

IMRANA JALAL
Chair
The Inspection Panel

September 7, 2021

IPN REQUEST 21/03

NOTICE OF REGISTRATION

Request for Inspection

Togo, Western Africa:
West Africa Coastal Areas Resilience Investment Project (P162337)
Additional Financing – West Africa Coastal Areas Resilience Investment Project
(P176313)
Global Environment Facility (P092289)

Summary

1. On August 4, 2021, the Inspection Panel (the “Panel”) received a Request for Inspection (the “Request”) of the West Africa Coastal Areas Resilience Investment Project (P162337), Additional Financing – West Africa Coastal Areas Resilience Investment Project (P176313), and Global Environment Facility (P092289) (unless explicitly stated otherwise, these three projects are jointly referred to as WACARIP or the “Project”) in Togo, Western Africa. The Request was submitted by two community members living in the villages of Kpogan and Kpeme on the coast of Togo who claim to represent fishermen of their communities. On August 27, 2021, a third community member living in the village of Agbodrafo, Togo, signed the Request. The same day the Panel received additional signatures from 27 project-affected persons (PAPs) living in nine villages,¹ and from a community-based organization authorized by the Requesters to represent them. The Requesters have asked the Panel to keep their identities confidential.

2. The Requesters allege that the Project, which intends to implement resilience measures in the coastal area, will adversely affect the fishermen, residents and property owners along the Togolese coast. The Requesters raise three areas of concern. First, they claim that as a result of the Project activities a smaller area of the beach will remain for the fishermen to access and use for their fishing activities, having an impact on the main source of livelihood for the fishermen and the community. Second, the Requesters are concerned about the involuntary resettlement process allegedly attributed to the Project, and the loss of their land titles once their land is acquired by the government. They believe that they will

¹ The nine villages are Adjissenou, Agbavi, Agbodrafo, Alimagna, Djeke, Follygah, Gbodjome, Kpeme, and Kpogan.

not be adequately compensated for any potential loss of dwelling or land caused by this process. Third, they claim that PAPs have not received adequate and timely Project information and have not been meaningfully consulted about Project activities.

3. The Panel acknowledged receipt of the Request on its website on August 12, 2021. Following initial due diligence by the Panel and confirming that the Request meets the Panel's admissibility criteria, I am notifying you that I have, on September 7, 2021, registered this Request.

The Project

4. The main project, the West Africa Coastal Areas Resilience Investment Project (P162337), was approved on April 9, 2018, for a total of US\$221.70 million equivalent, of which US\$120 million equivalent is in an International Development Association (IDA) Credit, and US\$70 million equivalent in an IDA Grant. It is a regional project benefitting Benin, Côte d'Ivoire, Mauritania, São Tomé and Príncipe, Senegal and Togo. Togo is a recipient of US\$30 million equivalent in IDA Credit and US\$15 million equivalent in IDA Grant. In addition, the Global Environment Facility (P092289) is providing a Grant of US\$20.25 million to Benin, São Tomé and Príncipe, and Togo, of which Togo is a recipient of US\$7.53 million.

5. On June 18, 2021, the Board of Executive Directors approved an additional Credit of US\$18 million equivalent and an additional Grant of US\$18 million equivalent to reflect the coverage of cost overruns. The additional financing is to support Component 3 (described below) in Benin and Togo. Togo is the recipient of US\$6 million equivalent of the additional IDA Credit, and US\$6 million equivalent of the additional IDA Grant.

6. WACARIP is a Category A project. The following safeguard policies are triggered: Environmental Assessment (OP/BP 4.01), Natural Habitats (OP/BP 4.04), Physical Cultural Resources (OP/BP 4.11), and Involuntary Resettlement (OP/BP 4.12). The Project was about 16 percent disbursed at the time of receipt of the Request. The expected closing date of the Project is December 31, 2023.

7. WACARIP's Project Development Objective is "*to strengthen the resilience of targeted communities and areas in coastal Western Africa.*"² The Project includes four components:

- Component 1 - Strengthening regional integration;
- Component 2 - Strengthening the policy and institutional framework;
- Component 3 - Strengthening national physical and social investments; and
- Component 4 - National coordination.

8. According to the Project Appraisal Document (PAD), Component 1 of WACARIP aims to play a strategic role in the implementation of the regional component. It aims to provide support to the West Africa Economic and Monetary Union, where a Regional Steering Committee (RSC) will be seated. The RSC's responsibilities will include providing

² Project Appraisal Document (PAD), p. 29, para. 36.

overall strategic guidance, supporting policy dialogue with and among the participating countries and other Western African countries on regional integration, coordinating cross-boundary Project interventions, and assessing the results and impact of the Project.³

9. Component 2 aims to help countries develop the adequate policy framework and necessary tools for the development and operationalization of their coastal management strategies and plans at the national and regional levels. It will provide support to develop and operationalize coastal management and land use strategies, taking into consideration land rights security. Emphasis will be put on developing the Environmental and Social Impact Assessment (ESIA) systems and guidelines for coastal planning and infrastructure. It will provide support on land issues expected to emerge when the planned relocation of communities will be necessary.⁴

10. Component 3 aims to finance coastal investments or subprojects, to protect vulnerable areas from coastal erosion and flooding, to support pollution control and waste management operations, and to promote climate-resilient coastal development. It will support dialogue on the possible need for the planned relocation of high-risk communities in the longer term, the development of a participatory process for relocation planning and decision making, the implementation of a socio-environmental monitoring system for the implementation of decisions on relocation, and participatory exercises that facilitate communities to consider the future. In certain cases, the project may provide financing to assist with the planned relocation of those at high-risk in certain hot spots within the project area who have to move from their current places of residence or work due to persistent coastal flooding or erosion.⁵

11. Component 4 aims to ensure that the Project is implemented in accordance with the PAD and the country-specific project description, and that the Project's multisectoral investment plan or an agreed alternative national strategy or plan continues to form the basis for coordinated support from technical and financial partners to address the most pressing needs for management of the coastal zone.⁶

The Request

12. During its review of the Request, the Panel spoke with the Requesters on August 2, 16 and 27, 2021, to better understand their concerns and to seek clarifications. According to the Requesters, the resilience measures the Project plans to implement against the decades-long coastal erosion will adversely affect them. The Requesters allege that artisanal fishing and the livelihoods of fishermen and community members, who rely on fishing as a main source of livelihood, will be adversely affected by some of the Project activities. They claim that as a result of such activities, the fishermen will have smaller areas of the beach to access, which will impede their fishing activities, as well as reduce the landing space for their fishing boats. Additionally, they claim that the Project is disregarding the alternative

³ PAD, pp. 33-34, paras. 46-51.

⁴ PAD, pp. 34-35, paras. 52-55.

⁵ PAD, pp. 35-37, paras. 56-62.

⁶ PAD, pp. 37-38, paras. 63-65.

of dredging and replenishing the sand beach areas, which would stabilize coastal erosion and allow fishermen and residents to remain on the beach to continue their fishing activities.

13. Secondly, the Requesters are concerned about the involuntary resettlement process that is allegedly attributed to the Project. According to the Requesters, the government issued a statement (“*communiqué*”) asking communities to vacate their houses and lands. The Requesters allege that this is related to the Project’s intent to relocate approximately 1,000 households along the Togolese coast. The Requesters allege that the houses of some PAPs have been marked for resettlement without any explanation, while other residents received the “*communiqué*” or a visit from law enforcement agents or authorities stating that they would have to leave their properties for the purposes of the Project. They claim that some hold titles to the properties they are being asked to vacate.

14. Thirdly, the Requesters claim that, to date, insufficient information has been provided to the PAPs. They claim that PAPs were not informed adequately about the resettlement process and related compensation. They stated that the results of a survey, which was conducted covering some of the PAPs, was not made available to them. The Requesters claim that meaningful consultations with the communities were not held, but rather isolated meetings took place with certain individuals including community leaders.

Initial Due Diligence

15. After receipt of the Request, the Panel conducted its initial due diligence and verified that the Request meets the admissibility criteria for registration. The Request is not frivolous, absurd or anonymous, and was submitted by individuals some of whom the Panel has determined clearly live in villages located in the Project area. The Panel received correspondence between the community members and the Bank from March and June 2021 raising concerns related to beach access and involuntary resettlement. The Panel is therefore satisfied that the issues were brought to the attention of the Bank prior to the submission of the Request for Inspection. The Panel verified that the subject matter of the Request does not concern issues of procurement and, at the time of receipt of the Request, WACARIP was about 16 percent disbursed and its closing date is December 31, 2023. The Panel has not previously made a recommendation on the issues raised in this Request.

16. As part of its due diligence, the Panel met with Bank Management on August 31, 2021. Management explained that in addition to the Bank, the African Development Bank, the International Finance Corporation, and Agence Française de Développement (the French development agency) are undertaking activities along the Togolese coastline and some of the impact the PAPs are concerned about relate to the activities of those institutions. Management stated that the government “*communiqué*” for certain communities to vacate their houses and land is applied to the entire Togolese coast as it falls under the public maritime domain, which includes the Project sites. Management added that this communication is not related to WACARIP. Management further stated that limited Project-related resettlement is planned and that such resettlement will be undertaken in accordance with the Bank safeguard policies. Management stated that no eviction has taken place. Finally, Management stated that ESIA and Resettlement Action Plans are in the process of being prepared.

Registration of the Request

17. As provided in paragraph 18 of the Panel’s Resolution (the “Resolution”), “*the Chairperson of the Panel shall inform the Executive Directors and the President of the Bank promptly upon receiving a request for inspection.*”⁷ With this notice, I am notifying you that I have, on September 7, 2021, registered the above-mentioned Request.

18. The Panel’s registration implies no judgment whatsoever concerning the merits of a Request for Inspection. As provided in paragraph 19 of the Resolution,⁸ Bank Management must provide the Panel within 21 business days (by October 6, 2021) a response to the issues the Requesters raised. The subject matter that Management must deal with is set out in paragraphs 20 and 21 of the Resolution.

19. After receiving the Management Response, the Panel will “*determine whether the request meets the eligibility criteria set out in paragraphs 13 to 15 (...) and shall make a recommendation to the Executive Directors as to whether the matter should be investigated.*”⁹ This Request has been assigned IPN Request Number 21/03.

Yours sincerely,



Imrana Jalal
Chair

Attachments

Mr. David Malpass, President
International Development Association

The Executive Directors and Alternates
International Development Association

Requesters (confidential)

⁷ The World Bank Inspection Panel, Resolution No. IDA 2020-0003, dated September 8, 2020 (the “Inspection Panel Resolution”), para. 18, <https://www.inspectionpanel.org/sites/www.inspectionpanel.org/files/documents/InspectionPanelResolution.pdf>.

⁸ The Inspection Panel Resolution, para. 19.

⁹ The Inspection Panel Resolution, para. 22.