

## **WBG Sanctions Board Member Terms of Reference**

The World Bank Group (WBG) comprises five institutions. Two of the institutions are primarily private-sector focused – the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA) and two are primarily public-sector focused – the International Bank for Reconstruction and Development (IBRD) and International Development Association (IDA). The fifth institution, the International Center for Settlement of Investment Disputes (ICSID), is a forum for investor-State dispute resolution.

The WBG’s mission is to end extreme poverty and boost shared prosperity on a livable planet. Sanctionable Practices – such as corruption, fraud, and collusion – pose a major challenge to these goals. Furthermore, Sanctionable Practices undermine development objectives, damage the reputation of the WBG and its clients, and hurt the poor.

One way that the WBG combats Sanctionable Practices is through its Sanctions System, which includes the Sanctions Board. The Sanctions System is designed to protect the funds entrusted to the WBG through a range of administrative sanctions, while offering the firms and individuals involved an opportunity to respond to the allegations against them.

### **Sanctions Board**

The WBG Sanctions Board is an independent administrative tribunal that serves as the final decision-maker in all contested cases of Sanctionable Practices in connection with WBG-financed development projects. The Sanctions Board comprises seven members, all of whom are external to the WBG. Three members are appointed by IBRD, and two members are appointed by each of IFC and MIGA. Once appointed, each member owes his or her duties to the WBG as a whole and not to the appointing institution.

Members of the Sanctions Board do not hold any appointment as staff of the WBG and must remain independent during their service. Service on the Sanctions Board is governed by the Sanctions Board Statute, the Code of Conduct for Members of the Sanction Board, and the Sanctions Procedures for the relevant WBG institution in a given case. For all matters not addressed by these documents, the Sanctions Board follows the instructions of the Sanctions Board Chair.

As the 2nd tier of the two-tier adjudicative system, the Sanctions Board reviews “appeals” submitted by Respondents from the 1st tier reviewer (the IFC Evaluation Officer, MIGA Evaluation Officer, or World Bank Sanctions and Debarment Officer). The WBG Sanctions Board carries out a full *de novo* review in each case and may hold oral hearings. It makes determinations on procedural and evidentiary matters, as well as the ultimate issue of liability. The WBG Sanctions Board may also issue one of five types of sanctions, including debarment from WBG financing. The WBG Sanctions Board issues fully-reasoned decisions for each case, which are posted publicly.

In addition to resolving contested sanctions cases, the Sanctions Board also has competence to review determinations of non-compliance with conditions for release by the WBG Integrity Compliance Officer, determinations of successorship or assignment, and requests for reconsideration of final decisions (e.g., where new material evidence becomes available).

The Sanctions Board relies on a professional Secretariat managed by the Executive Secretary to the Sanctions Board, with an office in the WBG’s Washington, D.C., headquarters. The Secretariat assists the

Sanctions Board in reviewing cases, issuing decisions, holding hearings, convening for deliberations, and liaising with relevant stakeholders in the WBG and in the global development community.

Members of the Sanctions Board have included individuals with experience as high court judges, top international arbitrators, senior officials of the UN and Multilateral Development Banks, and other leading jurists and development experts from around the world.

### **Sanctions Board Members Search**

Candidates are sought for three vacancies on the WBG Sanctions Board. IBRD is the nominating institution for two vacancies. MIGA is the nominating institution for one vacancy.

Candidates must possess first rate ethical and professional qualities, including: unimpeachable probity; and familiarity with procurement matters, law, dispute resolution mechanisms, and/ or operations of development institutions.

- Candidates must not currently hold any appointment to the World Bank, IFC or MIGA.
- Minimum education requirements include a Master's in law, corporate compliance, international procurement, auditing, forensic accounting, or an equivalent advanced degree in a related field.
- Qualified candidates must possess a minimum of 20 years of related professional experience including dispute resolution (as an arbitrator, litigator, or judge) in complex corporate and/or commercial matters; anti-corruption and institutional integrity; international procurement; auditing; or related field. A minimum of 10 years of the candidate's professional experience must be at an international level. Direct experience with operations and systems within other international development institutions is highly desirable.
- Candidates for the vacancy with MIGA as the nominating institution must be familiar with non-commercial guarantee operations.

The appointment to the Sanctions Board shall be for a single term of up to six (6) years, non-renewable. The WBG Sanctions Board Members are expected to serve on an as-needed basis during this period based on caseload and other deliverables. The WBG Sanctions Board generally convenes twice annually in spring and fall of each year with approximately 10 days per year in Washington, D.C.; with approximately 10 to 15 total days of service expected per year, depending on the Sanctions Board's workload. The appointment shall terminate at the end of the term, but WBG Sanctions Board Members may be requested to hold office until their replacement has been appointed.

During and after the end of their mandates, Sanctions Board members must accept and be subject to the Code of Conduct for Members of the Sanctions Board, including future time-bound limitations on services for individuals and entities that were Respondents during the Member's tenure.

Note: Candidates will be subject to a conflict-of-interest check prior to appointment and be required to disclose any circumstance which may give rise to reasonable doubts as to their impartiality or independence. There will also be a background check of the successful candidates. The successful candidates will commence their terms on June 1, 2025.