

International Bank for Reconstruction and Development
International Development Association

THIRD PROGRESS REPORT
ON THE IMPLEMENTATION OF MANAGEMENT'S ACTION PLAN IN RESPONSE
TO THE
INSPECTION PANEL INVESTIGATION REPORT (INSP/R2018-0002) ON THE
DEMOCRATIC REPUBLIC OF CONGO
SECOND ADDITIONAL FINANCING FOR THE HIGH-PRIORITY ROADS
REOPENING AND MAINTENANCE PROJECT (P153836)

January 18, 2021

THIRD PROGRESS REPORT
IMPLEMENTATION OF MANAGEMENT ACTION PLAN

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ABBREVIATIONS AND ACRONYMS

AF	Additional Financing
COVID-19	Novel Coronavirus 2019
DRC	Democratic Republic of Congo
ESF	Environmental and Social Framework
ESMP	Environmental and Social Management Plan
GBV	Gender-based Violence
GRM	Project-level Grievance Redress Mechanism
IDA	International Development Association
MAP	Management Action Plan
MONUSCO	United Nations Organization Stabilization Mission in the DRC
NGO	Nongovernmental organization
PIU	Project Implementation Unit
ProRoutes	High-Priority Roads Reopening and Maintenance
RAP	Resettlement Action Plan
RARIP	<i>Réseau d'Analystes des relations Internationales pour la Paix dans la Région des Grands Lacs</i> (Network of International Relations Analysts for Peace in the Great Lakes Region, NGO)
RN	<i>Route Nationale</i> (National Road)
UNFPA	United Nations Population Fund

**Third Progress Report on the Implementation of Management’s Action
Plan in Response to the Inspection Panel Investigation Report on the
Democratic Republic of Congo: Second Additional Financing for the High Priority
Roads Reopening and Maintenance Project**

I. INTRODUCTION

1. This is the third and final Progress Report to the Board of Executive Directors (the Board) on implementation and completion of the [Management Action Plan \(MAP\)](#) in response to the Inspection Panel [Investigation Report](#) No. 124033-ZR on the Democratic Republic of Congo (DRC) Second Additional Financing for the High-Priority Roads Reopening and Maintenance (ProRoutes) Project (P153836), covering activities and information available for the period April 1, 2020 to October 31, 2020.

2. *In response to travel and other restrictions related to the COVID-19 pandemic, the Bank and Borrower authorities have put in place suitable alternative arrangements to monitor the finalization of Project activities and MAP actions and the closing of the Project.* While pandemic-related restrictions required some adjustments to the pace, scope, and modality of implementation and supervision of Project activities and MAP actions by the Borrower and the Bank, suitable alternative arrangements were put in place to monitor the closing of Project activities. Specific attention was also paid to the need for any enhancements to the institutional strengthening measures introduced to respond to the new health threats posed by COVID-19 and in connection with the Ebola measures already in place for the Project.

3. *The Project.* The Project Development Objective was to “re-establish lasting road access between provincial capitals, districts and territories in the Project implementation area in a way that is sustainable for the natural environment.” In DRC, the need for good roads to connect cities and towns is acute. At closing, ProRoutes had rehabilitated 2,673 kilometers and maintained 3,345 kilometers of high-priority national roads reconnecting previously isolated cities and provinces, contributing to stability and security in a post-conflict context. The implementing agency for the Project was the *Cellule Infrastructures* (infrastructure unit) at the Ministry of Infrastructure during the entire implementation period.

4. The Project was supported by US\$238 million in total from the International Development Association (IDA). This included an IDA grant of US\$50 million equivalent approved by the Board on March 18, 2008. A first Additional Financing (AF1) in the amount of US\$63.3 million equivalent was approved in June 2011 to scale up ProRoutes activities. On February 18, 2016, a second Additional Financing (AF2) in the amount of US\$125 million equivalent was approved to support further ProRoutes activities. On November 27, 2017, the Bank suspended its disbursements for all road works financed under the Project due to the Borrower’s noncompliance with its obligations to carry out the Project in conformity with appropriate environmental and

social standards and practices, including management of gender-based violence (GBV), and to minimize the risk of additional harm to Project-affected people.

5. ***Request for Inspection.*** The Request for Inspection was received by the Panel on September 13, 2017. The Request was submitted by community members living in Goma and its vicinity in DRC. The Executive Directors and the President of IDA were notified by the Panel of receipt of the Request. Management responded to the claims in the request on October 20, 2017 and provided an update to its response to the Board and Panel on November 27, 2017. In its report to the Board, the Panel found the Request eligible and recommended that the Executive Directors authorize an investigation. The investigation was authorized by the Executive Directors on December 8, 2017. On April 27, 2018, the Panel issued its report outlining the findings of the investigation. Management provided its Report and Recommendation to the Executive Directors on August 27, 2018. The MAP was approved by the Board on September 7, 2018.

6. ***Progress on the MAP and Project closing.*** Considering the progress achieved in implementing the MAP and other measures agreed with the Government of DRC, Management lifted the partial suspension of disbursements under the Project on December 3, 2018. The Bank extended the Project's closing date by 16 months in order for the Borrower to complete road works, as well as social and environmental activities. The new closing date was June 30, 2020.

7. The first Progress Report, covering the period September 7, 2018–March 15, 2019, highlighted significant progress in implementing the 28 actions in the MAP, with 10 of the 11 actions focused on specific deliverables completed,¹ and all of the 16 actions requiring continuous monitoring until closing on track. The second Progress Report, which covered the period March 16, 2019 to March 31, 2020, noted that the last of the 11 actions focused on specific deliverables had been completed, and the 16 actions requiring continuous monitoring were still on track.

8. Since the second Progress Report was issued, the Bank continued to work systematically to support the Borrower's implementation of all agreed actions and measures put in place to remedy and prevent harm to the affected communities. As a result, all the MAP actions have been completed, including the one action that could only be assessed as of Project closing.²

9. The five main road sections for which rehabilitation was financed by ProRoutes have now been completed, including the National Road no. 2 (*Route Nationale no. 2*, or RN2) from Goma to Bukavu, which was the focus of the Inspection Panel's investigation. Rehabilitation works on the RN2 were completed on March 31, 2020, except for construction of one bridge, which was completed on June 19, 2020.³ As a result of the rehabilitation works, transport conditions on the five roads have improved significantly.

¹ The remaining action involved the hiring of 20 workers from the community by the RN2 Contractor and was pending the resumption of works on National Road 2 (RN2).

² The Borrower supported the design of a strategy to ensure that any GBV survivors who had not received the agreed support from GBV service providers by the closing date of ProRoutes, would continue to be able to receive the needed support through other service providers in the former Project areas.

³ This bridge is named "*Chez les Français*".

10. The challenges faced under the Project in relation to GBV incidents led to enhanced measures for prevention and mitigation of GBV risks under the Project and in the DRC portfolio and Bank-financed operations more broadly. Such measures included the adoption of Codes of Conduct acceptable to the Bank by works contractors retained under the Project, a review and risk-based retrofitting of the DRC portfolio and other key operations across Africa. Lessons from the ProRoutes have also informed the broader Bank guidelines on GBV risk management through the preparation of a Good Practice Note for staff on *‘Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works.’*⁴ GBV screening now takes place on all new operations to assess GBV risks; support is consistently provided to task teams; and appropriate GBV mitigation measures are being identified from the concept note stage and throughout preparation for all new projects being prepared under the Bank’s Environmental and Social Framework (ESF).

11. The Project put in place a holistic set of interventions and achieved progress in the three key dimensions now embedded in the Bank’s GBV risk framework for operations: (1) prevention; (2) support to survivors; and (3) accountability. As per the MAP, the Borrower developed a strategy to transfer any open or new GBV cases in the Project areas at closing to an identified new GBV partner. No new GBV case was identified in the period between the second Progress Report and Project closing. At least three GBV cases brought to the Project’s GBV grievance redress mechanism (GRM) have led to judicial action; all were pending as of the last reporting period. Two of the cases have now been prosecuted and one is still pending. Legal support will continue to be provided to the one survivor whose case remains open in court. All other identified GBV cases have been closed and support has been provided to survivors as per their needs and preferences.

12. A Project Implementation and Completion Report will be prepared within twelve months of Project closure. The report will provide useful information on the lessons learned from the Project and the implementation of the MAP in response to the Inspection Panel’s Investigation Report; it also will help enhance the quality of design and effectiveness of future operations in the country.

II. MANAGEMENT ACTION PLAN

13. In its 2018 Report and Recommendation in response to the Inspection Panel Investigation Report, Management committed to a detailed set of 28 actions – at the local, provincial and national levels – to address the impacts suffered by Project communities and to improve the capacity of all the actors involved in the supervision of the Project, including the supervision engineers, the provincial authorities, the specialized nongovernmental organizations (NGOs) involved in the

⁷ For example, the proportion of the RN2 road length in very poor condition was reduced from 62 percent in May 2019 down to 8 percent in November 2019.

⁴The Guidance Note can be access through the following link:

<http://pubdocs.worldbank.org/en/741681582580194727/ESF-Good-Practice-Note-on-GBV-in-Major-Civil-Works-v2.pdf>

management of GBV risks, the Government of DRC and the Bank, to better manage the types of issues that arose under the Project. Of the 28 actions included in the MAP: 11 were focused on specific deliverables that had to be completed during implementation; 16 actions were continuous actions which had to be monitored until Project closing; and 1 action could only be assessed at closing.⁵

III. PROGRESS OF MANAGEMENT ACTION PLAN IMPLEMENTATION

14. ***MAP implementation to date.*** The second Progress Report, covering the period March 16, 2019 to March 31, 2020, highlighted significant progress in implementing the 28 actions in the MAP, with 10 of the 11 actions focused on specific deliverables completed, and all of the 16 actions requiring continuous monitoring until closing on track. Since the second Progress Report was provided to the Board, the Bank has continued to support the Borrower's implementation and completion of all agreed actions and measures put in place to remedy and prevent harm to the affected communities. As a result, at Project closing on June 30, 2020, all of the MAP's 28 actions had been completed, comprising the 11 actions focused on specific deliverables and the 16 actions that had to be continuously monitored until closing. The additional action that could only be assessed at closing was also completed. The rehabilitation of the five main road sections financed by ProRoutes was completed, as a result of which transport conditions on the roads have improved significantly.

15. The Project's closing date was extended until June 30, 2020,⁶ to: (i) properly complete and close all remaining works; (ii) ensure that all the required safeguard actions are completed, including validation of all the implementation and closing reports; and (iii) complete the required actions of the MAP. The extension of the closing date until June 30, 2020 also provided an additional period after the completion of road works to ensure that any new safeguard issue or any new complaint received would be properly addressed, including any GBV complaints received during the period after the works had closed. The Project's complaint and risk management instruments were also extended for the same period as needed.

16. Management has also continued to actively disseminate lessons learned through the Project and apply them to other high-risk operations under preparation and implementation, particularly regarding GBV and the use of military personnel in Bank-financed operations.

17. ***Dissemination of Good Practice Notes and GBV retrofitting plan.*** Following a GBV screening of the DRC portfolio, 15 ongoing operations have been supported since January 2019 to include GBV risk mitigation measures. Of these, one was rated high risk, one substantial risk, nine moderate risk, and four low risk. Project staff have received training on the GBV Good Practice Note and were supported to develop action plans to roll out the necessary risk mitigation measures

⁵ This action relates to the support to be provided to GBV survivors that would not have been completed by the closing date of the ProRoutes Project.

⁶ The notification letter was sent to the DRC authorities on February 25, 2020.

that are currently under implementation.⁷ All projects under preparation will systematically continue to be screened for GBV risks and the appropriate mitigation measures will be consistently integrated into safeguard instruments.

18. **Execution of road rehabilitation works.** The ProRoutes' road works have now all been completed. The last contract that remained opened on National Road no. 2 (*Route Nationale no. 2*, or RN2) connecting the towns of Sake (North Kivu province) and Kavumu (South Kivu province) on the Bukavu-Goma Road (146 km) has now closed.⁸ RN2 was the main focus of the 2017 Panel investigation. Works restarted on April 8, 2019 and were completed by March 31, 2020 with the exception of the bridge at "Chez les Français", for which construction was completed on June 19, 2020.

19. Due to the COVID-19 pandemic, the Government gave a special mandate to the supervision engineer and to local authorities in North Kivu Province (the focal point and the head of the provincial Roads Office) to verify the Project works on the bridge on the RN2. A workshop presenting the completion report was held on June 24, 2020 and the final report was approved on July 27, 2020, following revisions requested by the Project Implementation Unit (PIU).

20. **Consultations and disclosure of information.** Periodic consultations took place with affected communities in 2019 and 2020 as noted in the previous Progress Report. The last consultations took place on March 9-14, 2020,⁹ along the RN2 and around the Contractor's base and temporary camps. Additional specific consultations focused on resolution of compensation for the Tongo-Butale quarry also took place on January 25, 2020. Consultations were coordinated by the local Goma-based NGO, RARIP,¹⁰ with the support of the PIU. All consultations involved translation in local languages (*Swahili* and/or *Lingala* as appropriate).

21. **Grievance Redress Mechanism.** The Project-level GRM had been considerably strengthened following the 2017-2018 Panel investigation with 152 GRM committees established along the ProRoutes roads. Communities continued to be periodically informed during the Project's communication activities about the functioning of the GRM and of complaint management for the Project.

22. Since the 2nd Progress Report, 28 additional complaints were received by the GRM committees, bringing the total number of complaints under the Project to 2,891 as of June 30,

⁷ The Good Practice Note has been updated and was re-issued in February 2020.

⁸ As reported in the 2nd Progress Report, the other four works' contracts already closed included: (a) National Roads no. 6 and 23 (RN6/RN23, Mongala and Sud-Ubangi provinces) connecting the towns of Akula, Gemena and Zongo (385 km) were satisfactorily completed on June 30, 2019; (b) National Road no. 4 (RN4) connecting the towns of Beni and Kasindi (78 km, North Kivu province) were satisfactorily completed on August 6, 2019; (c) National Road no. 27 (RN27) connecting the towns of Komanda, Bunia, and Goli (259 km, Ituri province) were satisfactorily completed on August 6, 2019; and (d) National Road no. 4 (RN4) section Dulia-Likati (70 km) were completed on January 31, 2020.

⁹ These 3-day consultations took place as part of the RN2 road works' closing process. They also included communication activities on bridge maintenance and flooding issues.

¹⁰ RARIP - Réseau d'Analystes des Relations Internationales pour la Paix dans la Région des Grands Lacs.

2020.¹¹ The Bank received a comprehensive monthly report of the status of all complaints received and processed. Most of these complaints involved minor losses of agricultural assets during the execution of road works. All complaints received during Project implementation have been processed and complainants were compensated when found eligible.¹²

23. As reported in the First Progress Report, dedicated GBV GRMs have also been established on RN2 and other roads with active rehabilitation contracts to document and review GBV allegations, with survivors' consent.

24. As of June 30, 2020, the GBV GRMs had reviewed all 67 reported GBV allegations. While field missions have not been possible for the Bank and PIU to meet with GBV GRM representatives and stakeholders, virtual communications have confirmed that all GBV cases have been processed, including the two cases that remained open at the time of the 2nd Progress Report. No new GBV case was reported through the GBV GRM since the 2nd Progress Report.¹³ At Project closing, all alleged incidents had been reviewed and closed.

25. All survivors and individuals who reported allegations of rape, sexual assault or other GBV incidents through the GBV GRM or the specialized NGOs contracted by the Project were offered a comprehensive package of support services in a timely and non-discriminatory manner, without waiting for the outcomes of the verification process, and regardless of whether the incident was linked to the Project. As noted in the last Progress Report, seven individuals decided to file a complaint in the legal system (two in the previous reporting period and none since until Project closing). The Bank, through the PIU and United Nations Population Fund (UNFPA), has kept itself informed on these proceedings.¹⁴ At least three GBV cases brought to the GBV GRM have led to judicial action: two have been prosecuted and one is pending. The survivor in the GBV case that is still pending will continue to receive legal assistance and the case will be monitored by the Bank as part of the supervision of the DRC Gender Based Violence Prevention and Response Project (P166763).

26. ***Support to broader GBV activities in the Project area.*** The nine specialized GBV organizations financed under ProRoutes and coordinated by UNFPA continued to implement GBV awareness and prevention activities and provide support to survivors of GBV incidents that were unrelated to ProRoutes but occurred in the Project area.

27. ***Quarry exploitation.*** All quarries and borrow pits continued to be exploited according to the applicable safeguard instruments. This compliance of quarries and borrow pits was periodically

¹¹ Since the last reporting period ending in March 2020, 114 additional complaints were processed and compensated when found eligible or otherwise denied; bringing the total to 1,399 complaints that were processed during the past year.

¹² Out of the 2,891 complaints that were processed by the GRM committees, more than half of the complaints (1,475) on the Project that were processed where found ineligible.

¹³ As of the last reporting period, 33 additional allegations of rape or sexual assault had been received through the specialized GBV NGOs contracted by the Project, bringing the total number of alleged GBV incidents to 67.

¹⁴ Three cases were dismissed by the court because of lack of evidence, one case was found to be not-related to the Project, one was dropped by the survivor and two cases have been resolved in court (in one case, the alleged perpetrator was arrested and in the other case he ran away).

verified by supervision engineers and reported to the PIU on a monthly basis. As specified in the MAP, the Bank received from the PIU a copy of all the supervision engineers' monthly reports. All restoration works, as per the restoration plans prepared under the Project, have been completed except for five sites where quarry and borrow pit owners expressed their preference for these sites to remain open.¹⁵ In all, 213 quarries and borrow pits that were used during Project implementation have been restored,¹⁶ including the Tongo-Butale quarry, where restoration works were completed in March 2020.

28. The agreed compensation plan for the Tongo-Butale quarry included a commitment by the Contractor to create employment opportunities for at least 20 daily workers for about 8 months (equivalent to 160 man-months). As of the end of the last reporting period, this had been exceeded and totaled 193 man-months. Additional compensation measures, which also went beyond the requirements of the MAP, were also agreed between the community, the provincial authorities and the PIU and were completed.

29. ***Impacts on agriculture and livelihoods.*** Complaints related to Project's impacts on agricultural and livelihood assets continued to be managed through the Project's GRM. In addition to the RN2 Resettlement Action Plan (RAP), an additional RAP was prepared to identify the impacts and mitigation measures of the "Chez les Français" bridge work, which had been cleared by the Bank on February 25, 2020 and was disclosed locally on May 8, 2020 and the Bank's website on May 12, 2020. This RAP included only one affected person, who has been compensated as per the RAP.

30. ***Community health and safety and security arrangements.*** The formalized partnership with the United Nations Organization Stabilization Mission in the DRC (MONUSCO) remained in place until Project closing. The partnership assigned MONUSCO human rights trainers to the Project to train the military personnel assigned to the protection of the road worksites, with training costs financed by the Project. All military personnel involved in the Project continued to be screened per MONUSCO human rights' good practice until Project closing. In total, 130 military personnel were trained in humanitarian law as part of this ProRoutes risk mitigation activity. No new training has taken place since the previous Progress Report.

31. ***Water pipe rupture, storm water management and road safety.*** The Bank has continued to closely monitor all water supply interruptions caused by the road works. No new incident linked to water pipe rupture or storm water management has been reported since the previous Progress

¹⁵ Three borrow pits on RN2 (Pk24 + 550; Pk21 + 178; Pk110 + 250), one borrow pit on RN27 (Komanda-Bunia-Goli) (PK35 +000 in the locality of Marabo), and one quarry site on RN2 (PK 103 + 900 at Kalungu/ Bushuhi) have not been restored or rehabilitated at the request of the owners, either individuals or a community, who have confirmed in legal documents their request for the Contractors to leave the sites open for further use of the materials for their own benefit, thereby releasing the Contractor from any responsibility for restoration. The last eight borrow pits were rehabilitated by June 27, 2020, and the last quarry in operation at PK 67 + 300 to complete the "Chez les Français" bridge on RN2 was restored.

Report. Likewise, the Bank continued to support road safety measures until Project closing and no new road incident was reported.

32. ***Working conditions and occupational health and safety.*** Labor inspection authorities continued to undertake assessments of the RN2 Contractor's facilities to evaluate compliance with applicable labor regulations, including occupational health and safety regulations and actions to prevent sexual harassment. On June 10, 2020, eighteen workers brought a claim against the Contractor, SZTC, to the Provincial Labor Inspectorate of North Kivu for non-payment of several contractual rights (family allowances and others). A series of labor dispute conciliation sessions organized by the Labor Inspection authorities found the employees' allegations to be valid and SZTC made full payment of the claims. The workers also received a certificate of service rendered. A final mission by two labor authorities of North and South Kivu was undertaken June 18-22, 2020, in accordance with COVID-19 travel requirements, and their report was received by the Bank on June 30, 2020. The report confirmed that the RN2 Contractor was compliant with applicable labor regulations, including verification that all workers had work contracts; that compensation was paid in case of injury and full payment of workers' wages was made; that workers had and were wearing protective equipment – boots, reflective vests, and helmets; and that measures to prevent sexual harassment and other forms of GBV were in place.

33. With the emergence of COVID-19 and the declaration of DRC's state of emergency in March 2020, the Project's Environmental and Social Management Plan (ESMP) for the remaining works on RN2 was revised to include safety measures to prevent the spread of COVID-19, including in the Contractors' works vehicles, offices, and work areas. Protective face masks were also distributed to workers on the "*Chez les Français*" work site.

34. ***Supervision and reporting.*** The Bank continued to maintain a robust monitoring and reporting protocol to supervise the Project until closing, even with the travel restrictions and monitoring challenges of the pandemic. Reports by the supervising engineers were submitted by the PIU and bi-weekly virtual discussions took place to assess status of the closing of the works and of all remaining activities under the Project. Prior to the pandemic, missions involved the participation of Bank Management, experienced team leaders, as well as senior safeguards and GBV specialists.

35. Bank supervision was facilitated by the opening of the Bank satellite office in Goma in November 2019 and experienced consultant support in Goma.¹⁷ Management also maintained the social media monitoring pilot designed to monitor the ProRoutes Project before being scaled up to other high-risk operations in the DRC portfolio. This tool proved to be a powerful complement to the Project's social monitoring activities to identify and resolve potential concerns or incidents. The pilot was extended until Project closing. The social monitoring activities enabled the Bank to receive alerts and monthly monitoring information on possible critical aspects of the Project and helped in reinforcing Project monitoring mechanisms during the pandemic-related travel

¹⁷ This satellite office has been operational since May 2019.

restrictions. A confidentiality protocol was in place to ensure that no sensitive information that could expose the safety of complainants was disclosed.

36. ***Institutional strengthening and Ebola prevention.*** Management continued to closely monitor the capacity of Project stakeholders in order to identify potential capacity gaps and needs for additional institutional strengthening support. Ebola prevention continued until Project closing. No Ebola cases were reported among ProRoutes workers. The Bank team also closely monitored the potential impact of the pandemic on the execution of Project activities until closing, including implementation of associated health measures to prevent the spread of COVID-19.

37. ***Risk of retaliation.*** Management continued to take very seriously the risk of retaliation against the Requesters, GBV survivors, witnesses and any other members of the community cooperating in the identification and remediation of Project-related harm. Management remained in frequent communication with the main Requester, who continued to make allegations of intimidation and retaliation against himself, his relatives and other community members. Based on the information received by Management, no situation of retaliation by the RN2 Contractor or by Government officials in connection to the ProRoutes Project has been substantiated since the last reporting period and through Project closing.

Consultations with Requesters and affected people on MAP progress

38. ***Consultations.*** The completion of the MAP was presented by the Bank team to 40 representatives of local civil society organizations and the affected communities in Goma on October 13-15, 2020.¹⁸ Due to the COVID-19 pandemic, consultations were held by the Project TTL and a Communications Specialist in Goma with support by Bank staff connected virtually from Kinshasa and Washington DC. The consultations did not include any Government representatives. The main Requester attended the consultation on October 15, and his relatives on October 13, 2020.

39. ***Feedback.*** Many participants, including representatives from the Indigenous Peoples' community, expressed their satisfaction with ProRoutes due to the improved connectivity following the full completion of the road works financed by the Project. They noted that it is now easier to travel in the Project areas even during the rainy season. Some participants also expressed their satisfaction that the MAP has been entirely completed. They noted a positive change in the relations between the Project and the affected communities since the implementation of the MAP. Some participants requested the Bank to support the Government of DRC in properly maintaining the improved road to ensure its sustainability, in particular since the roads appeared prone to erosion following recent unusually intense rainfall. Participants acknowledged the holistic nature of the support package granted to survivors (medical, legal and psychosocial) and suggested that the Bank consider expanding further this support to facilitate the socio-economic reintegration of survivors. They also expressed their satisfaction that some GBV perpetrators had been prosecuted and sentenced.

¹⁸ Invitations were sent out by the Bank three weeks prior to the event.

40. RARIP, the local NGO in charge of the community consultation, recommended that in future operations GRM committees be trained more regularly and monitored more extensively. The main Requester raised some concerns about the conditions of the workers. He was informed during the consultation that the labor authorities had undertaken a full review of the working conditions just before Project closing, and all labor complaints had been analyzed and addressed per national legislation. Some participants also recommended that communities be fully involved in Project design and supervision in the future.

41. This Progress Report will be provided to the Requesters, and publicly disclosed on the Bank's website.

42. This is the final progress report given that all MAP items have been completed.

Table 1. Implementation of Management Action Plan

Proposed Actions	Status Update as of December 31, 2020
1. Consultations and disclosure of information	
<p>The Bank will require the PIU to hold and document periodic consultations with communities in the RN2 area to report on works progress and to invite feedback on potential negative impacts. Such consultations will be held with due attention to local languages and to information being provided to participants. Management will require the PIU to provide the Bank with the materials being presented and the list of participants, in order to make sure that such consultations are comprehensive and inclusive enough. Timeline: every 3 months until Project closing.</p>	<p>This action has been completed.</p> <p>The Project held eight rounds of consultations along the RN2 and around the Contractor's temporary camps between 2018 and Project closing. Consultation materials and summary reports of the consultations were received for each round of consultations and reviewed by the Bank.</p>
2. Project-level GRM	
<p>Project-level GRM. The Bank will continue to monitor the processing of all complaints received by the Project-level GRM with a view to monitoring that the complaints are adequately and fairly brought to closure. In this context Management will pay particular attention to the closing of GRM cases, the documentation of complaints, the methodology applied to calculate compensation, and any complaints that have been appealed (i.e., elevated to the supervision committees). Timeline: until Project closing.</p>	<p>This action has been completed.</p> <p>A total of 152 GRM committees with 602 committee members were in place along the Pro-Routes roads until Project closing.</p> <p>Consolidated lists of GRM-registered complaints were sent to the Bank on a monthly basis for review until Project closing. The latest list, received on July 9, 2020, included the total for complaints received on all ProRoutes roads, 2,891, of which 1,416 complaints were eligible for compensation, which was paid. A total of 1,475 were found ineligible.</p> <p>A total of 36 complaints were closed on June 25, 2020 following acceptance of a technical solution to install slabs at the Aketi Market by the Contractor on the RN4. The</p>

Proposed Actions	Status Update as of December 31, 2020
	<p>final report of the supervising engineer was received on June 25, 2020 and transmitted to the Bank on July 2, 2020.</p> <p>The last complainant on RN2 was paid on July 6, 2020 for which the Bank received the certificate of compensation.</p> <p>These complaints do not include GBV allegations, which were processed separately by the dedicated GBV GRMs.</p>
<p>Management will initiate a review of all Project-level GRMs in DRC, with a view to ensuring their strengthening, where needed, based on findings and recommendations of the review. The objective is to ensure that such GRMs have been properly designed to handle not only resettlement-related issues but also any other issues associated with broader social risks.</p>	<p>This action has been completed, as reported in the 1st Progress Report.</p>
<p>GBV GRM. The Project will also continue to ensure effective operation of dedicated GRMs for GBV issues as described below. Timeline: August 30, 2018 for the review.</p>	<p>This action has been completed.</p> <p>At Project closing, all alleged incidents had been reviewed and closed.</p>
<p>3. GBV</p>	
<p>The Bank will require the PIU to continue to implement (and ensure the Contractor's compliance with) all the agreed GBV training protocol so that all ProRoutes workers are kept aware of the behaviors that will not be tolerated and of the disciplinary consequences of abuses and improper behaviors. Another broader objective is to promote changes in behavior and attitudes towards women and girls, as well as highlighting risks associated with prostitution and early marriage.</p>	<p>This action was completed as of the 2nd Progress Report.</p>

Proposed Actions	Status Update as of December 31, 2020
<p>Refresher courses will be envisaged as appropriate as well as additional sessions for new hires. Timeline: until Project closing.</p>	
<p>Management will require the Borrower to ensure that any GBV survivors who have not received the agreed support from GBV service providers by the closing date of ProRoutes, continue to be able to receive the needed support under other Bank operations in the area—such as the two stand-alone GBV projects. This may require adjusting the areas of intervention of these two operations. Timeline: arrangements in place by Project closing.</p>	<p>This action has been completed.</p> <p>Beginning in April 2020, the Borrower coordinated with the UNFPA on a recommended strategy to gradually close or to hand over, with survivors’ consent, any open or new GBV cases in the Project areas to a new GBV partner. This strategy aimed to ensure that no new or open cases related to the Project would be left unaddressed.</p> <p>All GBV survivors received support from a GBV service provider under the Project, and no new GBV case was reported following completion of the works or confirmed to the GRM VBG by Project closing.</p> <p>To ensure that support can be provided to any new GBV survivor, cases will be referred to the following service providers:</p> <ul style="list-style-type: none"> • RN6/23 Akula-Gemena-Libenge-Zongo: Any new GBV case will be referred to the General Hospital in the town of Gemena, which has a psychosocial support service with a state-certified psychologist and a gynecologist who have been trained in case management. • RN27 Komanda-Bunia-Mahagi-Goli: Any new GBV case will be referred to the NGOs SOFEPADI, COOPI, Caritas or AMAB, depending on the localities of cases. These organizations have case managers. • RN4 Ouest Dulia – Bondo: Service provider NGO ACTED closed its services on April 30, 2020. Community focal points trained by ACTED will continue to provide psychosocial support to any identified cases. Cases close to Bondo will be referred to the ACTED DOJ project, funded by the UNHCR, which includes a protection and psychosocial care component. Cases close to Dulia and the surrounding area will be referred to an organization working in Buta, whose staff are trained in case management.

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	<p>Other cases on the axis may be referred to the UPC (Union for Progress and Change) platform, which brings together several basic associations and which is active throughout the axis.</p> <ul style="list-style-type: none"> • RN4 Est Beni – Kasindi: Any new GBV case opened after date will be referred to the Heal Africa funded by UNFPA. • RN4 Ouest Luna- Kisangani – Bunduki: Service provider NGO Heal Africa closed its services on May 15, 2020. New cases will be referred to the NGOs COOPEF or CAFEV, as they have case managers, or to the General Hospitals of the towns of Komanda, Mambasa, Bafwasende, Buta and Aketi, which have staff trained on case management. • RN2 Sake (North Kivu Province) – Kavumu (South Kivu Province): Service provider NGOs SARCAF, ADMR and PANZI closed their services on April 30, 2020. New cases will be referred to the Panzi Foundation, which will have service delivery points in the Katana health zone (Katana and Kabamba sites), Minova health zone (one stop center in Bulenga) and in Bukavu.
<p>The Bank will require the Borrower to ensure that the Code of Conduct is enforced and that Contractors take the necessary disciplinary action in accordance with the Code of Conduct. This will require due attention to avoid exposing survivors to retaliation. In accordance with the survivor-centric approach, as recommended by the GBV Task</p> <p>Force, Management will require the Borrower to ensure that the choice of survivors is respected on whether or not to file a complaint in the judicial system. Any retaliation identified by the Bank or brought to its attention will</p>	<p>This action has been completed</p> <p>At least three cases brought to the GBV GRMs led to judicial action, one case on the RN2, still pending, and two cases on the RN4, which have been prosecuted. Their status is as follows:</p> <ul style="list-style-type: none"> • On the RN2, Kavumu-Sake section: the case is in progress at the level of the Kavumu Public Prosecutor's Office. A derogation letter was introduced to obtain permission to process the case in Kalehe jurisdiction. Legal support will continue to be provided to the survivor concerned by this case. • RN4, Dulia-Bondo section: Judgment was rendered on April 22, 2020 by the Tribunal (Tribunal de Grande Instance the Buta). The defendant was sentenced to 8 years of penal servitude and a fine of 1 million

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<p>be immediately raised by Bank Management with the DRC authorities. Timeline: until Project closing.</p>	<p>Congolese Francs (US\$509) payable within the legal deadline.</p> <ul style="list-style-type: none"> • RN4, Dulia-Bondo section (second case): Judgment was rendered on April 22, 2020 by the Tribunal (Tribunal de Grande Instance the Buta). The defendant was also sentenced to 8 years of penal servitude and a fine of 1 million Congolese Francs (US\$509) payable within the legal deadline.
<p>Management will screen the Bank portfolio in DRC to identify high-risk operations for GBV and retrofit risk mitigation measures for such operations as appropriate and as guided by the GBV Task Force's recommendations. Further DRC portfolio screenings will be periodically conducted, using the new GBV risk assessment tool currently being developed, as recommended by the GBV Task Force. Timeline: review completed by August 30, 2018.</p>	<p>This action has been completed and will continue beyond the Project's closing date.</p>
<p>Management will finalize the GBV Good Practice Note which is being developed in response to the GBV Task Force recommendations and which will be included in the roll-out of ESF guidance material later in 2018. Acknowledging that GBV is still an area of intense learning for the Bank, Management will make sure that the GBV Good Practice Note is periodically updated as new information, lessons or best practices are known. Timeline: October 1, 2018.</p>	<p>This action has been completed, as reported in the 1st Progress Report.</p>
<p>4. Quarry exploitation</p>	
<p>The Bank will require the PIU to ensure that all quarries and borrow pits are</p>	<p>This action has been completed.</p>

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<p>restored by the end of civil works on the roads, as per the applicable contractual clauses and restoration plans. Particular attention will be paid to the safety of quarries and borrow pits, especially for the “Tongo-Butale” quarry. Whenever possible, restoration plans will try to improve the existing situation for quarry and borrow pit owners and operators. Management will continue to pay attention to any complaint that may be raised by communities as the restoration process progresses.</p> <p>Timeline: until Project closing.</p>	<p>A total of 213 quarries and borrow pits that were used during the Project on the following road segments have now been restored:</p> <ul style="list-style-type: none"> • RN4 Ouest (Kisangani – Banalia): 5 sites • RN4 Ouest (Banalia- Buta): 13 sites • RN4 Ouest (Buta – Bunduki): 13 sites • RN4 Est (Kisangani – Niania): 14 sites • RN4 Est (Niania – Luna): 7 sites • RN4 Ouest (Dulia – Bondo): 24 sites • RN2 (Sake –Kavumu): 26 sites • RN27 (Komanda – Goli) : 36 sites • RN4 Est (Beni – Kasindi) : 13 sites; and • RN5: 62 sites. <p>The last 8 borrow pits were rehabilitated by June 27, 2020, and the last quarry at Pk67 + 300 operated to complete the works at “Chez les Français” on RN2 was restored.</p> <p>Three borrow pits on RN2 have not been restored or rehabilitated at the request of the owners, either individuals or communities (Pk24 + 550 Cibanda; Pk21 + 178 Luzira/ Tshofi; Pk110 + 250 Pont Bunganga) who have confirmed in legal documents their request for the Contractors to leave the sites open for further use of the materials for their own benefit, thereby also releasing the Contractor from any responsibility for restoration.</p> <p>One borrow pit on RN27 (Komanda-Bunia-Goli) (Pk35 +000 in the locality of Marabo) was also not restored or rehabilitated at the request of the community represented by the chief of the locality.</p> <p>One quarry site on RN2 (Pk103 + 900 at Kalungu/ Bushuhi) was not restored at the request of the owner, who refused due to a dispute with the Contractor, SZTC. A court order (RC0298) was rendered on June 7, 2019 by the</p>

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	<p>Court of Kalehe in favor of the Contractor and no further action is expected.</p> <p>Restoration works at the Tongo-Butale were completed in February 2020 as reported in the 2nd Progress Report.</p> <p>The legal case RA 361 against the closure of the Tongo Butale quarry has now been closed. The hearing took place on September 8, 2020. The Court of Appeal is awaiting an opinion on the closing of the case.</p> <p>A summary concerning the two proceedings initiated before the Bukavu Court of Appeal by one of the brothers against the quarry closure decision taken by the Provincial Government of South Kivu was received by the Bank on July 2, 2020 and confirmed the following information:</p> <ul style="list-style-type: none"> • The 2017 case opposing the brothers in Goma was dismissed by the Police; • A 1st Action initiated on December 7, 2017 by one of the brothers in Goma under RA354 was declared inadmissible by judgment of the Bukavu Court of Appeal of June 7, 2018; • A 2nd Action initiated under RA361 in Bukavu by one of the brothers is pending annulment by the Court of Appeal of Bukavu and is expected to lead to a judgment of inadmissibility.
<p>The Bank will require the Borrower to closely monitor the exploitation of all ProRoutes quarries and borrow pits to make sure that it is undertaken in full compliance with contractual clauses and applicable safeguard instruments. Management will require the Borrower to ensure that supervision engineers periodically report on the situation of all quarries and borrow pits being exploited under the ProRoutes' works, so that any</p>	<p>This action has been completed.</p> <p>No quarry compliance issues were reported to the PIU and the Bank since the last Progress Report through to Project closing.</p>

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<p>noncompliance can be detected early on.</p> <p>Timeline: until Project closing.</p>	
<p>The Bank will continue to closely monitor the risk of retaliation and will alert the Congolese authorities if it identifies or receives any information relating to any sign that victims, complainants or witnesses might be intimidated or retaliated against. In this context, particular and close attention will be paid to any concerns relating to the safety of the Requesters and of GBV survivors. Management will continue to stress and document the importance of a no-retaliation policy during all its coming missions and engagements with the national and provincial authorities on ProRoutes. Timeline: until Project closing and through continuous engagements with the Government more broadly and in the context of two GBV projects in the area.</p>	<p>This action has been completed.</p> <p>Management continued to closely monitor the level of tensions in the main Requester's community and was in periodic communication by email with the Requester regarding the risk of retaliation against him and his family.</p>
<p>The Bank will require the PIU to ensure that identified quarry workers—or communities if workers cannot be identified—who have incurred revenue losses as a result of quarry occupation are compensated proportionately, in particular through the creation of employment-generation opportunities. Management notes that the identification of workers may be complicated by the informality of the labor involved. When workers cannot be identified individually, remedial actions will be implemented at the</p>	<p>This action has been completed, as reported in the 2nd Progress Report.</p>

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community level. Timeline: until Project closing.	
5. Impacts on agriculture and livelihoods	
The Bank will require the PIU to update the RN2 RAP once more to reflect all Project-affected people and compensation agreements, including those related to quarry and borrow pit exploitation. Timeline: by September 30, 2018.	This action has been completed, as reported in the 1st Progress Report.
6. Community Health and Safety and Security Arrangements	
The Bank will require the PIU to ensure that the agreed Humanitarian Law Training by MONUSCO is completed for all military personnel involved in the protection of the ProRoutes worksites. Additional training activities will be held if new military personnel are assigned to ProRoutes as a result of the normal rotations of military units. Timeline: by September 1, 2018 and as needed until Project closing.	<p>This action has been completed.</p> <p>No new training took place since the last Progress Report but the formalized partnership remained in place until Project closing. The partnership assigned MONUSCO human rights trainers to the Project to train the military personnel assigned to the protection of the road worksites, with training costs financed by the Project.</p>
Management is currently working on a Good Practice Note for staff on the use of security forces that provides guidance on assessment and management of risks associated with the use of security staff/military to protect Project sites. This note includes in particular specific guidance regarding the selection and training of military personnel assigned to the protection of Bank-financed activities, as well as the enforcement	This action has been completed, as reported in the 1st Progress Report.

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of codes of conduct. This note will be disseminated October 1, 2018.	
7. Water pipe rupture, storm water management and road safety	
<p>The Bank has requested the PIU to perform a compliance audit to confirm that all 15 water incidents on RN2 have been fully resolved. Whenever feasible, remedial actions should lead to a situation at least equivalent to that which existed for the affected communities before the start of the works and, whenever possible, an improved situation (as was the case for the Mubimbi IDP camp).</p> <p>Timeline: by October 31, 2018.</p>	<p>This action has been completed, as reported in the 1st Progress Report.</p> <p>Before closing of the remaining works on RN2, a well was dug to provide water access to local residents near the “<i>Chez les Français</i>” (Pk66+500) site and bamboo was planted to strengthen structural stabilization of the ground in surrounding areas as recommended under the ESMP for the works.</p>
<p>The Bank will continue to closely monitor as part of its supervision water pipe rupture, storm water management and road safety, and require the PIU and Contractor to implement the relevant prevention measures, as per the Environmental and Social Impact Assessment and contractual clauses. Management will require the PIU to report, and require the supervision engineers to periodically report, on such compliance. Management will also closely monitor any complaints filed with the GRM relating to these specific areas. Timeline: until Project closing.</p>	<p>This action has been completed.</p> <p>No new incident linked to water pipe rupture, storm water management or road safety was reported after the previous reporting period through to Project closing.</p>
<p>The Bank will require the PIU to ensure that the Contractor has in place: (i) clear communication to communities about upcoming</p>	<p>This action has been completed.</p> <p>No new incident was reported since the previous reporting period through to Project closing.</p>

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<p>construction works and how to communicate utility interruption incidents; and (ii) arrangements to provide water supply through water tanks and/or similar temporary provisions to affected communities within 48 hours of any confirmed water interruption. Timeline: by August 31, 2018, monitored through Project closing.</p>	
8. Working conditions and occupational health and safety	
<p>The Bank will require the PIU to request the Congolese authorities to perform periodic assessments of the RN2 Contractor's facilities to evaluate compliance with applicable labor regulations, including compliance with occupational health and safety requirements and actions to help prevent sexual harassment, and to communicate the conclusions of such assessments to the Bank. Timeline: every six months until Project closing.</p>	<p>This action has been completed.</p> <p>Supervision visits by labor inspection authorities of North and South Kivu continued to take place until Project closing to review and confirm that the RN2 Contractor was compliant with applicable labor regulations, including verification that all workers had work contracts; that compensation was paid in case of injury, and full payment of workers' wages was made; that workers were wearing protective equipment – boots, reflective vests, and helmets; and that measures to prevent sexual harassment and other forms of GBV were in place.</p> <p>The last mission of the labor inspectors to the RN2 Bukavu-Goma Project area took place June 18–20, 2020. This mission had been delayed due to pandemic-related restrictions.</p> <p>In their report, which was received by the Bank on June 30, 2020, the inspectors confirmed that the Contractor had been compliant with applicable national labor regulations. They noted the efforts taken by the Contractor since their first mission in October 2018 to strengthen the management of human resources and ensure prompt payment of workers, among other aspects.</p>
9. Supervision and reporting	
<p>Management will monitor implementation of all planned</p>	<p>This action has been completed.</p>

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<p>institutional strengthening activities for the PIU, the safeguards supervisor, the relevant national and provincial institutions, the supervision engineers and the Contractors. These activities include in particular the hiring of additional safeguards specialists by the PIU, training activities to all relevant institutions, and revisions to the safeguards supervisor's contract.</p> <p>Timeline: until Project closing.</p>	<p>Management continued to closely monitor the capacity of Project stakeholders in order to identify potential capacity gaps and needs for additional institutional strengthening support.</p> <p>Ebola prevention continued until Project closing. No Ebola cases were reported among ProRoutes workers. The Bank team also closely monitored the potential impact of the pandemic on the execution of Project activities until closing, including implementation of associated health measures to prevent the spread of COVID-19. Protective masks were also distributed to workers on the site "Chez les Français" (PK66+500).</p>
<p>Management will continue to ensure that the enhanced monitoring and reporting requirements to the Bank are in place and performing effectively, including communication to the Bank of monthly reports by the various key supervision entities. Timeline: until Project closing.</p>	<p>This action has been completed.</p> <p>The Bank continued to maintain a robust monitoring and reporting protocol to supervise the Project until closing, even with the travel restrictions and monitoring challenges of the pandemic. Reports by the supervising engineers were submitted by the PIU and bi-weekly virtual discussions took place to assess status of the closing of the works and of all remaining activities under the Project.</p> <p>Monthly reports since the last Progress Report were received as follows:</p> <ul style="list-style-type: none"> • March 2020 reports received on April 13, 2020. • April 2020 reports received on July 28, 2020 • May reports received on August 10, 2020 • June reports received on August 10, 2020 • July reports received on August 10, 2020 • The closing report for the Project was received on July 24, 2020.
<p>Management will continue to work with the PIU on the geo-mapping of Project activities so that information</p>	<p>This action has been completed, as reported in the 1st Progress Report.</p>

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<p>on works progress can be made accessible to the general public.</p> <p>Timeline: by October 30, 2018.</p>	
<p>Management will continue to implement enhanced Bank supervision protocols on RN2, including field visits (subject to security conditions). Timeline: at least twice a year until Project closing.</p>	<p>This action has been completed.</p> <p>Travel restrictions due to Covid-19 pandemic did not permit the last field visit of the RN2 tentatively scheduled for May 2020 by the Bank supervision team.</p> <p>Regular supervision visits were nonetheless carried out by the supervision engineer, CIRA, during the pandemic, and the engineer liaised with the PIU and the Bank team on a regular basis to report on works' progress and closing activities.</p>
<p>Management will continue to implement strengthened Bank supervision protocols on other ProRoutes roads, including field visits (subject to security conditions). Timeline: at least once a year until Project closing.</p>	<p>This action has been completed as of the 2nd Progress Report.</p>
<p>The Bank will launch a social media monitoring pilot to monitor the Bank's transport portfolio in DRC and identify possible negative reports of Bank-financed activities in social media. Considering the highly innovative nature of this instrument and in accordance with the contract and terms of reference, the Bank will evaluate the results of this pilot after an initial phase of maximum six months to determine if such a monitoring tool brings added value to the Bank in terms of early detection of issues such as negative impacts of Bank-financed activities on communities and livelihoods. The result of the</p>	<p>This action has been completed.</p> <p>This pilot was positively evaluated and extended until the Project closing. A final report was prepared that summarizes lessons learned and good practice from the pilot activities.</p>

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evaluation will also determine whether the pilot can be extended to monitor a broader portfolio of Bank-financed activities and projects. Timeline: by September 1, 2018.	
Management will closely monitor the implementing agency's progress in fulfilling conditions that would allow the disbursement suspension to be lifted, so that works can quickly resume on at least selected roads where such conditions have been met. Timeline: as soon as conditions are met.	This action has been completed, as reported in the 1st Progress Report.
Management will extend the Project's closing date by six months so that remedial actions can continue to be financed and implemented, especially support to GBV survivors. Timeline: October 31, 2018.	This action has been completed, as reported in the 1st Progress Report.

Annex 1: Pictures of Completed Road Works



Completed drainage structure at “Chez les Français” on the RN2 Bukavu-Goma road.



Completed works and rehabilitated roads on the RN2 Sake Kavumu road.

