AFRICAN DEVELOPMENT BANK GROUP

MANAGEMENT RESPONSE TO THE REQUEST RELATING TO THE BLAISE DIAGNE INTERNATIONAL AIRPORT PROJECT, SENEGAL (AIBD)

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LIST OF ACRONYMS

AIBD SA  Société Anonyme, Aéroport International Blaise Diagne
AfDB  African Development Bank Group
BCRM  Compliance Review and Mediation Unit
E&S  Environmental and Social
ESMP  Environmental and Social Management Plan
ESIA  Environmental and Social Impact Assessment
IRM  Independent Review Mechanism
ISS  Integrated Safeguards System
PAPs  People affected by the Project
RAP  Resettlement Action Plan
RMCs  Regional Member Countries
OpsCom  Operations Committee
1. A complaint relating to the AIBD Project was initiated by three Senegalese nationals in September 2017 and was registered by BCRM in December 2017. The complainants are dissatisfied with the compensation paid by the Senegalese government for the acquisition of their lands. They are alleging that the amounts of compensation they received are not aligned to the requirements of Senegalese laws and the Bank’s Involuntary Resettlement Policy (2003), which are the applicable resettlement standards to the project.

2. This Management Response is a reaction to the registration of the complaint related to the Aéroport International Blaise Diagne (AIBD) and the proposal from BRCM to proceed to a mediation exercise between the complainants and AIBD SA. The Management Response derives from a review of the project documents and internal consultations.

BACKGROUND ON THE PROJECT

3. The Board of Directors of the Bank approved the AIBD Project in December 2010 to finance the construction of new airport in Senegal. In August 2014, the lenders agreed to a restructuring of their respective loan facilities by (i) extending the availability period of the facilities, (ii) amending the disbursement schedules to reflect three last equal instalments, (iii) amending the repayment schedules to reflect the new disbursement schedules. This restructuring did not have any financial impact on the Bank since repayments started from Mars 2015 as initially scheduled in the Project loan documentation. The airport was officially launched on 7 December 2017.

4. The new airport meets international air transport regulations both in terms of security and quality infrastructure, and create space for related industrial activities such as aircraft maintenance. It has a capacity of 3–million annual passenger and 80,000 aircraft movements, which will relieve the air and road congestion at the existing Dakar airport. The project is designed to provide a long-term solution to traffic management in Dakar and supports the Senegalese government’s strategy for decongesting Dakar peninsula and to promote the development of neighboring regions through a modern and secure state-of-the-art airport facility.

5. The Project has also created jobs, developed skills and built capacity among the inhabitants in the surrounding communities through international airports management expertise transfer during the construction and operation period. On completion, the airport creates opportunities for direct and indirect employment. It will engage some 427 full-time employees during the operational phase, including 197 females. In addition to direct employment at the airport, the project requires other services in engineering, spare parts, information technology and services, catering and cleaning, that will boost the local economy.

6. Other socio-economic benefits include higher income generation and revenue collection, economic transformation of the project area and accompanied amelioration of household livelihoods; emergence of small and medium enterprises; attraction of national and regional businesses, investors, and a rise in Senegal’s tourism potential.
SAFEGUARDS PROCESSING AND INSTRUMENTS

7. The Project is classified as Category 1 for environmental and social considerations as it is a Greenfield transport infrastructure project. An Environmental and Social Impact Assessment (ESIA), an Environmental and Social Management Plan (ESMP) and a Full Resettlement Action (Full RAP) were prepared in 2010 after revising the environmental and social (E&S) documents that were initially prepared by project implementation unit in 2005. The project effectively relocated eligible affected people to the newly built resettlement site equipped with housing and other social services facilities (clinic, school, market etc.).

8. The consultation process, beyond consultations carried during studies, included a desk review of all available project-related documentation for quality, field visits to project sites and discussions with stakeholders, borrowers’ staff, affected persons, and AfDB staff involved in project preparation and supervision. Initial discussions were held with the Bank’s representation, with the AIBD SA staff including staff of AIBD’s Department of Environment and with social experts as well as staff from supporting national agencies and NGOs. Joint field missions were also conducted at the main airport site (together with other lenders as well as at the resettlement site where public hearings with the local community representatives took place. The history of handling resettlement and compensation is provided in the box below to shed light on the overall context of this complaint.

COMPENSATION ASSESSMENTS AND PAYMENTS

9. AIBD airport site overlaps two rural communities: Diass and Keur Moussa. The rural district of Diass, where the three complainants are from, is made up of about twenty villages. The village of Diass (capital of the commune) is affected only by the loss of cultivated land without any physical displacement.

10. The complainants are requesting equitable compensation in accordance with the provisions of the Full RAP and Bank’s Involuntary Resettlement Policy (2003). The complainants have unsuccessfully sought recourse through the project’s grievance mechanism and Senegalese courts. The complainants have thus requested that BCRM employ the IRM’s problem solving mechanism to assist them.

11. Compensation assessment procedures started in 2002 with the assessment of losses in the project footprint. The evaluations undertaken were as follows:

- **2002**: Loss Assessment for 74 parcels in Kirene and Diass, resulted in Decree No. 2002-435. The agency in charge of the airport project was the Agence nationale pour la promotion des investissements et des grands travaux (APIX). APIX who took charge of the inventory and payment of the compensation before handing over to AIBD SA (Aéroport International Blaise Diagne Société Anonyme) which was only created in February 2006.

- **2003**: Assessment of losses including Kathialite, Kessoukhate-Center and, Mbadate (Rural Community of Keur Moussa) resulted in Decree 2003-775.

- **2004**: Assessment of losses for 34 plots at Diass in the Department of Mbour, gave rise to Decree No. 2004-33. Population of Diass was paid in 2007.

- **2008**: Evaluation of the losses on the project site, the decree was finalized after 2010. The construction of the airport started in 2008 in the area of the rural community of Diass after the
affected communities received their compensation. The administrative body in charge of the payment of the benefits is the Receveur des domaines. In addition to the compensated agricultural land, the construction of the airport required the physical displacement of the populations of the three hamlets of the village of Kessoukhate namely Kessoukhate-center, Mbadate and Khatialite. These are located in the central and northern part of the project.

- **2009**: AIBD SA expressed its wish to benefit from Bank financing and mandated an international consultant to develop a Revised Resettlement Plan (RRP) in line with donors standards for lands and villages resettlement. Kessoukhate-Center, Mbadate and Kathialite are physically displaced as well as the cropland located in the Diass Forest Reserve and the agricultural lands of the host communities of the proposed resettlement site.

- **2009 / 2010**: An additional census was carried out for the villages to be moved, by Consultant in charge of the resettlement action plan; the census is verified by the Domain Registration Department. The decree was finalized around 2011. The populations enumerated between 2008 and 2010 were paid from 2011.

**CONCLUSION: MANAGEMENT POSITION ON THE MEDIATION PROCESS**

12. Management takes note of the issues flagged and the recommendations made by BRCM and is of the opinion that:

- The complainants were paid compensation several years that is in 2005 prior to the Bank and other lenders even considering financing the project. As such, the complaint centers on legacy resettlement and is not directly related to involuntary resettlement linked to the Bank funded project.
- Complainants received their 2007 compensation paid by the estate collector based on national standards (and the 2005 resettlement plan). The land was attributed to the airport from that moment.
- The complainants, who are from the rural community of Diass, have confirmed that they received their compensation in 2007 at a meeting held on 16 October 2017 between AIBD SA, the plaintiffs and BCRM).
- At the time of the Bank’s intervention in 2010, the plaintiffs had already perceived their compensation and the land was already transferred to the airport.

13. The Bank remains a committed partner of the AIBD SA and Government of Senegal with regard to the development and implementation of environmental and social activities and will continue to assist the airport authorities in monitoring performance and resolving issues as they unfold during the operational phase.

14. Management reiterates that the Environmental and Social Management Plan and the Resettlement Action Plan were developed and implemented in compliance with the Bank’s policies and best practices as well as Senegalese standards.

15. The Bank will collaborate with BCRM to share its past and present understanding of the project’s environmental and social aspects and is willing to facilitate as well as to engage in a dialogue between the complainants and AIBD SA on the legacy resettlement matters.