Sanctions Procedures provides that if a respondent does not contest the accusation or the sanction recommended by the SDO in a Notice of Sanctions Proceedings by submitting a Response (as defined in the Sanctions Procedures) to the World Bank Group Sanctions Board (the “Sanctions Board”) within ninety (90) days after delivery of such Notice of Sanctions Proceedings, the sanction recommended by the SDO shall enter immediately into force.
7. No Response having been submitted to the Sanctions Board by the Respondent within the specified period, INT’s accusations in the SAE and the sanction recommended by the SDO in the Notice are deemed uncontested for purposes of sub-paragraph 4.4 of Section III.A of the Sanctions Procedures, and the recommended sanction set forth in paragraph 4 above has entered into force as of the date hereof.



Jamieson A. Smith
Chief Suspension and Debarment Officer
Office of Suspension and Debarment (OSD)
The World Bank