

# THE INSPECTION PANEL

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT  
INTERNATIONAL DEVELOPMENT ASSOCIATION

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## IPN REQUEST RQ98/3

June 25, 1998

### NOTICE OF REGISTRATION

Dear Sir:

***Re: Request for Inspection – Nigeria: Lagos Drainage and Sanitation Project  
(IDA Credit No. 2517-0)***

The Inspection Panel (the "Panel") received on June 17, 1998 a Request for Inspection (the "Request") dated June 16, 1998 from an organization called the Social and Economic Right Action Center (SERAC) representing themselves, individuals, families, and community development associations (the "Requesters"). The Request relates to the above-mentioned project. The primary objective of the project is to improve health standards and living conditions in areas of Lagos subject to regular flooding and to improve the economic functioning of the city by improving stormwater drainage in priority areas of the city, and improving drain maintenance procedures. Physical components of the project include the rehabilitation, regrading, clearing and aligning of existing stormwater drains in three areas of the city.

The Request claims that the rights/interests of slum communities in the project area have been, are being, and will likely continue to be, materially and adversely affected as a direct result of the International Development Association's ("IDA") omissions and failures in violation of its policies and procedures. According to the Request people affected have suffered and continue to suffer destruction of their homes, livelihoods communities and culture. Over 2,000 poor people have already been forced out of their homes and businesses without compensation or resettlement and thousands of others face an immediate threat of eviction. Contrary to the project's objective to uplift the living standards of the slum communities, the Request alleges it has exacerbated those conditions. Open drainage channels constructed under the project, rather than de-flood the communities, have become receptacles for waste water that overflows regularly into living spaces and endangers the health and lives of residents. Evictees have been forced to become squatters or live in distant places far away from employment thus further impoverishing an already poor and vulnerable population. Women, children and the disabled have suffered untold hardships.

The Request claims the harm results from IDA's failures to comply with Credit Agreement No. 2517 and various provisions of IDA policies and procedures, set forth, inter alia, in the following:

- Involuntary Resettlement (OD 4.30)
- Poverty Reduction (OD 4.15)
- Gender Dimensions of Development (OD 4.20)
- Economic Evaluation of Investment Operations (OD 10.04)
- Environmental Assessment (OD 4.01)
- Project Monitoring and Evaluation (OD 10.70)
- Economic Evaluation of Investment Operations (OP/BP 10.04)

- Article V Section 1(g) IDA Articles of Agreement

SERAC has submitted original copies of authorization of representation signed by directly affected people, who have requested that their names be made available only to the Inspection Panel Members, but otherwise remain confidential.

In accordance with paragraph 17 of the Panel's Operating Procedures (the "Operating Procedures"), I am notifying you that I have on June 25, 1998, which is also the date of the dispatch of this notice, registered the Request in the Inspection Panel Register.

All communications with the Requesters in connection with the Request will be sent to Mr. Felix C. Morka at the address listed below.

In accordance with paragraph 18 of IDA Resolution No. 93-6 and paragraph 18(d) of the Operating Procedures, IDA Management is hereby notified that it must provide the Panel no later than July 27, 1998 with written evidence that it has complied, or intends to comply with the relevant policies and procedures in the implementation of the above-referenced project. The subject matter the Management must deal with in its official response to the Request is set out in paragraph 33 of the Operating Procedures.<sup>1</sup> After receiving the Management response, the Panel will, as mandated by paragraph 19 of the Resolution, "determine whether the Request meets the eligibility criteria set out in paragraph 12 to 14 and shall make a recommendation to the Executive Directors as to whether the matter should be investigated."

After

The Request has been assigned IPN Request Number RQ98/3.

Sincerely yours,

Alvaro Umaña Queseda  
Chairman

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<sup>1</sup> The Panel may proceed to recommend that there should not be an investigation, if, on the basis of the information contained in the Request and Management's response, the Panel is satisfied that Management has done the following:

- (a) dealt appropriately with the subject matter of the Request; and
- (b) demonstrated clearly that it has followed the required policies and procedures; or
- (c) admitted that it has failed to follow the required policies and procedures but has provided a statement of specific remedial actions and a time-table for implementing them, which will, in the judgement of the Panel, adequately correct the failure any adverse effects such failure has already caused.

Notice of Registration

June 25, 1998

TO: Felix C. Morka, Esq.  
Executive Director  
Social and Economic Rights Action Center (SERAC)  
P.O. Box 13616  
Ikeja-Lagos  
NIGERIA

TO: Mr. James D. Wolfensohn  
President  
International Development Association  
Room E-1227

[by hand against confirmation]

cc: The Executive Directors  
International Development Association

Joanne Salop, Director **MDOPS**  
Mona Wasfy, **MDOPS**