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<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>ADA</td>
<td>Agency for Agricultural Development</td>
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<tr>
<td>ADB</td>
<td>African Development Bank</td>
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<tr>
<td>ADF</td>
<td>African Development Fund</td>
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<tr>
<td>AEI</td>
<td>Afrique-Europe Interact</td>
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<tr>
<td>AFD</td>
<td>Agence Française de Développement (French Development Agency)</td>
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<td>AFDG</td>
<td>African Development Bank Group</td>
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<tr>
<td>AIBD</td>
<td>Aéroport International Blaise Diagne (Blaise Diagne International Airport)</td>
</tr>
<tr>
<td>ARU</td>
<td>Agroforestry Resources Unlimited</td>
</tr>
<tr>
<td>AUTP</td>
<td>Abidjan Urban Transport Project</td>
</tr>
<tr>
<td>AWSB</td>
<td>Athi Water Services Board</td>
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<tr>
<td>BCRM</td>
<td>Compliance Review and Mediation Unit</td>
</tr>
<tr>
<td>BDEAC</td>
<td>Development Bank of Central African States</td>
</tr>
<tr>
<td>BEL</td>
<td>Bujagali Energy Limited</td>
</tr>
<tr>
<td>BOAD</td>
<td>Banque Ouest Africaine de Développement (West African Development Bank)</td>
</tr>
<tr>
<td>CAMWATER</td>
<td>Cameroonian Water Utilities Corporation</td>
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<tr>
<td>CAO</td>
<td>Compliance Advisor Ombudsman</td>
</tr>
<tr>
<td>CAP</td>
<td>Corrective Action Plan</td>
</tr>
<tr>
<td>CDRT</td>
<td>Centre de Développement de la Région de Tensift</td>
</tr>
<tr>
<td>CODE</td>
<td>Committee on Operations and Development Effectiveness</td>
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<tr>
<td>COCM</td>
<td>AfDB Country Office in Cameroon</td>
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<td>COMA</td>
<td>AfDB Country Office in Morocco</td>
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<tr>
<td>CRP</td>
<td>Compensation and Resettlement Plan</td>
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<tr>
<td>CSO</td>
<td>Civil Society Organization</td>
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<td>DWS</td>
<td>Drinking Water and Supply</td>
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<tr>
<td>EBRD</td>
<td>European Bank for Reconstruction and Development</td>
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<tr>
<td>EIB</td>
<td>European Investment Bank</td>
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<tr>
<td>ESIA</td>
<td>Environmental and Social Impact Assessment</td>
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<tr>
<td>ESMS</td>
<td>Environmental and Social Management System</td>
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<tr>
<td>ESMP</td>
<td>Environmental and Social Management Plan</td>
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<tr>
<td>ETAP</td>
<td>Tunisian Company of Petroleum Activities</td>
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<tr>
<td>FGD</td>
<td>Flue-Gas Desulphurization</td>
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<tr>
<td>FIP</td>
<td>Forest Investment Program</td>
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<tr>
<td>FMO</td>
<td>Nederlandse Financierings-Maatschappij voor Ontwikkelingslanden N.V (Netherlands Development Bank)</td>
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<tr>
<td>FRAP</td>
<td>Full Resettlement Action Plan</td>
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<tr>
<td>GEF</td>
<td>Global Environment Facility</td>
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<td>GIZ</td>
<td>German International Cooperation</td>
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<tr>
<td>GRC</td>
<td>Grievance Redress Committee</td>
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<td>IAIA</td>
<td>International Association for Impact Assessment</td>
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<tr>
<td>IAM</td>
<td>Independent Accountability Mechanism</td>
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<td>IFC</td>
<td>International Finance Corporation</td>
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<td>IFI</td>
<td>International Financing Institution</td>
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<td>IP</td>
<td>Investment Program</td>
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<td>IRM</td>
<td>Independent Review Mechanism</td>
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<td>ISS</td>
<td>Integrated Safeguards System</td>
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<td>JICA</td>
<td>Japanese International Cooperation Agency</td>
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<tr>
<td>KeNHA</td>
<td>Kenya National Highways Authority</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>KiW</td>
<td>German Development Bank</td>
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<tr>
<td>KURA</td>
<td>Kenya Urban Roads Authority</td>
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<tr>
<td>M3</td>
<td>Moulin Moderne du Mali</td>
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<tr>
<td>MDB</td>
<td>Multilateral Development Bank</td>
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<tr>
<td>MINEE</td>
<td>Ministry of Mines and Water Resources</td>
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<tr>
<td>NAPE</td>
<td>National Association of Professional Environmentalists</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<tr>
<td>PAEPA-MSU</td>
<td>Semi-Urban Drinking Water Supply And Sanitation</td>
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<tr>
<td>PAPs</td>
<td>People Affected by Projects</td>
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<tr>
<td>PCR</td>
<td>Project Completion Report</td>
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<tr>
<td>PCU</td>
<td>Project Coordination Unit</td>
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<tr>
<td>PIU</td>
<td>Project Implementation Unit</td>
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<tr>
<td>PPP</td>
<td>Public-Private Partnership</td>
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<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
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<tr>
<td>RMC</td>
<td>Regional Member Country</td>
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<tr>
<td>SCF</td>
<td>Strategic Climate Fund</td>
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<tr>
<td>STGP</td>
<td>South Tunisian Gas Pipeline</td>
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Preface
We are pleased to report the successful delivery of the Work Program of the Independent Review Mechanism (IRM) for 2018. The planned IRM compliance review reports as well as the spot-check advisory review reports were completed and their findings and recommendations were approved by the Boards of Directors of the African Development Bank (AfDB). Significant progress was made regarding the cases that were handled through the problem-solving process. In addition, efforts are ongoing to bridge the information gap on the IRM in an attempt to make it known widely by its stakeholders. Therefore, outreach activities were organized in regional member countries (RMCs) and information about the IRM was dispatched through the Bank’s webpage (www.afdb.org/irm), brochures, and publications. The outreach and hands-on demonstration activities familiarized the participating non-governmental organizations (NGOs) and project promotors with the IRM complaint-handling process.

These achievements have been made possible because of the strong support from the Boards of Directors. The constant engagement with the complainants has been a key factor to the IRM success. For example, we see renewed interest in the IRM by civil society organizations (CSOs) as evidenced in the case of the Sendou Coal-Fired Power Plant in Senegal. The complainants took the initiative to reach out to our office and maintained constant communication, which has resulted in the completion of the compliance review process. I am hopeful to see such engagements thrive as model processes among the people affected by the projects (PAPs).

The Bank Management has also been more proactive in providing their responses to the complaints and IRM findings and recommendations. For instance, in some of the recurrent issues that were pointed out in the IRM findings, the Bank Management initiated further social impacts assessment to fulfill the poverty reduction objectives that were not addressed as the projects had pledged, and rectified the inconsistency of PAPs’ compensation processes. These actions have resulted in providing redress to a significant number of vulnerable communities for the material losses of their valuable assets and subsistence activities. Moreover, the Management has fulfilled its commitment in the IRM monitoring process of their Action Plans, which aim to bring projects into compliance with the AfDB policies and procedures.

We are hopeful that the IRM findings and recommendations have helped the Bank Management in understanding that concerns related to unresolved safeguards are impediments to achieving the objectives of projects and that these issues need to be given greater attention. Careful application of safeguards standards should not only be considered when improving quality at entry for projects but it should also be taken very seriously during the project supervision phase.

Overall, several important lessons have emerged based on the activities of previous years as well as those of 2018. Given the capacity and operational constraints, the Bank is advised to intensify its technical support on environmental and social safeguards to its clients and to strengthen its due diligence process, especially for projects with significant environmental and social impacts. It is in doing so that the AfDB can address the challenges associated with the recurrent issues observed by the IRM, such as inadequacy in compensation of PAPs, inadequate environmental and social impact assessments (ESIAs), and related environmental and social action plans. Equally important is to ensure that commitments made by clients are met in order to promote accountability. Therefore, as guarantee for the client’s compliance with the safeguards standards, the AfDB should continue the practice of incorporating sufficient remedies in credit facility agreements to provide proper technical support to clients and to ensure adequate supervision of projects.

Despite these achievements, there have been challenges that the IRM continues to face. The Boards and stakeholders, especially civil society actors, have repeatedly voiced their concerns over the prolonged nature of some of the cases that led
to delays in reporting on complaints handled by the IRM as well as the limited visibility of the IRM. In addition, there are still limitations with regards to the IRM-Management cooperation, which is yet to be optimized, such as occasional disagreements between the IRM findings and relevant Management responses, inadequate archiving of project documents, and insufficient supervision or follow up with the settlement agreements and actions plans resulting from the IRM recommendations on strengthening the safeguards measures by the projects.

Finally, a note of special thanks to the IRM Experts and the staff of the Compliance Review and Medication Unit (BCRM) for their diligent work and valuable contributions to the IRM.

Sekou Toure, Director, BCRM
WHERE TO SEND A COMPLAINT

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African Development Bank Group (AfDB)
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01 P.O. Box 1387 Abidjan 01, Cote d’Ivoire

Tel: +225 20 26 20 56 / +225 20 26 29 00

Email: BCRM_info@afdb.org with copy to S.Toure@afdb.org and
B.Kargougou@afdb.org

Alternatively, a Request can be sent to any of the Bank Group’s country offices in the respective country of the Requestors.
Executive Summary
The BCRM fulfilled the commitments of the IRM Work Program for 2018, which included the handling of ongoing and new complaints, spot-check advisory reviews of project compliance for two high-risk projects, problem-solving exercises, and outreach and information dissemination about the IRM.

With regard to case-handling, the compliance reviews of complaints relating to agribusiness, energy, and transport projects financed by the AfDB in Mali, Senegal, and Guinea respectively were completed. The annual monitoring reports on the Action Plan prepared by the Management to bring the Medupi Coal-Fired Power Plant in South Africa into compliance with the applicable AfDB policies and procedures was completed. The monitoring of the Bujagali Hydropower Dam and the Bujagali Interconnection Project in Uganda was closed. Progress was made on the cases handled through problem-solving exercises, including the closing of the mediation process for the two Requests relating to transport, water, and sanitation projects in Kenya. The BCRM facilitated the resolution of the complaint relating to the new airport project in Senegal, and registered new Requests relating to transport projects financed by the AfDB in Côte d’Ivoire and Kenya.

The IRM issued spot-check advisory review reports for two private-sector operations—namely, the Form Ghana Reforestation Project and the South Tunisian Gas Pipeline Project. These projects were selected and approved by the Boards in 2017, considering the emphasis the AfDB has placed on private sector financing to accelerate the transformation of economies towards “green and inclusive” growth in Africa. The lessons that are presented in these reports are expected to feed into Bank operations processes particularly the Management efforts to improve the quality at entry of projects and compliance with AfDB policies by other similar projects. Moreover, in a response to the AfDB’s Auditor General Office Report and upon the approval of the Boards, the IRM conducted spot-check reviews of one water and two transport projects in Cameroon. The IRM investigated the problematic implementation of Environmental and Social Management Plans (ESMPs) by these projects, and the IRM Expert is completing the relevant draft reports for Management’s comments on factual statements prior to their submission to the Boards.

The BCRM organized outreach and capacity-building activities in different RMCs, including Cameroon, Côte d’Ivoire, Morocco, and South Africa. The consultations with CSOs, projects promoters, and Bank staff strengthened their knowledge and understanding about the relevance of IRM functions to the effectiveness of AfDB-financed operations. Regional and national workshops were co-organized with Independent Accountability Mechanisms (IAMs) of other International Financing Institutions (IFIs), CSOs, and Bank departments. A training session for investment officers of the Bank was held during the IRM Experts’ familiarization visit to the Bank headquarters. The session was organized by the BCRM and the Private Sector Department on the provisions and implications of AfDB’s new Policy on Non-Sovereign Operations (October 2018) on the work of the IRM. Notes on lessons learned from the closed cases handled by the IRM were prepared in order to advise Management on how to improve the due diligence process regarding energy and transport projects.
1. Complaints Handling

1.1 Problem-Solving Cases

1.1.1 Introduction

The problem-solving exercises undertaken during the year helped the complainants, project promoters, and the Bank to find mutually agreeable solutions to the concerns raised by the Requests in Kenya relating to the Nairobi Outer-Ring Road Improvement Project, and the Nairobi River Rehabilitation and Restoration Program: Sewerage Improvement Project – Phase I. The BCRM made progress in the handling of the new as well as ongoing cases concerning several projects in Côte d’Ivoire, Kenya, and Senegal. The new complaints registered for problem-solving exercises relate to the Abidjan Urban Transport Project (AUTP) in Côte d’Ivoire and the Mombasa-Mariakani Highway Project in Kenya. However, the mediation effort concerning the Mulago Hospital case in Uganda has proved to be challenging.

1.1.2 Resolved Cases

The Nairobi Outer-Ring Road Improvement Project, Kenya

The BCRM received the Request relating to this project from a number of affected open-air traders, and registered it for both a problem-solving exercise and a compliance review on 7 October 2015. Significant progress was made since the launch of the problem-solving process. This year, the Director of the BCRM organized a final mediation meeting with the Principal Requestor, the Bank staff responsible for the project, and representatives of Kenyan Urban Roads Authority (KURA) on 19 March 2018 at the Bank’s East African Regional Development and Business Delivery Office in Kenya. In this session, the Principal Requestor confirmed that the PAPs had received their compensations, he had represented them in the project’s Grievance Redress Committee (GRC), and that he had expressed the complainants’ satisfaction with the outcome of the mediation. The Bank provided evidence that such compensations were paid in line with the national laws and the standards of the AfDB. KURA confirmed that the Nairobi County Government had agreed to offer market stalls to some of the PAPs (49 open-air traders) in the new market facility, which is being constructed by the Nairobi County Government.

In light of these developments, the Director of the BCRM closed the Request and the problem-solving exercise relating to the Nairobi Outer-Ring Road Project. Since this Request was also registered for a compliance review, the Director consulted with the IRM Experts and determined that there was no ground for a compliance review of the project. Such a review would have been possible only if the PAPs had presented new and compelling evidence that the Requestors are likely to suffer further harm as a result of the project’s non-compliance with any of the applicable AfDB policies and procedures.
The Director recommended that the Bank should strengthen the projects’ public consultations, including organizing community sessions throughout the project cycle and setting indicators for monitoring and reporting on the outcomes of these consultations. In addition, the Bank was invited to monitor closely the handling of complaints by the project through providing technical support to the implementing agency. Particular focus should be placed on establishing project grievance redress mechanisms that have transparent processes in place, with clear criteria on the roles, budget, and adequate representation of the PAPs.

The Nairobi Outer Ring Road Improvement Project was approved by the Boards of Directors of the Bank Group on 13 November 2013. The project’s total cost was UA 86.4 million, and the KURA was the implementing agency. The Bank classified this project as a Category 1, high-risk project due to its potential negative impacts on people and the environment.

The Requestors claimed that KURA had excluded them from the list of eligible individuals for compensation, despite the fact that they had been carrying out their businesses in the project area for many years. The BCRM engaged extensively with the Bank staff responsible for the project and the Requestors to identify the PAPs missing in this list. By virtue of an agreement signed by KURA and the complainants, KURA added the Requestors to the list of eligible persons for compensation and nominated the Principal Requestor to represent the complainants in the project’s GRC. Subsequently, the complainants confirmed to the Director of the BCRM their satisfaction with this solution.

The Nairobi River Basin Rehabilitation and Restoration Program: Sewerage Improvement Project Phase 1, Kenya

Two affected families complained about this project and the Director of the BCRM registered the request for a problem-solving exercise on 9 July 2015. The Requestors claimed that the contractor, Nanchang Sewerage Company, had installed sewage pipes through their private compounds, and that the complainants had suffered health problems and damage to their assets because of the wastewater discharged from the breakage of these pipes. They stated that Athi Water Services Board (AWSB) had never responded to their repeated requests for repairs of broken pipes and compensation for the damage suffered. They feared that the contractor would leave the site without completing the repairs.

Having obtained the commitment of the Bank Management to implement the necessary corrective measures, the Director of the BCRM organized several discussions with the Requestors. Subsequently, the Director of the BCRM received formal communication from the Requestors, confirming that the Athi Water Services Board (AWSB) had completed the repair works to their satisfaction. As a result, the BCRM organized a final mediation meeting with the Requestors, the representatives of the AWSB, and the Bank staff in Nairobi, Kenya, on 19 March 2018. The parties agreed that AWSB would increase the amount of compensation to the parents of the Principal Requestor and replace their water meter.

In view of this positive outcome, the Director of the BCRM closed the Request and the problem-solving
exercise relating to the Nairobi River Basin Sewerage Improvement Project – Phase I. The case underscores the need for the Bank to monitor the activities of project implementing agencies, particularly their public consultations and complaint-handling processes.

The Boards of Directors approved the Nairobi River Basin Sewerage Improvement Project – Phase I on 6 December 2010. The Bank loan was for UA 39.87 million, and the Athi Water Services Board (AWSB) of Kenya was the implementing agency of this project.

1.1.3 Ongoing Requests

Blaise Diagne International Airport (AIBD), Senegal

The BCRM received the complaint relating to the AIBD project from three Senegalese nationals on 22 September 2017. Following the preliminary assessment of the Request, including a fact-finding mission carried out by the BCRM to Senegal from 10 to 17 October 2017, the Director registered the Request for problem-solving on 14 December 2017.

The complainants objected to the compensation paid to them by the Government on the grounds that the amount was not commensurable with what they should have received under the national laws, AfDB’s Involuntary Resettlement Policy (2003), and the World Bank (OP4.12), all of which were applicable to the project. Moreover, they made the point that the government did not fulfill its commitment of providing them with land lots in the new resettlement site and claimed that they could not find a solution through the project’s GRC or the national court that dismissed their case for lack of jurisdiction. They feared that they would never receive their rightful compensation since the project was completed and asked the BCRM to handle their complaint through a problem-solving exercise.

The problem arose because the project had two phases. Initially, the PAPs were compensated in 2007 in line with the national laws and prior to AfDB’s financing of the project. It was only in 2010 when the AIBD revised the project’s Resettlement Action Plan in order to meet the requirements of the AfDB and the World Bank policies. According to this revised Full Resettlement Action Plan (FRAP), 343 households (an estimated 2,661 people) in two villages were affected by different types of losses, including residential structures, crops, agricultural lands, and sacred sites. The PAPs of one village (Keur moussou) had to be relocated to the new resettlement site, while those in the other village (Diass) were to receive cash compensation.

The BCRM fact-finding mission in October 2017 noted that the Requestors received some compensation in 2007.

With the consent of the parties, the BCRM organized the first mediation meeting in April 2018 in Dakar, Senegal. The complainants, the representatives of AIBD-SA, and the Bank agreed that the BCRM can engage a local consultant to prepare an independent
report on the compensation process and the eligibility of the Requestors’ claims for compensation in line with AfDB’s policies. A local consultant was recruited and his work started in December 2018.

The Boards of Directors approved the Blaise Diagne International Airport (AIBD) project for a loan of EUR 70 million. The project’s total cost was estimated at EUR 524.81 million, which was co-financed for EUR 150 million by l’Agence Française de Développement (AFD), Banque Ouest Africaine de Développement (BOAD), Industrial Development Corporation, Islamic Development Bank, OPEC Fund, and Saudi Fund. The project was completed in 2017. The AIBD-SA, a state-owned company, was the project sponsor.

The Improvement of Health Services Delivery at the Mulago Hospital and in the City of Kampala, Uganda

An aggrieved family was at the origin of the complaint relating to this UA 56 million project which was approved by the Boards of Directors of the Bank Group on 6 July 2011. The Director of BCRM registered the request for a problem-solving exercise on 17 March 2014. The Requestors claimed that the government had forcibly acquired their late father’s clinic in the 1970s, and rehabilitated it into Mulago Hospital without compensation. The Requestors questioned the accuracy of the land titles presented by the government to support their request for approval of the project loan.

The BCRM has been engaged in the handling of this case since then. In September 2018, the Director of the BCRM received communication in the form of a letter from another person who claimed that he and his siblings are also heirs of the deceased father of the Requestors. He claimed that the Requestors had falsified their father’s will to exclude them. He has now filed a lawsuit in the High Court of Kampala and asked the Director of the BCRM to suspend the handling of the Request until the case is heard and determined. In light of this new development, the Director of the BCRM will carry out a follow-up mission in 2019 to consult again with the government and the Requestors as well as the new complainant.

It is to be recalled that the Director of BCRM received the Management Response to the Request on 7 August 2015, confirming that the Bank had done due diligence in verifying the land titles prior to AfDB’s approval of the project.

The BCRM conducted a fact-finding mission to Uganda from 7 to 9 May 2014, and reported the outcome to the Boards of Directors on 4 June 2014. The complainant, the Bank, and the government agreed to engage in a BCRM-led problem-solving exercise. Consequently, the BCRM undertook another mission to Uganda from 17 to 19 February 2015 to compile supporting records. Despite several attempts by the BCRM to reconcile the conflicting issues between the government and the Requestors, the parties are still disputing the authenticity of the land deed. The government is firm that the Kampala City Council purchased the disputed land lot from the mother of the Requestors (now deceased). The BCRM reported this stalemate to the Boards’ Committee on Operations and Development Effectiveness (CODE) in July 2016 and April 2017. CODE invited the Bank Management to undertake further consultations with the government. The BCRM also followed up with the complainants and the Bank to keep the parties engaged.
1.1.4 New Requests Registered in December 2018

Mombasa-Mariakani Highway Project, Kenya

The BCRM received several complaints relating to the Mombasa-Mariakani Highway Project from individuals standing in their own right and on behalf of other PAPs, starting late December 2017 to the second quarter of 2018. The complainants alleged that the project violated the Bank’s Involuntary Resettlement Policy (2003) because of the forcible demolition of their properties without compensation and the project’s failure to disclose compensation amounts to the PAPs.

The project was approved by the Board of Directors of the African Development Bank (ADB) in March 2015. The Bank loan of UA 80 million represents 42.2% of the project’s total cost of UA 189.42 million. The project is also co-financed by the German Development Bank (KfW; 22.2%), the European Investment Bank (EIB; 22.2%), the EU-Africa Infrastructure Trust Fund (8.9%), and the Government of Kenya (4.5%). The project will be implemented over a period of 5 years (2015-2020) by the Kenya National Highways Authority (KeNHA), the project promoter. The Bank classified the project as a high-risk, Category 1 project due to its potential negative environmental and social impacts. The project will relocate 488 households (an estimated 1,352 people), demolish 394 structures, 39 fences, 97 trees, and 3 prayer facilities. In line with Bank requirements, the Project prepared a FRAP, which was distributed to the Board of Directors on 10 November 2014 and posted on the AfDB website on 7 November 2014. The loan agreement included a clause on the payment of compensation prior to the start of civil works. KeNHA allocated Ksh 677.7 million for the implementation of the FRAP.

In assessing whether the complaints were admissible, the BCRM undertook a field mission to the project site in March 2018. The BCRM obtained information from KeNHA that 327 PAPs were identified by an audit report issued in May 2015. Moreover, the lenders—EIB, KfW, and AfDB—had signed a Corrective Action Plan (CAP) to accelerate the compensation of the PAPs whose properties were demolished in May 2015. The BCRM mission concluded with a decision to allow KeNHA and the Requestors to work together on the issues raised, and to allow an ongoing facilitation process led by the Complaints Office of the EIB—which had also received similar complaints—to proceed to its conclusion before any further engagement progressed from the BCRM.

Unfortunately, other individuals affected by the project continued to send additional complaints seeking resolution to the issues they raised. A few of these PAPs asked for a compliance review of the project.

In view of the steady stream of the requests, the BCRM and the Complaints Office of the EIB held joint meetings with the Cabinet Secretary of Kenya’s Ministry of Transport and KeNHA on 17 and 18 December 2018 respectively, to discuss the increasing complaints against this Project. With a better understanding of the issues raised, the Director of the BCRM registered the Request on 26 December 2018.
Abidjan Urban Transport (AUTP) Project, Côte d’Ivoire

The Director of the BCRM received the Request relating to AUTP from a mixed group of non-governmental organizations (NGOs), PAPs who are residents of a neighborhood called Boribana, and the Chief and the traditional authority of Adjamé Village. Adjamé is one of the main neighborhoods now absorbed in the city of Abidjan. The Director assessed the admissibility of the Request for registration by conducting several site visits, a desk review of project documents, and several meetings with the Requestors and the Bank staff responsible for the project before registering the Request on 28 December 2018.

The BCRM is waiting to receive the Management Response to this Request in February 2019. The Director of the BCRM will then inform the Boards as to whether this complaint will be handled through either a problem-solving exercise, a compliance review, or both, depending on the discussions with the Requestors, Management and the Project Implementation Unit (PIU).

In their complaints, the Requestors put in doubt the adequacy of public consultations and the transparency of disclosure of the project documents, together with the handling of the key questions of compensation and resettlement of the PAPs. They considered the resettlement and compensation processes of the project to be opaque and in violation of the AfDB’s Involuntary Resettlement Policy (2003) as well as with the agreed recommendations of a consultative meeting held with the Bank and the PIU. The complainants claimed that the process of identification of eligible persons for compensation is flawed, the proposed compensation amounts are not yet disclosed, and they are yet to reach a settlement with the PIU with regards to both the selection of the resettlement site and resettlement conditions. Some members of the NGOs reported being harassed, intimidated, and prevented from supporting the PAPs.

The Chief of the Adjamé village and his constituency expressed worries about the construction of an access road to the Fourth Bridge, claiming that it will destroy several valuable cultural heritage and religious structures and sites. The Government and the PIU, they claimed, have refused to engage them in meaningful consultation and continue to disregard their demands to divert the access road to the Fourth Bridge to avoid the loss of such valuable sites.

The Board of Directors of the AfDB approved the AUTP in two phases for a total loan of EUR 566.99 million. The Bank approved the first loan of EUR 237.52 million in December 2016, mainly, to finance the construction of the Fourth Bridge linking Yopougon to Plateau, related awareness activities, the compensation of PAPs, the preparation of the Environmental and Social Impact Assessment (ESIA), and project management and institution-building activities. The second loan of EUR 329.47 million was approved by the Bank on 16 October 2018 to finance the interchanges and extension of roads, the rehabilitation of traffic lights, women empowerment programs, institutional capacity, and project management. The AfDB loan would finance 74% of the total cost of the project; and the balance would be co-financed by the Japanese International Cooperation Agency (JICA; 8%), the Global Environment Facility (GEF; 1%); in addition to
the Government’s counterpart contributions (17%). The Ministry of Economic Infrastructure is the promoter of this project. The project has been classified as a high-risk, Category 1 project because of its potential negative impacts on the environment and people during the construction phase. These impacts include air, water, and soil contamination; noise pollution; flood risks; and risks for loss of wildlife and protected areas. With regard to the scale of resettlement, the project will affect 75,445 people, of whom 65,758 will be relocated by the construction of the Fourth Bridge. The project prepared an ESIA, Environmental and Social Management Plans (ESMPs), and a FRAP to mitigate these negative biophysical and socio-economic impacts of the AUTP. The project budget for the implementation of the FRAP is CFA 30,635,461 million.

1.2 Compliance Review Cases

1.2.1 Completed Compliance Reviews

The IRM completed the compliance review of three Requests relating to Bank-financed projects in Guinea, Mali, and Senegal; and monitored the implementation of the Management Action Plans on previous Requests concerning two energy projects in South Africa and Uganda.

**Multinational Road Development and Transport Facilitation Program Within the Mano River Union – Guinea Section, Guinea**

The BCRM received the Request relating to the Guinea Road Section of the project from two Guinean nationals from Agroforestry Resources Unlimited (ARU), an NGO registered in Guinea, on 15 September 2016. The BCRM registered it for a compliance review on 23 November 2016.

The Requestors claimed that the project would cause irreparable harm to people and the environment because of its adverse impacts on the ecosystem, which is a source of livelihood of the people. In addition, they claimed that the project violated both national and international laws because the roadworks would be carried out within the boundary of the Mount Nimba Strict Nature Reserve, and a core area of the Nimba Mountains Biosphere Reserve, which are protected by both Guinean law and the International Convention for the Protection of the World Cultural and Natural Heritage, ratified by Guinea. The project’s ESIA did not consider the statutory protection of Mount Nimba, lacked baseline characterization, and did not fully assess all negative impacts of the project. As a result, both the ESIA and its mitigation measures were considered inadequate. Moreover, the complainants were of the opinion that the project did not carry out the required public consultations and it violated the AfDB’s Integrated Safeguards System (ISS) of December 2013—namely, the Operational Safeguards 1 and 3 on ‘Environmental and Social Assessment’ and ‘Biodiversity, Renewable Resources and Ecosystem Services’; and the AfDB’s protection of international social and economic rights.

Following the Boards’ approval of the proposal for a compliance review of the project on 10 January 2018, the IRM conducted the investigation mission in Guinea from 17 to 23 June 2018. The IRM mission visited the project site in Lola and met with the relevant Government officials, the Requestors, and the PAPs. In line with the IRM Rules, the Compliance Review
Panel, comprising the IRM Experts, submitted the draft Compliance Review Report to Bank Management in December 2018 for factual comments. The draft report provided evidence that the project was not in compliance with the Involuntary Resettlement Policy (2003), the Environment and Social Assessment Procedures for African Development Bank’s Public Sector Operations (2001), and the Policy on the Environment (2004). However, the Bank Management has taken significant steps to address the shortcomings of ESIA, which was not completed because of the Ebola outbreak in Guinea.

Upon the receipt of Management’s comments on factual issues, the Review Panel will finalize the Report and submit it to the Boards of Directors and the Bank Management in the first quarter of 2019. The Management is expected to prepare a Response and Action Plan within 90 working days from the date of receipt of the Compliance Review Report. Thereafter, the Boards of Directors will consider this IRM Report together with the Management Response, and the Action Plan and make a decision.

The project was approved by the Boards of Directors on 18 December 2014. The Bank loan to Guinea of USD 11.774 million was to finance the paving of 39.75 km dirty road from Lola City to the border of Côte d’Ivoire at the Gouélia Post. The project was expected to start in October 2016 and to be completed over a period of 20 months.

The Construction of a 125 MW Coal-Fired Power Plant in Sendou, Senegal

The BCRM received two separate Requests relating to this project. The first one was filed by two national NGOs, Takkom Jerry and Lumière Synergie pour le Développement, representing a group of PAPs (i.e. First Requestors). The second one was filed by two Senegalese nationals, Mr. Cheikh Fadel Wade and Mr. Daouda Gueye (i.e. Second Requestors), also representing other PAPs. The Requests, received in May and July 2016, complained about Sendou Plant’s adverse impacts on the villages of Bargny and Minam because of its violations of both national laws and AfDB’s environmental and social policies. The First Requestors asked the BCRM to handle their complaint through both a problem-solving exercise and a compliance review; while the second Requestors opted for a compliance review. Following the BCRM’s preliminary assessments, including a field mission to Senegal and subsequent discussions, the two Requestors agreed that their complaints should be handled jointly as one Request. Consequently, the
BCRM registered this Request on 10 August 2016 for a compliance review.

The Request raised several issues, including: the inadequacy of public consultations with PAPs; the violation of AfDB’s environmental, social, and human rights standards; the violation of the national Environmental Code Act; increased vulnerability of communities to health risks from air pollution and potential disruption of livelihoods—especially of women and other seasonal and temporary workers, who carry out their traditional fishing activities in the buffer zone of the project site; and adverse impacts on a historic heritage site.

The Bank Management issued its Response to the Request on 26 September 2016. The Director of the BCRM and the IRM Experts’ Report on the Eligibility of Request for a Compliance Review was approved by the Boards of Directors on 19 April 2017. Consequently, the Compliance Review Panel conducted a mission to Senegal from 28 May to 3 June 2017 to investigate the project. The Compliance Review Report was distributed to the Boards of Directors on 6 June 2018. The Bank Management submitted its Response and Action Plan to the Boards on 3 July 2018. The IRM Report and the Action Plan were discussed by the Boards on 11 July 2018. However, during this session, the Boards asked the Bank Management to resubmit a more comprehensive Action Plan to effectively address the project’s non-compliance issues, particularly its impacts on local communities. The Management finalized preparing a Revised Action Plan in December 2018. The IRM Compliance Review Report and the Revised Action Plan will be presented to the Boards for approval in the first quarter of 2019.

The Board of Directors of the ADB approved the Sendou Coal-Fired Power Plant Project on 25 November 2009. The total cost of the project is EUR 164.61 million, out of which the Bank loan is EUR 55 million, in addition to another supplementary loan of EUR 5 million that was approved by the Bank in 2015. The project is co-financed by BOAD and the Netherlands Development Bank (Nederlandse Financierings-Maatschappij voor Ontwikkelingslanden N.V.; FMO). The Sendou Coal-Fired Power Plant was classified as a Category 1, high-risk project due to its potential negative impacts on the environment and the people.

The IRM made several recommendations. On the project’s compliance with AfDB’s Involuntary Resettlement Policy (2003), Policy on Poverty Reduction (2004), and the Gender Policy (2001), the Bank has been invited to support the national process to resolve land disputes and carry out a baseline study to establish the accurate number of affected women and workers involved in fish-drying activities in the buffer zone; and to determine whether they should continue their activities in this zone or be relocated and adequately compensated. To bring the project into compliance with the AfDB Policy on the Environment (2004)
and AfDB Environmental Review Procedures for Private Sector Operations (2000), Management must undertake several actions including: putting in place a contingency ash management plan and an ash storage area; implement additional mitigation measures for noise pollution; conduct a baseline survey on marine resources in the sea area adjacent to the plant, prepare a technical study on the long-term impact of the coal plant on public water supply systems, establish an appropriate air quality monitoring system; and that Bank supervision missions should continue to report on project compliance with environmental and social requirements of applicable Bank Group policies and procedures.

IRM also made recommendations to address systemic issues to avoid the recurrence of non-compliance by similar projects. For instance, private-sector projects must be scrutinized and Management should make sure that safeguards specialists assist the task managers. The Bank staff should also provide adequate support to clients during the preparation of project impact assessment studies; only circulate the ESIA Summary to the Boards of Directors after ensuring that the ESIA is satisfactory; and educate the Borrower on the requirements of the AfDB safeguards policies and procedures. Moreover, credit agreements signed for coal-fired power plants should include policy covenants on key environmental and social measures required to meet AfDB standards.

The Diversification of the Activities of Moulin Moderne du Mali Project, Mali

The Afrique-Europe Interact (AEI), an international NGO with local representation in Mali, was at the origin of the Request relating to the M3 Project in March 2015, with its further communications in September 2015. Upon confirming that no relevant legal case was pending in national courts in Mali and that AEI had proper representational authority, the Director of the BCRM registered the Request for a compliance review on 12 May 2016.

The Requestors and the PAPs raised three important issues. Firstly, they accused the project of grabbing the PAPs lands in two villages and the PAPs being subjected to serious violations of their rights and threats to their physical security. Secondly, they claimed that no compensation had been paid to the majority of the PAPs, while very few received only symbolic compensation amounts for their lands. Thirdly, the M3 Project did not meet the conditions upon which the project loan was approved. The complainants accused the M3 Project of misleading the Bank and presenting fraudulent information on the court case and that the PAPs were paid compensation. They claimed the project only compensated eight families who, in fact, received “merely symbolic compensation.” The Requestors also enclosed a list of PAPs and asked the BCRM to compare it with the list that was submitted to the Bank by the owner of the M3 for the approval of the project loan.
The Eligibility Assessment Report recommending a compliance review of the M3 Project was approved by the Boards of Directors on 23 November 2016. Consequently, the Compliance Review Panel carried out a mission to Mali from 12 to 17 March 2017 to investigate the project. The Bank Management commented on the draft Compliance Review Report in October 2017. The IRM submitted the final Compliance Review Report to the Boards of Directors on 2 February 2018. The Bank Management issued its Response to the findings and Action Plan to the recommendations of the Compliance Review Report to the Boards in March 2018. The IRM Report and the Action Plan were approved by the Boards on 26 April 2018. The IRM was also authorized by the Boards to carry out annual monitoring of the implementation of the approved Action Plan until the Plan is fully implemented.

The IRM recommended that the Bank reassess the process of compensating the farmers, and that Management should be both technically and financially engaged in this process. In addition, the Bank should ensure that the sponsor carries out an independent environmental audit and the Bank staff should closely monitor project environmental and systemic issues to avoid recurrence of non-compliance by similar projects. On systemic issues, the IRM recommended that the Bank should develop operational guidelines of the Policy on Poverty Reduction (2004) to help staff apply and report on relevant outcomes in connection to this Policy, adopt additional training for staff on social risks management policies and instruments, and prepare a set of guiding notes for additional assistance to staff in this area. Furthermore, when developing projects that involve sensitive land acquisition or lease, involuntary resettlement, and long standing land disputes, the Bank Management should pay attention to the accuracy of information presented to the Boards; and any assurances made to the Boards should be followed up appropriately and with adequate due diligence.

The Boards of Directors approved the Diversification of the Activities of Moulin Moderne du Mali (M3) Project on 23 June 2014 for a loan of EUR 16.8 million. The project sponsor (the Client) was M3, a subsidiary of Keita Corporate Group. The project components included the installation of units for the production of couscous and pasta, silos for the storage of raw materials (hard wheat, soft wheat, maize, millet, and sorghum), as well as three mills for the production of meal and flour to be used to supply production
1.2.2 Monitoring Implementation of Remedial Action Plans Prepared by Bank Management in Response to Recommendations of IRM Compliance Review Reports in Previous Cases

Monitoring is the final step in the IRM compliance review process which starts by the registration of complaint, followed by an eligibility assessment of this complaint and a compliance review to determine instances of non-compliance with the relevant AfDB policies and procedures. In response to the recommendations of IRM Compliance Review Report, Management proposes and prepares an action plan to address any shortcomings identified by the IRM Report. Once the Boards approve both the IRM Report and Management Action Plan, the IRM monitors the implementation of this action plan by Management on annual basis until it is fully achieved.

The IRM monitoring is primarily based on the assessment of Bank supervision reports on implementation of the Action Plans and IRM field missions and information collected from the stakeholders of the project.

The Medupi Power Project, South Africa

The IRM has been involved in the Medupi project since 2010. Two previous monitoring activities have been successfully completed. This year’s activities, the third monitoring, was completed in December 2018. The conclusions of the first and second monitoring activities were approved by the Boards of Directors on 26 November 2015 and on 6 September 2017, respectively.

The IRM monitoring of the Medupi project was triggered by the Board of Directors when they approved the IRM Compliance Review Report relating to this project on 19 September 2012 and the Management Action plan on 13 February 2013.

The compliance review was initiated as a result of a complaint received by BCRM about this project from two nationals of South Africa on 7 October 2010. The Requestors asked that their identities be kept confidential throughout the process. The main issues...
raised by the Requestors included the failure of the project to comply with AfDB’s environmental and social policies, the negative impact of AfDB’s loan as it will encourage South Africa to exceed its carbon reduction commitments, the burden of hidden costs for public health risks due to emissions, which will be borne by the communities living near the Medupi Plant and the inadequate public consultations.

Over the years, Management in collaboration with the project promotor-Eskom Holdings Limited -has addressed successfully some of the issues and those were recognized by the IRM in the first and second monitoring reports. The Third Monitoring Report will be considered by the Boards in the first quarter of 2019.

The Medupi Power Project was approved by the Board of Directors on 25 November 2009 with a loan not exceeding the aggregate sum of EUR 930 million and ZAR 10.63 million, for the supply and installation of six boilers and turbo-generators for the project. The total cost was estimated at EUR 11.2 billion, which was co-financed by the AfDB and the World Bank.

The Medupi Power Project consists of the construction of a 4,764 MW coal-fired power plant in Lephalale, Limpopo Province, South Africa. It falls under the expansion strategy of Eskom Holdings Limited, the principal energy provider of South Africa, to meet the growing electricity demand in the country. When operational, the Medupi Power Plant will operate six units, generating about 800 MW each. The plant is designed to use coal from a nearby coal mine, and to deploy supercritical boiler technology and a closed cooling system. The plant is not yet equipped with Flue Gas Desulphurization (FGD) equipment, but assurances have been given that FGD equipment will be retrofitted no later than six years after each unit becomes operational.

The Bujagali Hydropower and the Bujagali Interconnection Projects, Uganda

The BCRM received the complaint relating to these projects from the National Association of Professional Environmentalists (NAPE), a Ugandan NGO, and registered it on 16 May 2007 for a compliance review. The complainants stated that the ESIA, the assessment of the impacts on Lake Victoria’s hydrology, the consultation with the affected communities, the compensation process, and the dam safety measures were all-inadequate. They also raised the issue of the project’s interference with cultural heritage sites.

Between 2009 and 2012, the Bank Management implemented a Remedial Action Plan approved by the Boards in May 2009 to address the non-compliance issues identified in the IRM Compliance Review Report (such as compensation and resettlement, cultural heritage, and the environment).
The IRM undertook four field missions to Uganda (2009, 2010, 2011, and 2012) as part of its annual monitoring of implementation of the aforementioned Management Action Plan, and submitted the respective Monitoring Reports to the Boards of Directors and the President. The Fourth IRM Monitoring Report, issued on 9 October 2012, recommended the Bank to ensure that the outcomes of the remaining compliance issues, especially resettlement and compensation outcomes are included in the Project Completion Reports (PCRs). The Report concluded that, if after assessing the PCRs, the IRM finds that such outcomes have been satisfactorily addressed, the IRM will undertake no further monitoring of these projects.

In the meantime, the IRM followed up with other Independent Accountability Mechanisms (IAMs) since they had received additional similar complaints relating to the Bujagali Projects, especially, those mechanisms were taking relevant actions for the case handled by the IRM. The Inspection Panel of the World Bank was working on the issue of flooding of the Kalagala Falls, the Compliance Advisor Ombudsman (CAO) of the International Finance Corporation (IFC) was mediating workers and PAPs compensation issues, and the Complaints Office of the EIB was examining the compensation issues along the transmission lines.

The Bank provided the BCRM with the PCR (Expanded Supervision Report) of the Bujagali Hydropower Dam in March 2016 and a Draft PCR for the Bujagali Interconnection Project in May 2016. The Bank Management submitted the final PCR to the Boards of Directors for information in January 2018. In view of the comments and input provided by the IRM, the Bank Management updated this PCR in September 2018. The IRM noted the satisfactory implementation of the mitigation measures, and particularly the reporting on the outcomes of resettlement and compensation in both projects. The IRM prepared the Closure Report of the Request and the Monitoring of the Bujagali Projects, and submitted it to the Boards in December 2018. The Report will be discussed by CODE in the first quarter of 2019. Thereafter, the IRM will incorporate any suggestions made by CODE and submit it to the Boards of Directors for consideration.

The Boards of Directors approved the Bujagali Hydropower Project on 2 May 2007, which was developed by a private company, Bujagali Energy Limited (BEL). BEL constructed a 250 MW run-of-the-river power plant on a Build-Own-Operate-Transfer basis. It built the dam at the Bujagali Falls on the Nile River near Jinja (about 8 km downstream from the existing Nalubaale and Kiira Hydroelectric Power Stations).

The Bujagali Interconnection Project is a public-sector project associated with the Bujagali Hydropower Project, and the Board of Directors of the African Development Fund (ADF) approved it on 28 June 2007. The Project provides the transmission infrastructure to...
connect the new Bujagali Hydropower Station to the national electricity grid. The cost of the Hydropower Project was estimated at USD 750 million, with the ADB providing a loan of USD 110 million. The total cost of the Interconnection Project was estimated at USD 74.7 million, with the ADF loan of USD 28.6 million.

1.3 Survey of IRM Register of Requests (2004 – 2018)

The IRM has received a total of 51 complaints. The breakdown in light of the registration requirements of the IRM Operating Rules and Procedures is indicated in Figure 1.

![Diagram showing individual complaints received and meeting the registration requirements (23) and not meeting the registration requirements (28)]

Figure 1: Feature of the complaints received

To be processed and handled, a complaint has to meet the requirements outlined in the IRM Operating Rules and Procedures. It is then registered in the IRM Register of Requests. In several instances, two or more complaints were received relating to the same project. When they meet the registration requirements, they are combined into one Request and this is reflected in the Request Notice of Registration. Figure 2 shows the total number of Requests registered.

![Diagram showing the number of Requests registered (17)]

Figure 2: Number of Requests Registered
Figure 3: Categories of Complainants

- Compliance review: 35%
- Problem solving: 53%
- Both problem solving and compliance review: 12%

Figure 4: % Complaints by Project Sector

- Energy: 35%
- Transport: 47%
- Agriculture: 6%
- Water & Sanitation: 6%
- Other: 6%

Figure 5: Requests by Handling Method

- Transport: 47%
- Energy: 35%
- Compensation: 14%
- Health: 11%
- Labour: 2%
- Other: 6%

Figure 6: Regional distribution of the cases

- North Africa
- West Africa
- East Africa
- Central Africa
- South Africa

Figure 7: Issues Raised by the Complainants

- Resettlement: 23%
- Loss of Livelihoods (Land, Business, Income, Access to resources): 20%
- Compensation: 25%
- Violation of Cultural & Religious Heritages: 13%
- Water & Sanitation: 6%
- Agriculture: 6%
- Other: 6%
REQUEST/COMPLAINT LETTER

The Request/complaint letter when sent to Director of BCRM should include the following information:

1) The Name of the project and description of the harm suffered by complainant or other people or the environment because of the project;

2) Description of how the complainant or other affected people have received any help from project authorities or the AfBD office in your respective country.

3) To the extent possible, describe which AfDB policies have been violated by the project;

4) In case the complaint relate to similar issues previously handled by BCRM, describe new facts or evidence that necessitates BCRM to re-examine your complaint.

5) If any of the above information cannot be provided, explain the reasons for not being able to provide such information.

6) Indicate the preference of the complainant or other affected people of BCRM handling complaint through problem-solving (mediation), compliance review (investigation of project) or both.

7) Indicate if the complainant would like BCRM to keep his or her identify confidential and the reasons for such request.
2. Advisory Services and Spot-Check Advisory Reviews of Project Compliance

2.1 Introduction

The objective of the IRM advisory function is to enhance institutional learning and promote a culture of compliance in the Bank. The advisory function depends on the nature of the request, but typically includes the following:

i. Bringing about systemic improvements in the implementation of environmental and social policies, procedures, strategies, and/or guidelines of the Bank Group by addressing deficiencies in the systems, policies, procedures, strategies, and guidelines.

ii. Improving the social and environmental impacts of projects funded by the Bank Group by advising the Bank Management on emerging, strategic, or systemic issues or processes based on lessons learned and trends identified by the BCRM.

iii. Helping the Bank Group to advise the Borrowers on their environmental and/or social obligations contained in the Bank Group’s policies and procedures related to the implementation of AfDB-financed projects and to safeguard development impacts.

iv. Providing information and recommendations on emerging trends arising from the experiences of the IRM.

The Advisory function is divided into two types of services. Firstly, services provided by the Director of BCRM in form of independent opinions or advisory notes. Secondly, spot check advisory reviews of projects compliance which are carried out by the IRM Experts.

These services are triggered when requested by the President and/or the Boards when they are of the opinion that, any project and program financed by the Bank Group can benefit from such services especially from accumulated experiences of the IRM.

The BCRM has developed the Spot-Check Advisory Review of Project Compliance and Advisory Services Guidelines, which outline operational procedures for the IRM advisory function. These Guidelines include the scope of the advisory services, the modalities for conducting a spot-check review, the criteria for the selection of projects for such review, and the requirement for Board approval.

2.2 The IRM Spot-Check Advisory Reviews

The spot check review activities in 2018 included the presentation of IRM spot check review reports on two private sectors projects that were approved by the Boards of Directors on 7 June 2017. These are the Form Ghana Reforestation Project and the South Tunisian Gas Pipeline Project. This is in addition to the completion of the spot check mission and draft reports on one water and two transport projects in Cameroon that were approved by the Boards to undergo such review on 9 May 2018.

2.2.1 The Results of IRM Spot-Check Advisory Reviews 2017

Form Ghana Reforestation Project, Ghana

Following the completion of the desk review of project documents, the field mission to Ghana from 3 to 9 September 2017, and consultations with the Bank staff responsible for the project, the IRM prepared a draft Spot-Check Advisory Review Compliance Report of Form Ghana Project, and shared the Report with the Bank Management to provide comments on its facts. The Boards discussed the final Report on 9 May 2018, invited the IRM and Management to consult and resolve the observed discrepancies,
and asked the IRM to submit a revised Report for consideration. The IRM and the Bank Management consulted extensively and agreed on the contents of the Revised Report.

The IRM spot check review found that the Form Ghana project was not in compliance with the Operational Safeguards Standard 1 of the Integrated Safeguards System (ISS) on ‘Environmental and Social Assessment’; the requirements of the Operational Safeguards Standard 2 of the ISS on ‘Involuntary Resettlement: Land Acquisition, Population Displacement, and Compensation’; the Operational Safeguards Standard 4 on ‘Pollution Prevention and Control, Hazardous Materials, and Resource Efficiency’; and the Operational Safeguard Standard 5 on ‘Labour Conditions, Health, and Safety.’ Also some inconsistencies were pointed out in the Loan Facilities Agreement and in the Project Appraisal Report in terms of project’s environmental and social safeguards.

The Boards discussed the IRM Revised Report and approved its findings and recommendations on 3 October 2018. The Boards requested Management to implement fully the recommendations made by this Report.

**Background information about Form Ghana Reforestation Project**

On 13 July 2016, the Boards of Directors of the AfDB approved a senior loan of USD 14 million to Form Ghana Limited, the project sponsor, to finance the restoration of 11,700 hectares of degraded forest reserves through the establishment of a large-scale sustainable commercial forest plantation. The funding is part of a larger financing envelope that includes a senior concessional loan from the Forest Investment Program (FIP). A Financial Procedures Agreement between the Bank and the International Bank for Reconstruction and Development (IBRD) as Trustee of the Trust Fund for the Strategic Climate Fund (SCF) was signed on 6 December 2010. As per this Agreement, the Bank was designated as one of the implementing entities of the SCF that includes three programs, among them the FIP. On 13 July 2016, the FIP Sub-Committee approved a FIP senior concessional loan of USD 10 million in addition to a grant of USD 350,000 to be paid to the AfDB to cover for implementation services costs. Thereafter, on 29 July 2016, the Bank Management submitted the FIP loan request as an Addendum to the Project Appraisal Report, to be considered for approval by the Board of Directors of the AfDB. The FIP loan was approved by the Boards on 22 September 2016. The AfDB and FIP loans have a tenor of 15 years with a 7-year grace period. The project is classified as Category 1 project in accordance with AfDB’s ISS, mainly due its magnitude (about 11,700 ha) and the number of people to be affected. The ESIA, the ESMP, and the FRAP were prepared in 2015. Summaries of the project’s ESIA and FRAP were made accessible on the Bank’s website on 9 October 2015 in line with the ISS requirements.

This Project was selected for a spot-check review because it was at an early stage of implementation and, as such, it offered a good opportunity for learning and recommending measures for Management to
mitigate any infringement to Bank Group policies and procedures. The spot-check review was also expected to highlight areas where the Bank’s guidance could be required to harness the contributions of clients such as the Form Ghana Ltd., engaged in a public-private partnership (PPP) for the project’s sustainability outcomes. In addition, the AfDB’s recent ISS is applicable to the Form Ghana Project as a private-sector operations, and the spot-check exercise could highlight areas for the Bank to enhance the project’s compliance with the ISS. This would, in turn, assist the Bank Management to learn from the strengths and challenges when applying the ISS to similar private-sector projects.

Background Information about the South Tunisian Gas Pipeline Project, Tunisia

On 26 June 2014, the Board of Directors of the AfDB approved a corporate loan of USD 75 million for 7 years to the Tunisian Company of Petroleum Activities (ETAP) to fund its Investment Program (IP) for the period 2013-2020, with the STGP Project as its flagship project. ETAP is a state-owned petroleum company responsible for oil and gas exploration and production activities in Tunisia. The objective of the IP is to further develop oil and gas production fields in Tunisia's southern region, expand the processing and transport infrastructure to channel gas from these fields to the Port of Gabès, and to support ETAP to strengthen its Environmental and Social Management System (ESMS). The STGP Project comprises a central processing facility located in the desert area of Nawara in the south of Tunisia, a 370 km gas transfer pipeline, and a gas treatment plant located on the coast in Ghannouch Industrial Area near Gabès, where the gas is treated for sale and the condensates are recovered to produce propane, butane, and liquid petroleum gas. The project is co-financed with the EIB (EUR 150 million to ETAP and EUR 200 million to Austria-based company OMV, which is the project operator). All IP projects will be developed through a joint venture between ETAP and international oil and gas companies and partners. For the STGP Project, ETAP and OMV shares will be divided on a 50-50 basis.

The STGP Project is classified as a Category 1, high-risk project due to its potential negative effects on people and the environment. ESMPs were prepared for each project component and OMV was made
responsible for the implementation of the ESMPs and the Resettlement Action Plan in line with EIB’s IFC standards, in addition to AfDB polices and national laws.

The STGP Project was selected for a spot-check review for several reasons. It is an ongoing private-sector operation co-financed by the AfDB via a corporate loan to a public enterprise eligible to access AfDB lending. The project would be implemented through a joint venture with a multinational subsidiary as a project operator, which will be responsible for the civil works and implementation of project’s environmental and social standards. The spot-check review aimed to appraise the application of Bank policies and procedures in the context of such corporate loans, and as an opportunity to cross-fertilize standards and best practices that could inform Bank investments in the gas industry in the future. The project would help the Bank to learn some lessons from the experience of a foreign company implementing the requirements of Bank’s safeguards policies. Since the Bank Management supervision missions reports indicated that the project was experiencing difficulties in meeting the requirements of the Bank’s Policy on the Environment (2004) and the Involuntary Resettlement Policy (2003), the spot-check exercise was considered useful in determining the extent of the challenges as well as appropriate mitigation measures.

2.2.2 Results of IRM Spot-Check Advisory Review Activities in 2018

On 9 May 2018, the Boards of Directors approved the spot-check advisory review of three ongoing high-risk public-sector projects in Cameroon: (i) the Semi-Urban Drinking Water Supply And Sanitation (PAEPA-MSU) Project; (ii) the Ketta-Djoum Road Development Project – Phase 1; and the (iii) Kumba- Mambé Road Development Project. The selection of these projects by the IRM was based on the recommendations of the AfDB Auditor General Report of March 2017. The Audit Report found that the three projects might be in breach of the applicable Bank Group policies and procedures and requested the IRM to assess the projects’ implementation of the ESMPs agreed-upon by the Bank and the Borrower.

The IRM reviewed the project documents for the three Projects and carried out a mission to Cameroon from 28 October to 8 November 2018. For security reasons, the IRM Mission Team did not visit the water and sanitation projects in Kumba and Mambé, as well as the Kumba- Mambé Road Project. Instead, the mission visited the water and sanitation projects located in Ebolowa and Sangmelima. It also visited the Ketta-Djoum Road Project and held discussions with the relevant government ministries, representatives of the PAPs in the visited areas, and the PIUs. Based on project documents reviewed and the field mission, the IRM Expert is preparing the Spot-Check Report(s) on the status of the projects’ compliance with the applicable Bank Group policies and procedures, particularly their implementation of the ESMPs.

The IRM will share the draft Spot-Check Report(s) with the Bank Management for comments on factual issues only. Thereafter, the IRM Expert will submit the Final Report for consideration by the Boards of Directors in 2019.

Background Information of the Three Selected Projects

Semi-Urban Drinking Water Supply and Sanitation Project

On 28 January 2009, the Board of Directors of the ADF approved a loan of UA 40 million for the PAEPA-MSU Project in Cameroon. The total cost of the project is UA 45.58 million, out of which the Government contribution is UA 4.48 million and that of the beneficiaries is UA 1.10 million. The project was expected to be completed on 13 December 2013 but was extended to 13 December 2016. The Ministry of Energy and Water was the Executing Agency of the Project, through the Project Coordination Unit (PCU) attached to the General Secretariat. The technical implementation was carried out by Cameroon Water Utilities Corporation (CAMWATER) for the ‘drinking water and supply (DWS)’ component and the Directorate of Water Resources and Hydrology of the Ministry of Mines and Water Resources (MINEE), in conjunction with the decentralized local authorities for the ‘sanitation and capacity-building’ component. The project covers 19 communes in six provinces of Cameroon, namely Centre, Far North, Littoral, West, South, and the South-West provinces. The communes are as follows:
Akono, Bafang, Bafia, Bana, Bangangté, Bangou, Banka, Bansoa in Penka-Michel, Ebolowa, Foumban, Kousséri, Kumba, Loum, Mamfé, Manjo, Mbanga, Ngoumou, Nkongsamba, and Sangmélima. These communes are aimed to have water supply through 16 schemes managed by CAMWATER.

The project has three key components, namely: drinking water supply and sanitation infrastructure, institutional support to the structures involved in the project, and project management and coordination. According to the Appraisal Report, the Project targeted 19 communes and would support the rehabilitation of and extend the existing drinking water supply systems instead of constructing new networks. Due to its potential negative impacts on the environment, the project was classified as a Category 2, medium-risk project. The estimated cost of the mitigation measures is UA 0.55 million for the drinking water supply component and UA 0.15 million for the sanitation component.

The Audit Report issued in May 2017 found that the Kumba and Mamfé water treatment plants have significant deficiencies with regards to the environment. Wastewater from water treatment and filter washing which are full of chemicals was being discharged into the environment without any precautions. This situation was caused by the inaction of CAMWATER, which is responsible for monitoring all environmental issues, including the ESMP. The Audit Report further stated that failure to monitor the implementation of the ESMPs could negatively affect the populations living near the project implementation sites and could pose a reputational risk to the Bank.

Ketta-Djoum Road Development Project - Phase 1

On 25 September 2009, the Board of Directors of the ADF approved a loan of UA 59.27 million for the Republic of Cameroon to finance part of the foreign currency cost and part of the local currency cost of the multinational Ketta-Djoum Road and Brazzaville-Yaoundé Corridor Transport Facilitation Project. The total cost of the Project is estimated at UA 208.64 million, of which UA 164.72 million is in foreign exchange and UA 43.92 million in local currency. The 504.5 km Ketta-Djoum Road is a major link on the 1,612 km highway connecting the two capital cities of Brazzaville, Republic of Congo, and Yaoundé, Cameroon. The successful implementation of Phase I will provide a permanent connection between Congo and Cameroon. The project is classified as a Category 1, high-risk project in line with the AfDB Policy on the Environment (2004) and the national laws. Consequently, an ESIA was conducted by the Ministry in charge of the environment, in addition to the ESMP and the Compensation and Resettlement
Plan (CRP), which were posted on the AfDB website on 23 January 2009. These summaries were forwarded to the Board for information on 2 February 2009. The costs of implementation of ESMP is UA 47000.

The Audit Report found that the obligations of the work contractors in implementing environmental and social mitigation measures were not exhaustively and clearly set out in their contracts. Most of the basic measures of each ESMP had not begun to be implemented and were not prioritized by the project. Therefore, there was a major discrepancy between the ESMP and the measures taken to implement it. In addition, the recommendations in the monthly supervision reports on the implementation of the ESMP by Bank missions to the PIU were not followed up by the PIU. A more serious concern was that compensation of the PAPs was not done before the commencement of works as required by the Loan Agreement. Moreover, the route of the road was modified, resulting in the displacement of additional people because of the destruction of their buildings and crops. Works on this section were advanced but the compensation of the people evicted (PAPs), estimated at Central African Francs (CFA) 12.631.774, had not been done. The Audit Report concluded that the absence of a mechanism at the AfDB Country Office in Cameroon (COCM) and PIUs for monitoring the recommendations of missions on the implementation of ESMPs could be behind this situation, which could have a negative impact on the people and the environment, and it can expose the Bank to reputational risks.

Kumba-Mamfé Road Development Project

On 21 November 2012, the Board of Directors of the ADF approved a loan of UA 47.26 million the development of the Kumba-Mamfé Road Project in Cameroon. The total cost of the project is estimated at UA 108.45 million. The other co-financiers are the Development Bank of Central African States (BDEAC); UA 31.62 million) and the Republic of Cameroon (UA 29.57 million). The duration of project implementation is 5 years. This project aims to improve the service level of the National Road (RN8) between Kumba and Mamfé. This road is an extension of the Bamenda-Mamfé-Ekok-Nigerian border multinational corridor being implemented with Bank financing. The planned road works under the project cover a road length of 150.87 km. The project also includes related activities aimed at developing rural roads, rehabilitating socio-economic infrastructure, and promoting youth employment. It is classified as a Category 1, high-risk project due to the nature of works and the total number of PAPs concerned. A detailed ESIA was prepared in 2011 and validated in 2012. The summaries of the ESIA and CRP prepared in line with Bank Group policies and procedures were posted on the Bank’s website on 13 July 2012. The cost estimates of implementation of the ESMP is CFA 1,627 billion. The Ministry of Public Works is responsible for implementing and monitoring the ESMP and CRP measures. With regards to involuntary resettlement, a preliminary survey helped the project to identify 164 owners (including 30 women) of 192 buildings that will be partially or completely destroyed during the construction of the road. Compensations are estimated at CFA1.358 billion. These expenses will be borne by the Government of Cameroon.

Just like in the case of the Ketta-Djoum Road Project, the Audit Report observation was that in examining the Kumba project contracts of works contractors, their obligations in terms of environmental and social management were not clearly and exhaustively set out. Most of the basic measures of each ESMP had not begun to be implemented and were not prioritized by the Project. Therefore, there was a major discrepancy between the ESMP and the measures taken to implement it. In addition, the recommendations in the monthly supervision reports on the implementation of the ESMP by Bank missions to the PIU were not followed up by the PIU. The Bank’s supervision missions were unable to change this situation. The Report concluded that failure to implement the ESMP as originally intended could have a negative impact on the people and the environment and expose the Bank to reputational risks.

2.3 Advisory Notes

In line with the IRM Work Program 2018, two advisory notes were prepared:

- An advisory note documenting lessons learned from the IRM compliance review
of the Bujagali Hydropower Project and the Bujagali Interconnection Project in Uganda, which will be disseminated to the Management and posted on the IRM webpage.

An advisory note on cases handled through problem-solving exercises that highlights lessons learned from closed mediation cases. The note covers potential areas triggering liability risks for AfDB transport projects. The objective of these notes is to share the IRM’s recommendations and lessons learned from the handling of complaints with the Bank Management for the purposes of improving safeguards performance of ongoing projects as well as when considering similar projects for financing in the future.
3. Outreach Activities

3.1 Introduction

In line with the IRM mandate and its Work Program of 2018, the BCRM combined outreach and capacity-building activities in the same events. This two-fold objective aimed to enhance the visibility of the IRM among project stakeholders, PIUs, CSOs, and local communities; to familiarize them with the lessons learned from complaints handled by the mechanism; and to train them on dispute resolution at the project level. In addition, in partnership with different IAMs of multilateral development banks (MDBs), the BCRM organized side events during the 15th Annual Meeting of the IAMs in Washington DC and the Annual Conference of the International Association for Impact Assessment (IAIA) in Durban, South Africa. At the knowledge-sharing level, the BCRM co-authored a flagship report with the complaints offices of the Asian Development Bank, the Green Climate Fund, and the EIB on joint investigations carried out by IAMs when handling complaints relating to same co-financed projects. The discussions in these events and the publications covered the use of best practices to enhance the accountability of financed operations, ways to ensure a stronger NGO and community engagement around these operations, and effective handling of complaints.

3.2 Awareness-Raising Activities

The BCRM organized awareness-raising workshops in Cameroon and South Africa, and participated in a series of workshops.

i. Sub-regional workshop in Yaoundé, Cameroon: The sub-regional workshop on “Handling Complaints of People Adversely Affected by Projects Financed by the African Development Bank Group” was held in Yaoundé, Cameroon, from 18 to 19 September 2018. The participants (41) were representatives of PIUs and CSOs from Cameroon, Central African Republic, Chad, Congo, and Gabon. The BCRM presented the role of the IRM and the complaint-handling process. The training session focused on the establishment and management of project grievance redress mechanisms in line with the AfDB’s ISS, and NGO participation as envisioned by the Bank’s Civil Society Engagement Framework. The participants committed to organize similar events at the national level to raise awareness of the IRM mandate among local communities in their respective countries.
ii. **Side Events on the Periphery of the Annual IAIA Conference in Durban, South Africa:** The BCRM co-organized this event in collaboration with the Inspection Panel of the World Bank, the Compliance Advisor Ombudsman of the IFC, the Complaints Office of the EIB, and the Legal Resources Center in South Africa. It was under the theme, “Accountability and Access to Recourse for Communities Impacted by Development Project.” The event was held during the IAIA conference from 16 to 19 May 2018 and was attended by thirty representatives of NGOs, which specialized in development policies and project social and environmental impact assessments. During the same IAIA conference, the BCRM and the IAMS organized another session on the “Role of Independent Accountability Mechanisms.” The participants (100) represented NGOs, academia, and professional environment centers, and it discussed the IAMS’ contributions to the development strategies and goals of the IFIs.

iii. **IRM Seminar during Young African CSO Leaders Forum in Marrakech, Morocco:** This event was co-organized with the Centre de Développement de la Région de Tensift (CDRT) in the form of a seminar on the IRM and the complaint-handling process through a problem-solving exercise. On the success of the complaint relating to the Marrakech-Agadir Motorway, which was co-financed by the AfDB and handled by the BCRM through mediation, the participant representatives (110) of young African CSOs from 25 African countries were familiarized with the mandate of the IRM. Following the IRM/CDRT presentation of the documentary on the CDRT case and the lessons learned, the discussions focused on the role of NGOs in supporting local communities and BCRM’s facilitation of dialogues among communities and the project promoter. The event took place in Marrakech, Morocco, on 13 September 2018.

iv. **Annual Meeting of Independent Accountability Mechanisms (IAMS) of International Financial Institutions (IFIs) in Washington DC, USA:** The IRM participated in the 15th annual meeting of the IAMS of IFIs held from 12 to 15 November 2018 in Washington DC. The participants shared information, knowledge and experience. The IRM team led two sessions on loan agreements and safeguards standards and the contributions of the advisory services to institutional learning process and contributed on 15 November 2018 to a symposium involving external stakeholders, including CSOs at the American University Washington College of Law. The Symposium also explored the opportunities and challenges for the Independent Accountability Mechanisms over the next twenty-five years.

v. **Mrs. Michele de Nevers, a member of the IRM Panel of Experts held a consultative meeting on the upcoming review of the IRM with the Executive Director and senior staff of Accountability Counsel in San Francisco, California on 19 November 2018. Accountability Counsel acts as advocates for people who may be harmed by financed projects.**

### 3.3 Internal Outreach Activities

Two internal outreach events were held at the Bank Headquarters, as well as other information sharing events with various departments and in multiple forums:

i. **Induction for New Members of the Boards of Directors of the AfDB:** The BCRM presented the IRM to a number of new Board Members of the AfDB on 4 September 2018 as part of the induction program organized by the Secretary General Office of the Bank. The seminar bears value in many aspects, particularly because the IRM and the Director of BCRM functionally report to the Boards on all matters pertaining to the complaint-handling process, spot-check reviews, and annual work programs of the IRM. In addition, under the IRM Rules, the Boards can refer a complaint or a project to the IRM to investigate. This seminar was an opportunity for participant Board Members to understand the context of IRM work, its reporting lines with the Boards, the complaint-handling process, and the key inputs and decisions of the Boards throughout this process.

ii. **IRM Outreach and Training Sessions for AfDB Investment Officers:** Jointly organized with the Non-Sovereign Operations and Private Sector Support Department (PINS), the training session on the IRM was held on 25 October 2018, at the Bank’s Headquarters in Abidjan.
The training targeted AfDB Investment Officers (20) based in the Headquarters and the Bank’s country offices in RMCs. It was opportune with the approval of the new Bank Policy on Non-Sovereign Operations in 2018. Moreover, the IRM has been handling several cases relating to private-sector operations. The session was for participants interested in understanding the reasons of complaints beyond the project’s due diligence in line with the Bank’s safeguards standards. The IRM presented the operational context of complaints with emphasis on staff roles and responsibilities throughout the complaint-handling process. This session will be replicated on an annual basis as requested by PINS and Bank Management.

iii. Consultations with Staff on Civil Society Engagement and the Role of the IRM: During this meeting jointly organized with the Bank’s Civil Society and Community Engagement Division, a briefing was made on the IRM during a special session held on 19 September 2018 dedicated to Bank operations staff (19) based in Yaoundé, Cameroon, and responsible for AfDB projects in Central Africa. The IRM was presented to new staff of the Civil Society Division on 12 October 2018 in Abidjan as well as during a training session organized by the Bank Ethics Office in Abidjan on 3 and 4 September 2018 for staff to be designated as Ethics focal points and champions. The participants were familiarized with the role of the IRM and the Ethics Office as key accountability mechanisms of the Bank and the relationship of the work of these offices to staff members.

iv. Information Sharing Session with the Head of the Inspection Panel of the World Bank: Bank staff based in Abidjan and country offices in Kenya, Tunisia, and South Africa participated in this session, which was held on 19 May 2018. The Head of the Inspection Panel of the World Bank attended it and delivered a statement on their experience particularly in handling complaints relating to co-financed projects. The Bank staff representing the Safeguards, Gender, Energy, and Policy Departments reflected on their experiences with the IRM.

v. Civil Society Forum in Abidjan, Côte D’Ivoire: Information on the IRM was disseminated
to CSOs during this event organized by the Bank on 20 May 2018. The meeting was a preparatory workshop to the AfDB’s Annual Meeting, which was held in May 2018 in Busan, Republic of South Korea. In the margins of the forum, the NGO members of Bank Civil Society Coalition Committee meeting held from 7 to 9 May 2018 in Abidjan received a briefing on the IRM. These discussions focused on the relationship between the IRM and NGOs, given that these organizations can use the IRM to air out their grievances and concerns about compliance with AfDB policies for social development.

vi. Annual Meeting of the Bank in Busan, South Korea: The Director of the BCRM took part in the Annual Meeting of AfDB in Busan, South Korea, from 21 to 25 May 2018 and had consultative meetings with the participant officials of Bank Constituencies and CSOs.

3.4 Communication and Information Dissemination

Communication and information dissemination activities included the regular update of the IRM webpage, production of a documentary, and further consolidation of the complaint management system.

i. IRM Webpage: The IRM web page (www.afdb.org/irm) is an important source of information about IRM work where a reader can find, among others, Boards’ decisions on the IRM reports, IRM activities and events, and statutory documents. The internal IRM webpage is also available on the Bank intranet.

ii. Documentaries: The BCRM produced the English version of the documentary prepared by CDRT in French and Arabic. This film reports on CDRT’s cooperation with the IRM in the context of the successful mediation of a complaint relating to the Marrakech-Agadir Motorway Project. The documentary was used as illustrative material during training sessions organized by the IRM in 2018.

iii. Complaint Management Data System: With the support of the Bank IT department, the BCRM has developed a complaint management data system, which is under testing. This system will be a repository for the compliance review and mediation cases, and a tool to enable requestors to communicate with the IRM and staff to conduct case-based research, update the status of the complaints-handling process, and generate statics and reports on both registered and registered complaints.
3.5 Survey of IRM Outreach Activities (2006-2018)

In 2018, 9 activities aiming at sensitizing different stakeholders on the IRM were organized. They were either solely organized by BCRM, or jointly organized with external partners such as other IAM or CSO, or internal department of the Bank.

The statistics below cover the outreach activities carried out by the BCRM from 2006 to 2018. A total of 2,456 people attended the 64 outreach and training activities. Fifty-six percent of the participants are representatives of CSOs (international, regional and community-based organizations).

The details of this survey are available in the graphs below with a breakdown of the outreach activities per year, by countries and the regions where the activities took place, the types of activities, and the category of participants at the outreach activities.
Figure 10: Number of Activities Organized over the Years

Figure 11: Activities Organized per Region

Figure 12: Distribution of Activities per Country
4. Trends and Lessons

4.1 Identifiable Trends

According to the IRM Rules, the Annual Report should present identifiable trends relating to the activities of the AfDB that have emerged during the IRM’s complaint-handling process, spot-check advisory reviews, and other outreach and capacity-building activities. Moreover, the report should highlight notable lessons that the IRM has learned with regard to the challenges faced by the AfDB in implementing its policies and procedures. The lessons can be grouped into project- and system-related categories.

4.2 Project-specific lessons and trends

i. The Bank should intensify its technical support to clients, especially when new Bank policies such as the ISS are applied to projects. This will help to improve the quality of projects at entry and minimize the likelihood of complaints arising from PAPs.

ii. The Bank should also continue to strengthen technical support to clients regarding due diligence, and grievance redress mechanisms, especially with regard to resettlement and preparation of Resettlement Action Plans and disclosure of documents.

iii. The Bank should continue to ensure that commitments by clients related to compliance with safeguard policies are met and that remedies are appropriately incorporated into project legal documents (credit facility agreements).

iv. The Bank should design and conduct regional and sub-regional workshops for the client countries including national consulting firms, on the Integrated Safeguards system and its procedures as they are not familiar with this new Bank policy.

v. The Bank should provide to the Bank task teams, customized training with case studies on the new Integrated Safeguards System, its five Operational Safeguards and the Environment and Social Assessment Procedures of 2015 in order to manage the environmental and social aspects of projects. This will help optimize the use of existing expertise, reduce environment and social risks and improve the quality and consistency of project monitoring.

vi. The Bank should support the clients to upgrade and maintain reliable databases, particularly on compensation of PAPs, and upgrade their corporate environmental management systems.

vii. The Bank’s Management Action Plans prepared in response to Requests and/or IRM compliance reviews should be time bound and actionable.

viii. The Bank should update its Policy on Poverty Reduction (2004) and develop guidelines for implementation. These guidelines should make independent social impact assessments mandatory for high-risk projects.

ix. Project Completion Reports for projects that have been subjects of IRM processes should include a section that reflects the outcomes of the IRM involvement in the project.

4.3 System-specific lessons

i. The Bank should continue developing its operational manuals and procedures as appropriate, especially to reflect the growing complaints-handling load. These would help staff to take action once they become aware of complaints and to better prepare Management Responses to complaints and Actions Plans corresponding to IRM Reports.

ii. The Bank should strengthen its social and environmental audits as part of the mandate of the Safeguards Department as well as its public consultations processes.

iii. There should be continued improvement of the Bank’s archiving system to include all project-related information. This will help facilitate accurate factual reporting in the IRM Reports.
iv. The Bank Group Risk Department should appraise the existing risk framework to ensure that liability risks relating to environmental and social safeguards are assessed and mitigated adequately.

v. The Bank Natural Resources Center should provide knowledge and technical support to operations, especially when appraising projects that may have potential environmental and social impacts.

4.4 Lessons for the IRM

For its processes, the IRM should continue to:

i. Work with Bank Management to organize technical training and seminars on mainstreaming the cumulative recommendations made by the IRM for Bank Group operations.

ii. Address the issue of lengthy process of handling complaints.

iii. Abide by the timelines set out in the IRM Operating Rules and Procedures in handling complaints.

iv. Continue investigating the adequacy of environmental and social management plans during the spot-checks advisory reviews of project compliance.

The Spot-Check Advisory Review of Project Compliance is undertaken by the IRM Experts. The main objective of the spot-check exercise is to draw lessons from the experience of the IRM to advise Management on compliance issues associated with high-risk projects.

In other words, beyond handling individual Requests, the IRM Experts also undertake investigations under the spot-check function. Unlike the compliance review, the spot-check investigation is initiated internally within the Bank.
Mr. Sekou Toure
Director

Mr. Sekou Toure was appointed as the Director of the Compliance Review and Mediation Unit (BCRM) on 2 January 2013. Prior to joining the ADB, Mr. Toure was the Conflict Resolution Commissioner at the GEF.

The GEF unites 182 member governments, in partnership with international institutions, CSOs, and the private sector, to address global environmental issues. The GEF provides grants to developing countries and countries with economies in transition for projects related to biodiversity, climate change, international waters, land degradation, the ozone layer, and persistent organic pollutants. Reporting to the Chief Executive Officer of the GEF, Mr. Toure was responsible for providing advice and leadership on the resolution of conflicts and disputes relating to GEF partnerships. To overcome major impediments in GEF operations, Mr. Toure facilitated dialogue among the GEF stakeholders to mitigate the adverse effects of GEF-financed operations and helped to build consensus and confidence in the process of compliance with GEF policies.

Mr. Toure has also served as Director of the Regional Office for Africa at the United Nations Environment Programme (UNEP) from February 2001 to September 2007. In this capacity, Mr. Toure led UNEP’s engagement with the African Region, including the servicing of the African Ministerial Conference on the Environment (AMCEN) and contribution to key initiatives such as the New Partnership for Africa’s Development (NEPAD).

Mr. Toure has also assumed responsibilities in senior positions in the Government of Côte d’Ivoire. These have included Junior Minister in charge of Water Resources Management (Haut Commissaire à l’Hydraulique), Special Advisor to the State Minister in charge of Development Planning, and Special Advisor to the Prime Minister. In addition, Mr. Toure has had major responsibilities in a local political party in Côte d’Ivoire for a number of years.

While in Côte d’Ivoire, he gained extensive international experience and exposure in the field of environment and water resources management, and he has contributed to the work of CSOs in Africa. Mr. Toure has extensive research and teaching experience from working in the USA (University of Cincinnati and University of New Hampshire) and in Côte d’Ivoire (L’Institut National Polytechnique Félix Houphouët-Boigny and Université d’Abobo-Adjamé). He has contributed to more than twenty scientific and technical publications and has edited a scientific journal and a book.

Mr. Toure holds a Ph.D. in Civil Engineering, with a specialization in Environmental Engineering, from the University of New Hampshire, Durham, USA; a Master of Science in Civil and Environmental Engineering from the University of Cincinnati, Ohio, USA; and a Bachelor of Science in Civil Engineering from the École Nationale Supérieure des Travaux Publics (National School of Public Works), Yamoussoukro, Côte d’Ivoire.

Mrs. Adila Abusharaf
Chief Compliance and Mediation Officer

Mrs. Adila Abusharaf joined the Bank in 2007. She provides technical support to the Director in the administration of the IRM, including: problem solving, Request assessments, policy applications to projects handled by the IRM, the training of Bank staff and clients in mediation, advisory opinions and services to the IRM Experts, BCRM/IRM strategic reports and financial documents, and Bank-wide activities, including policy reviews and recruitment exercises.

Mrs. Abusharaf has over 20 years of experience in the context of international development cooperation, through the positions she has held with the International Development Research Center (IDRC), the University of Toronto, and York University in Canada; as Regional Program Officer at the Center of Arab Women for Training and Research (CAWTAR) based in Tunisia; and as a lawyer in Sudan.
Her work and publications focus on: foreign direct oil investments, compensation and resettlement of forcibly displaced communities and indigenous people, local governance, conflict resolution, post-conflict reparation and transitional justice programs, and gender equity.

Mrs. Abusharaf obtained her Doctorate on Juridical Science from the University of Toronto in 2000 in private international law of transnational litigation and dispute resolution of oil pollution claims; and a Master of Law (LLM) from the University of Khartoum in Sudan, on the impact of IMF conditionality and structural adjustment programs on social policies.

Ms. Grace Kimani
Principal Compliance Officer

Ms. Grace Kimani joined the AfDB in June 2009. She supports the Director of the BCRM in assessing new and ongoing Requests, collecting and analyzing AfDB policies and procedures for use when processing registered Requests, preparing problem-solving missions and meetings, providing technical support to the IRM Roster of Experts when conducting compliance reviews and spot-check advisory reviews of project compliance, monitoring implementation of annual work programs of the Experts, and representing the BCRM in internal and external meetings.

Ms. Kimani has experience in international development, climate change, environmental and social impact assessments, compliance and enforcement of environmental law having worked in the Legal Department of the National Environment Management Authority (NEMA) in Kenya for five years before joining the Bank.

Her work experience has focused mainly on sustainable development, biodiversity conservation, climate change, hazardous waste and chemicals, and environmental legislative drafting. She participated in drafting subsidiary legislation for Kenya in the conservation of biodiversity, water, waste, chemicals, the management of ozone-depleting substances, and noise and air pollution control.

Ms. Kimani is an environmental lawyer with a Master of Law (LL.M) in Environment and Natural Resources Law and a Bachelor of Law (LL.B), both from the University of Nairobi. She holds a Postgraduate Diploma (with Distinguished Honors) in International Environmental Law (IEL) from the United Nations Institute of Training and Research (UNITAR). She also has a Postgraduate Certificate (Master’s Level) in Climate Change and Development from the University of London, and a Certificate in Environmental and Social Risks Analysis in Project Management from the UNEP/Finance Initiative.

Mr. Birima Fall
Senior communication, outreach, and knowledge management officer

Mr. Birima Fall joined the AfDB in February 2016. He has the responsibility of coordinating communication activities, ensuring that the IRM’s mandate is known to all stakeholders (both internal and external), and enhancing visibility of the BCRM through outreach activities. He also works with colleagues to ensure that data and knowledge are generated from problem-solving exercises, compliance reviews, and advisory activities; and are adequately disseminated. He supports other team members in organizing their activities.

Before joining the Bank, Mr. Fall worked for 3 years at the World Bank Group as a Public-Private Dialogue Specialist for West and Central Africa and was based in Dakar, Senegal. He has also worked for seven years as Director of Communications, Marketing, and Partnership at the West African office of the World Wide Fund for Nature (WWF) in Dakar. In his early career, he worked as a political journalist at the first-ever private radio in Senegal. He has acted as Consultant for many international and regional organizations, such as UNESCO, International Labor Organization (ILO), West African Economic and Monetary Union (UEMOA), OneWorld, International Union for Conservation of Nature (IUCN), and Wetlands International on communication and advocacy.

Mr. Fall holds a Master’s degree in International Relations from the University of Sussex, Great
Britain; and a Higher Diploma in Journalism and Communication and a Master’s Certificate in English Literature and Civilization, both from the Cheikh Anta Diop University in Dakar.

Ms. Bernadette Kargougou
Compliance review and outreach assistant

Ms. Bernadette Kargougou joined the AfDB in 2010 and was transferred to the BCRM in 2015. As Compliance Assistant, she provides support to the Director and the professional and administrative staff of the BCRM in the handling of Requests, the organization of outreach activities, and in monitoring BCRM information. Prior to joining the BCRM, Ms. Kargougou served at the Human Resources Department and at the Cabinet of the President. She has also worked more than 15 years with the United Nations Development Programme (UNDP). She graduated from the University of Technology of Burkina Faso and the Management College of South Africa and holds a degree in Business Administration.

Mrs. Dede Jacqueline Djedjero
Administrative Assistant

Mrs. Dede Jacqueline Djedjero joined the BCRM in April 2009 and retired in May 2018. As Administrative Assistant, she provided administrative support to the Director of the BCRM and to the IRM Experts. She was trained as a bilingual assistant and translator in English and French. She provided support to the BCRM in the translation of working papers and in the proofreading of translated reports and IRM and Board documents. She provided assistance with procurement and logistical matters, and payments of consultants and the IRM Experts. She was the focal point of the BCRM’s administrative budget management.

Ms. Armelle Kokola
Assistant

Ms. Armelle Kokola joined the BCRM in September 2015 as Secretary and now serves as Operations Assistant. Her duties include providing administrative support to the BCRM Director and staff in the coordination of missions and workshops, following up with procurement issues, and performing other administrative duties. Before joining the AfDB, Ms. Kokola worked for seven years in the private sector. Ms. Kokola graduated from Sight & Sound Education Ghana Limited, Ghana, and holds a Certificate in Conflict Management from the Centre for Research and Action for Peace/ African Institute for Economic and Social Development (CERAP-INADES), Abidjan, Côte d’Ivoire.

Mr. Saizai Akoi
Intern

Mr. Saizai Akoi is one of the AfDB 2018 Internship Program beneficiaries. He joined the BCRM in October 2018. His work focuses on preparation of knowledge management materials relating to investigated projects by the IRM and covering different sectors such as energy, transport, social and human development. His work also covers maintaining the database for all cases received by the BCRM (registered or unregistered) as well as the database of BCRM’s outreach activities. He is currently an African Union scholar attending Masters in Governance and Regional Integration at the Pan-African University of the Institute of Governance, Humanities and Social Sciences at University of Yaoundé II, Cameroon. Mr. Akoi holds a Bachelor’s Degree in Business Administration from the University of Liberia.

Mr. Akoi has a wealth of experience in development works with German International Cooperation (GIZ) as Technical Advisor for Employment Promotion in the
Transport Sector. While working for GIZ, he served in different capacities beginning with Training Assistant, Junior Advisor, and Technical Advisor. Mr. Akoi has also served as Monitoring & Evaluation Officer for Liberia Entrepreneurial and Economic Development (LEED), a local NGO for World Bank-sponsored projects: Economic Empowerment of Adolescent Girls and Young Women (EPAG) and Youth Employment Skills (YES).
6. Members of the IRM Roster of Experts

Ms. Michele de Nevers
Member

Ms. Michele de Nevers has more than 35 years of professional experience in development cooperation, including 30 years with the World Bank, where she held senior management positions. She was Director for Sector Programs in the World Bank Institute and Senior Manager in the Environment Department, where she led the preparation of the World Bank’s corporate Environment Strategy and public consultations on the World Bank’s Strategic Framework for Development and Climate Change. She oversaw the World Bank’s work on climate change, environmental economics, biodiversity, pollution management, and other environmental issues. In the Environment Department and previously in Latin American, East European, and Central Asian regions, she managed teams that ensured compliance with the World Bank’s Environmental and Social Safeguards policies on projects across a wide range of sectors. She has also held several other management positions and led industrial development and environmental projects in operational divisions in South Asia, Latin America, Europe, and Central Asia.

Since 2011, Ms. de Nevers has been Senior Associate at the Center for Global Development (CGD), a think tank in Washington DC that combines academic rigor and practical experience across a wide range of areas that affect development. She leads CGD’s work on climate change, undertakes research, and has published on climate finance, including adaptation finance, REDD+, and scaling up private-sector investment for climate action. She has undertaken consultancies for the World Bank, including on the recent revision of its Safeguards Policy Framework.

In 2011, Ms. de Nevers was a Visiting Fellow at the Global Economic Governance Programme at the University College Oxford, where she published on the topic of climate finance and development. She has also served as a Peace Corps Volunteer in the Philippines from 1976 to 1978.

Ms. de Nevers holds a Master of Science in Management and Finance from the Massachusetts Institute of Technology (MIT), a Bachelor’s degree in Bacteriology from the University of California in Berkeley, and a Diploma in Executive Leadership from Harvard Business School.

Dr. Sherif Arif
Member

Dr. Sherif Arif is an environmental professional with 35 years of experience as Senior Development Specialist with USAID in Cairo from 1978 to 1990, and subsequently as a Senior and Lead Environmental Specialist at the World Bank until 2007. During his tenure at the World Bank, Dr. Arif had also occupied advisory positions, including as Regional Safeguards Policy Advisor and Regional Environmental Advisor in the Middle East and North Africa (MENA) region. In addition, he has acted as Project Manager, Program Coordinator, and a team leader of multi-million-dollar national and regional programs and projects throughout the MENA region.

After his retirement from the World Bank, Dr. Arif became a member of an international panel at the GEF for the accreditation of eleven international project agencies in environment and social safeguards and gender mainstreaming. He has also worked as a principal environmental consultant for international organizations such as the World Bank in the African region, the European Commission, the UNDP, the Food and Agricultural Organization (FAO), GIZ, and the AFD. These assignments have covered a wide range of themes and activities in environment and social safeguards, environment and pollution management, coastal zone management, climate change, and green and blue economies.

Dr. Arif graduated from the University of Manchester with a Ph.D. in Physics.
### Financial Overview of BCRM Activities in Year 2018

<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>ORIGINAL BUDGET</th>
<th>ACTUAL¹</th>
<th>AVAILABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Missions</td>
<td>56,525.64</td>
<td>48,519.27</td>
<td>8,006.37</td>
</tr>
<tr>
<td>Meetings (Bank Business)</td>
<td>59,616.19</td>
<td>23,482.45</td>
<td>35,254.10</td>
</tr>
<tr>
<td>IRM Experts fees, missions, and retainer</td>
<td>140,812.39</td>
<td>140,812.39</td>
<td>1,262.80</td>
</tr>
<tr>
<td>Consultancy</td>
<td>10,579.53</td>
<td>10,579.53</td>
<td>11,000.00</td>
</tr>
<tr>
<td>Training</td>
<td>11,000.00</td>
<td>11,000.00</td>
<td></td>
</tr>
<tr>
<td>Salaries²</td>
<td>489,187.01</td>
<td>489,187.01</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>771,387.54</strong></td>
<td><strong>691,792.56</strong></td>
<td><strong>78,712.71</strong></td>
</tr>
</tbody>
</table>

**NOTES**

¹ Actual approved.

² Salaries of the Director, 3 professional staff members, 3 administrative staff members (1 vacant), 1 locally recruited, and one short-term staff member (recruited 1 January-31 May 2018).
<table>
<thead>
<tr>
<th>No.</th>
<th>Date of Registration</th>
<th>Country</th>
<th>Project</th>
<th>Purpose of Registration</th>
<th>Issues</th>
<th>Status</th>
</tr>
</thead>
</table>
| 1   | 28 Dec. 2018        | Côte d’Ivoire| Abidjan Urban Transport Project  | Problem-Solving Exercise| ○ Issues submitted by the Village of Adjamé  
○ Loss of livelihood  
○ Inadequate consultation | Only one Notice of Registration was prepared for the three requests since they raised similar issues and related to the same Project  
Notice of Registration issued and distributed to the Boards of Directors, the President, and the Requestors. |
| 2   | 28 Dec. 2018        | Côte d’Ivoire| Abidjan Urban Transport Project  | Problem-Solving Exercise| ○ Issues submitted by an NGO  
○ Resettlement and compensation  
○ Loss of livelihood  
○ Inadequate consultation | Only one Notice of Registration was prepared for the three requests since they raised similar issues and related to the same Project  
Notice of Registration issued and distributed to the Boards of Directors, the President, and the Requestors. |
| 3   | 28 Dec. 2018        | Côte d’Ivoire| Abidjan Urban Transport Project  | Problem-Solving Exercise| ○ Issues submitted by PAPs in Boribana;  
○ Resettlement and compensation | Notice of Registration issued and distributed to the Boards of Directors, the President, and the Requestors. |
|     |                     |              |                                  |                        |                                                                                                                                                                                                      |                                                                                                                                                                                                      |
| 2   | 26 Dec. 2018        | Kenya        | Mombasa-Mariakani Road Project   | Problem-Solving Exercise| ○ Issues submitted by group of PAPs in Jomvu area  
○ Resettlement and compensation  
○ Loss of livelihood  
○ Inadequate consultations  
○ Non-disclosure of compensation documents | Only one Notice of Registration was prepared for the three requests since they raised similar issues and related to the same Project  
Notice of Registration issued and distributed to the Boards of Directors, the President, and the Requestors. |
| 3   | 26 Dec. 2018        | Kenya        | Mombasa-Mariakani Road Project   | Problem-Solving Exercise| ○ Issues submitted by group of PAPs in Mikindani area  
○ Unfair compensation  
○ Lack of details on calculation of the compensation award  
○ Names of some PAPs are missing in the compensation list. | Only one Notice of Registration was prepared for the three requests since they raised similar issues and related to the same Project  
Notice of Registration issued and distributed to the Boards of Directors, the President, and the Requestors. |
| 4   | 26 Dec. 2018        | Kenya        | Mombasa-Mariakani Road Project   | Problem-Solving Exercise| ○ Issues submitted by Group of PAPs in Bangladesh area  
○ Unsatisfactory compensation  
○ Lack of details on calculation of compensation award | Notice of Registration issued and distributed to the Boards of Directors, the President, and the Requestors. |
<p>| 3   | 14 Dec. 2017        | Senegal      | Blaise Diagne International Airport Project | Problem-Solving Exercise| ○ Conflict related to compensation and reinstalation | Notice of Registration issued and distributed to the Boards of Directors, the President, and the Requestors. |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Date of Registration</th>
<th>Country</th>
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<th>Purpose of Registration</th>
<th>Issues</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>12 May 2016</td>
<td>Mali</td>
<td>Diversification of Moulin Moderne du Mali (M3) Project</td>
<td>Compliance Review</td>
<td>Compensation, Encroachment on livelihoods, No RAP</td>
<td>Compliance review report discussed; findings and recommendations therein approved by the Board on 26 Apr. 2018. IRM to monitor implementation of Management Action Plan.</td>
</tr>
<tr>
<td>9</td>
<td>7 Mar. 2014</td>
<td>Uganda</td>
<td>Improvement of Health Service Delivery at Mulago Hospital and in the City of Kampala</td>
<td>Problem-Solving Exercise</td>
<td>Compensation, Inadequate due diligence in project approval procedures</td>
<td>Ongoing</td>
</tr>
<tr>
<td>No.</td>
<td>Date of Registration</td>
<td>Country</td>
<td>Project</td>
<td>Purpose of Registration</td>
<td>Issues</td>
<td>Status</td>
</tr>
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<td>---------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| 12. | 7 Oct. 2010          | South Africa | Medupi Power Project                                                   | Compliance Review       | ○ Inadequate consultations  
○ Disruption of livelihoods  
○ Air pollution and constrained access to water  
○ Climate change | ○ 3rd Monitoring Mission on the implementation of Updated Management Action Plan to South Africa conducted 14-20 Oct. 2018.  
○ 3rd Monitoring Report to be presented to the Boards in Q1 2019. |
| 13. | 29 Jul. 2010         | Morocco     | Construction of the Marrakech-Agadir Motorway Project                  | Problem-Solving Exercise and Compliance Review | ○ Constrained access to water and social amenities  
○ Damage to houses due to blasting  
○ Degradation of agricultural land  
○ Limited number of overpasses | ○ Closed to the satisfaction of Requestors.  
○ Request found ineligible for compliance review since issues were resolved through the problem-solving exercise. |
○ Loss of livelihood  
○ Negative environmental impact  
○ Negative transnational impact on Lake Turkana | ○ Closed—Request deemed ineligible for compliance review as AfDB decided not to finance this project. |
| 15. | 15 Jul. 2009         | Egypt       | Nuweiba Combined Cycle Power Plant Project                            | Problem-Solving Exercise | ○ Potential loss of livelihood  
○ Negative sociocultural impact  
○ Road safety  
○ Damage to marine environment  
○ Inadequate public consultation | ○ Closed—Mediation exercise discontinued because government decided to relocate the project. |
| 16. | 26 Mar. 2009         | Ethiopia    | Gibe III Hydroelectric Power Project                                  | Problem-Solving Exercise | ○ Inadequate consultation  
○ Loss of livelihood  
○ Negative environmental impact  
○ Negative transnational impact on Lake Turkana | ○ Closed—Mediation exercise that was facilitated for Bank to conduct two impact assessments on public consultations with Turkana communities and impact of dam on Lake Turkana's hydrology was discontinued as AfDB decided not to finance this project. |
| 17. | 4 Jun. 2007          | Uganda      | Bujagali Hydro power and Interconnection Projects                    | Compliance Review       | ○ Resettlement  
○ Compensation  
○ Environmental damage  
○ Cultural and spiritual issues  
○ Dam safety  
○ Inadequate economic analysis | ○ Monitoring implementation of Management Action Plan is closed.  
○ In September 2018, Management prepared a Corrigendum to the PCR to cover the involvement of the IRM in the Bujagali Projects following a complaint submitted to BCRM in 2007.  
○ In December 2018, BCRM submitted the Closing Report for the Bujagali Projects to CODE for consideration. |
<table>
<thead>
<tr>
<th>No.</th>
<th>Date Received</th>
<th>Country</th>
<th>Project</th>
<th>Issues</th>
<th>Reason for Non-Registration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>December 2018</td>
<td>Kenya</td>
<td>Mombasa-Mariakani Road Project</td>
<td>☐ Inadequate compensation ○ Loss of livelihood ○ No resettlement assistance provided</td>
<td>○ The complaint did not fulfill the criteria for registration of the Request. ○ Request submitted by one person. ○ Requestor advised to join one of the eligible groups and be represented by it.</td>
</tr>
<tr>
<td>2.</td>
<td>Sept. 2018</td>
<td>Kenya</td>
<td>Mombasa-Mariakani Road Project</td>
<td>☐ Inadequate compensation ○ Loss of livelihood ○ No resettlement assistance provided</td>
<td>○ The complaint did not fulfill the criteria for registration of the Request. ○ Request submitted by one person. ○ Requestor advised to join one of the eligible groups and be represented by it.</td>
</tr>
<tr>
<td>3.</td>
<td>Aug. 2018</td>
<td>Kenya</td>
<td>Mombasa-Mariakani Road Project</td>
<td>☐ Inadequate compensation ○ Loss of livelihood</td>
<td>○ The complaint did not fulfill the criteria for registration of the Request. ○ Request submitted by one person. ○ Requestor advised to join one of the eligible groups and be represented by it.</td>
</tr>
<tr>
<td>4.</td>
<td>Jul. 2018</td>
<td>Kenya</td>
<td>Mombasa-Mariakani Road Project</td>
<td>☐ Inadequate compensation ○ Loss of livelihood ○ Lack of information on how compensation was calculated</td>
<td>○ The complaint did not fulfill the criteria for registration of the Request. ○ Request submitted by one person. ○ Requestor advised to join one of the eligible groups and be represented by it.</td>
</tr>
<tr>
<td>5.</td>
<td>July 2018</td>
<td>Kenya</td>
<td>Ethiopia Kenya Power Systems Interconnection Project</td>
<td>☐ Lack of wayleave compensation to Marsabit County Government ○ Inadequate information concerning compensation</td>
<td>○ The complaint did not fulfill the criteria for registration of the Request. ○ The Requestor referred to a land dispute over which the transmission lines traverse that is pending in the Court of Appeal in Kenya; the BCRM cannot handle a complaint, which relates to a matter pending in national courts (see Para. II.b.2.d of IRM Rules 2015).</td>
</tr>
<tr>
<td>6.</td>
<td>Mar. 2018</td>
<td>Cameroon</td>
<td>Youth Essay Contest: Africa of our Dreams.</td>
<td>☐ Complainant unable to submit her essay because the Bank’s system is down.</td>
<td>○ Complaint outside the mandate of the IRM. ○ BCRM forwarded it to the Jobs for Youth in Africa (JfYA) <a href="mailto:JfYA@AFDB.ORG">JfYA@AFDB.ORG</a> to follow up.</td>
</tr>
<tr>
<td>7.</td>
<td>February 2018</td>
<td>Burkina Faso</td>
<td>Gazetted Forests Participatory Management Project for REDD+ (PFGC/REDD+)</td>
<td>☐ Local NGO representing PAPs ○ Inadequate consultation ○ Loss of livelihood ○ Land ownership</td>
<td>○ BCRM carried out consultations with complainants and Management followed by a field mission in September 2018. BCRM noted that the Bank communication with the PIU with regard to halting any activities that will negatively impact livelihoods in additional Gazetted area, which was not initially planned for by Project. ○ Should the Bank efforts to resolve complaints fail to materialize, the request will be registered and handled in 2019.</td>
</tr>
<tr>
<td>8.</td>
<td>Apr. 2017</td>
<td>Uganda</td>
<td>Construction of the Isimba Dam</td>
<td>☐ Likely flooding of the Kalagala offset if the dam is built at the tallest proposed height</td>
<td>○ The Bank is not financing the project.</td>
</tr>
<tr>
<td>9.</td>
<td>Mar. 2017</td>
<td>France</td>
<td>African Guarantee Fund</td>
<td>☐ ITEKA accuses African Guarantee Fund of violating contract provision related to non-disclosure agreement</td>
<td>○ The issue concerned a third-party commitment in which the Bank was not involved. ○ The issue was beyond the scope of the BCRM.</td>
</tr>
<tr>
<td>10.</td>
<td>Feb. 2017</td>
<td>Central African Republic</td>
<td>Reconstruction effort for communities in Central African Republic</td>
<td>☐ Procurement and fraud issues</td>
<td>○ Issues beyond the scope of the IRM and the BCRM. ○ Complaint forwarded to mandated Procurement Department and Integrity and Anti-Corruption Department (IACD) to handle the issues (Para. II.b of IRM Rules 2015).</td>
</tr>
<tr>
<td>2018 No.</td>
<td>Date Received</td>
<td>Country</td>
<td>Project</td>
<td>Issues</td>
<td>Reason for Non-Registration</td>
</tr>
<tr>
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<td>----------------------------</td>
</tr>
</tbody>
</table>
| 11.      | Jan. 2017     | Liberia | Rural Water, Sanitation and Hygiene (RWASH) Program | • Delayed payment of consultancy fees | • Complaint is beyond the scope of the IRM.  
• Complaint referred to mandated Procurement Department (Para. II.b of IRM Rules 2015). |
| 12.      | Jun. 2016     | Tunisia | Name of project not provided by complainants but it is in the gas sector. | • Name of project not provided by the company  
• Access to farms blocked by the oil company  
• Locals not hired to provide labor to the company | • Requestors did not provide name of the project.  
• Requestors did not provide additional and essential information for the BCRM to follow up with the issues. |
| 13.      | Jun. 2016     | Kenya   | ADB/GOK Education III Project at Kitale Secondary School | • Non-completion of project which stalled immediately after it was started | • The project was withheld and the BCRM forwarded Request to the Department in charge of Education in the Bank for follow-up with complainants. |
| 14.      | Jun. 2016     | Morocco | Youth Agribusiness Entrepreneurs Program | • Denial of access to credit facility (finance) for implementing business plans developed under training financed by the Bank | • AIDB not involved in the finance of credit to trained young entrepreneurs.  
• However, the BCRM carried out a fact-finding mission in Morocco in Apr. 2017 and held a facilitation meeting between Requestors, Agency for Agricultural Development (ADA; the PIU), and the AIDB’s Country Office in Morocco (COMA).  
• COMA and ADA agreed to contact National Credit Fund to accelerate processing of credit applications of Requestors. |
| 15.      | Dec. 2015     | Sierra Leone | Addax Bioenergy Project | • Land issues  
• Understanding the causes and effects of development investment  
• Support to local communities | • AIDB worked out loan and was no longer involved in the project. |
| 16.      | Sep. 2015     | Mali | Diversification of Moulin Moderne du Mali (M3) Project | • Resettlement  
• Compensation | • The complaint did not fulfill the criteria for registration of the Request.  
• The Request made some reference to relevant case before the national courts, limiting BCRM from handling it (see Para. II.b.2.d of IRM Rules 2015).  
• This case was later registered in 2016 after BCRM verified there was no pending court case and received additional information from the Requestor. |
| 17.      | Apr. 2015     | Nigeria | Urban Water and Sanitation Improvement Project in Oyo and Taraba States | • Allegation of presentation of fraudulent documentation during procurement process in Oyo State | • The complaint is beyond the scope of the IRM.  
• Complaint was referred to mandated Procurement Department and IACD for action. |
| 18.      | Mar. 2015     | Democratic Republic of Congo | Rural and Peri-Urban Electrification Project | • Compensation | • Complaint related to a project that the Bank is not financing. |
• The BCRM did not register this Request based on IRM Rules 2010 on prerequisites to be Requestor (Para. III.b). |
• Compensation | • Request was not registered since it was related to a project that the Bank was not financing. |
<table>
<thead>
<tr>
<th>No.</th>
<th>Date Received</th>
<th>Country</th>
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<th>Issues</th>
<th>Reason for Non-Registration</th>
</tr>
</thead>
<tbody>
<tr>
<td>21.</td>
<td>Apr. 2014</td>
<td>Kenya</td>
<td>Outer Ring Road Project</td>
<td>Resettlement, Compensation</td>
<td>Requestors did not contact management prior to filing complaint with the BCRM (a prior condition that should have been fulfilled under the previous IRM Rules 2010). Request was later registered in 2015 as Requestor could not reach an agreement with the PIU. BCRM intervened to facilitate the resolution of complaint through the Country Office in Nairobi.</td>
</tr>
<tr>
<td>22.</td>
<td>2014</td>
<td>Republic of Congo</td>
<td>Support to the Monitoring and Evaluation System of the Poverty Reduction Strategy Project</td>
<td>Facilitation</td>
<td>The Bank’s funding in this project had no link with the concerns of the Requestors. The Bank had not violated any of its policies and procedures in this project. Issues raised were not within the scope of the Bank.</td>
</tr>
<tr>
<td>23.</td>
<td>2012</td>
<td>Senegal</td>
<td>Public Road Project</td>
<td>N/A</td>
<td>Complaint successfully handled by Senegal Field Office in line with IRM Rules 2010 (Para. III.b.5.e).</td>
</tr>
<tr>
<td>25.</td>
<td>2012</td>
<td>Madagascar</td>
<td>Mining Project</td>
<td>N/A</td>
<td>Request made by one individual and was not registered since IRM Rules 2010 require any group of two people to file a complaint (Para. III.3.a.4.a). Requestor could not come up with proof of other groups similarly affected by the project.</td>
</tr>
<tr>
<td>26.</td>
<td>Sep. 2010</td>
<td>South Africa</td>
<td>Power Project</td>
<td>N/A</td>
<td>Complaint relating to corruption referred by the BCRM to mandated IACD in line with IRM Rules 2010 (Para II.b).</td>
</tr>
<tr>
<td>27.</td>
<td>2009</td>
<td>Tanzania</td>
<td>Public Road Project</td>
<td>N/A</td>
<td>Complaint successfully handled by Tanzania Field Office.</td>
</tr>
</tbody>
</table>