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**MANAGEMENT REPORT AND RECOMMENDATION
IN RESPONSE TO THE
INSPECTION PANEL INVESTIGATION REPORT**

REPUBLIC OF TOGO

**WEST AFRICA COASTAL AREAS RESILIENCE INVESTMENT
PROJECT (P162337), ADDITIONAL FINANCING (P176313) AND
GLOBAL ENVIRONMENT FACILITY (GEF) (P092289)**

June 2, 2023

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OF THE
REPUBLIC OF TOGO
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GLOBAL ENVIRONMENT FACILITY (GEF) (P092289)**

Pursuant to paragraphs 40–41 of the Resolution Establishing the Inspection Panel (Resolution No. IBRD 2020-0004 and Resolution No. IDA 2020-0003), attached for consideration by Executive Directors is Management’s Report and Recommendation in response to the findings set out in the Investigation Report No. 181161-AFR dated April 20, 2023, as corrected on May 5, 2023, of the Inspection Panel on the captioned Project (Republic of Togo: West Africa Coastal Areas Resilience Investment Project (P162337), Additional Financing (P176313) and Global Environment Facility (GEF) (P092289)).

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INVESTMENT PROJECT (P162337), ADDITIONAL FINANCING (P176313)
AND GLOBAL ENVIRONMENT FACILITY (GEF) (P092289)**

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ABBREVIATIONS AND ACRONYMS

AFD	<i>Agence Française de Développement</i> (French development agency)
AfDB	African Development Bank
ANGE	<i>Agence nationale de gestion environnementale</i> (National Environmental Management Agency)
Cerema	<i>Centre d'études et d'expertise sur les risques, l'environnement, la mobilité et l'aménagement</i> (Center for Studies on Risks, the Environment, Mobility and Urban Planning), France
COMEX	<i>Comité d'expropriation</i> (Togolese expropriation committee)
COP21	Twenty First Conference of the Parties to the United Nations Framework Convention on Climate Change
E&S	Environmental and social
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
EUR	Euro
FAO	Food and Agriculture Organization of the United Nations
GDP	Gross domestic product
GEF	Global Environment Facility
GRM	Grievance Redress Mechanism
IBRD	International Bank for Reconstruction and Development
IDA	International Development Association
IPN	Inspection Panel
IsDB	Islamic Development Bank
km	kilometer
m	meter
MSIP	Multi-Sectoral Investment Plan
OHS	Occupational health and safety
OP	Operational Policy
PAD	Project Appraisal Document
PAPs	Project-affected People
PIU	Project Implementation Unit
PPE	Personal protective equipment
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
S1, S2, etc.	Scenarios (in feasibility study for the Project)
ToRs	Terms of Reference
WACA	West Africa Coastal Areas Management Program
WAEMU	West African Economic and Monetary Union

Currency Unit/Rate

as of June 2, 2023

XOF – West African CFA franc

XOF 1.00 = US\$ 0.0016

US\$ 1.00 = XOF 613.81

EXECUTIVE SUMMARY

- i. Management appreciates the insights provided by the Panel Report, which provide useful input as the Bank is committed to support Togo and neighboring countries in adapting to the challenges that result from coastal erosion and flooding.
- ii. The Blue Economy generated nearly US\$300 billion for the African continent in 2018, creating 49 million jobs in the process. ***These and other crucial benefits—most notably food security, livelihoods, biodiversity, and resilience to the effects of climate change—are entirely dependent on the health and productivity of coastal and marine areas.*** By safeguarding productive coastal landscapes, countries will be in a better position to take full advantage of future Blue Economy opportunities, which range from sustainable blue energy to aquaculture to blue carbon.
- iii. ***Coastal degradation and erosion is a significant environmental challenge in Togo, which was estimated at 6.4 percent of GDP in Togo in 2017 and has caused serious existential impacts on the livelihoods of coastal populations in Togo.*** Some of the notable economic consequences of coastal erosion include: loss of agricultural land; displacement of communities; damage to infrastructure, coastal development and tourism; loss of ecosystem services, specifically fisheries; and increased vulnerability to natural disasters.
- iv. ***The World Bank is committed to helping Togo and other Western African countries address coastal erosion, flooding and pollution. The gradual loss of land along the West African coastline due to natural processes and human activities, exacerbated by climate change, is projected to harm residents in the affected areas, including property and environmental damage, displacement and threats to livelihoods.*** Despite efforts such as those supported through the Project to address coastal erosion, it cannot be entirely prevented and will continue to affect those living and working nearby. In addition, coastal protection measures are costly and technically challenging, and they can sometimes have unintended consequences for property, infrastructure and livelihoods, which need to be managed.
- v. ***The Project is regional in scope and works with regional institutions and multiple countries along the West African coast, including Togo, to address common coastal challenges and foster regional cooperation.*** By implementing a holistic approach that combines engineering solutions, ecosystem-based approaches, and community engagement, the Project seeks to enhance the resilience and sustainability of coastal areas in West Africa. The West Africa Coastal Areas Management Program (WACA) was designed and launched with trust fund resources from the *Nordic Development Fund*; the Global Environment Facility, Spain, France and the *PROBLUE* Programmatic Trust Fund are providing financing blended with that of the International Development Association (IDA) to address the monumental development challenge of coastal erosion in West Africa. Specialized technical agencies in France, The Netherlands, and Japan have also assisted with developing technical solutions.
- vi. ***The West Africa Coastal Areas Resilience Investment Project (Project) aims to address coastal erosion, enhance climate change adaptation, and foster sustainable development in West Africa, including in Togo.*** The Project is funded by the World Bank and implemented in collaboration with a number of other international development partners. It focuses on the following key objectives: coastal protection and infrastructure,

ecosystem restoration, climate change adaptation, social development, capacity building and knowledge sharing, and sustainable financing.

vii. ***The Project supports measures that are necessary to mitigate coastal erosion, safeguard critical infrastructure, and protect coastal populations from the risks posed by sea-level rise and storm events. It is designed to protect fisher communities in Togo, who are highly dependent on a stable coastline and healthy ecosystems for their livelihoods.***

Fishing communities are already facing severe consequences, including loss of land, degradation of coastal-marine ecosystems, damage to housing and infrastructure, and increased vulnerability to natural disasters. Poorly managed coastal infrastructure and climate change are exacerbating the situation. Without the mitigation measures being implemented under the Project, the adverse impacts of erosion would be dramatically worse.

viii. ***In addition to financing coastal protection measures, the Project can also assist fisher communities with adaptation measures, such as new fishing gear and livelihood support activities.*** In order to maintain their livelihoods, fisher communities in Togo will need to adapt to the challenges that result from management of coastal erosion and flooding. Once the erosion management measures supported by the Project have been implemented, the Project can support communities in this transition through technical and financial assistance for adaptation measures.

ix. ***The Panel Report focuses attention on several instances of non-compliance, which mostly led to localized and temporary adverse impacts.*** In particular, the Panel Report is focused primarily on the indirect economic impacts of the Project on fisher communities and the impact from the temporary Emergency Works, through the lens of different Bank policies. These impacts are all either already addressed through Project components, or will be addressed through the actions in the proposed Management Action Plan (MAP).

x. ***Based on Management's assessment, the Project design was appropriate, and will not accelerate coastal erosion on other segments of the coast once the Project activities are completed.*** It is important to consider the Togo-Benin cross-border dimensions of coastal erosion, including the fact that coastal ecosystems are already affected by a combination of factors unrelated to the Project, such as sea-level rise, other climate-related ocean changes, and adverse effects from human activities. As shown in the studies supporting the Project design selection, even in areas that are not directly targeted by Project interventions (i.e., through construction of groynes),¹ erosion on the Togolese coast is being reduced overall by an estimated 50 percent annually when compared to the without-Project scenario.

xi. ***Management acknowledges that some of the adverse impacts of the Emergency Works were not fully assessed initially.*** A social audit was commissioned in 2022 to identify and assess any unintended impacts these works may have caused. The Emergency Works were undertaken as temporary but urgently needed protection against the rapid loss of coastal areas, which was an immediate threat to some of the fisher villages. The implementation challenges identified in the Panel's Report are being addressed under the Project, as explained below in more detail.

¹ Barrier built out into the sea to limit erosion and drifting.

xii. ***Management was aware that the Project works would directly affect some Project-Affected People (PAPs) and a compensation process was put in place. This process, for the 64 individuals and their dependents directly impacted by the Project works, has been successfully completed, in accordance with Bank policy requirements.*** A Resettlement Action Plan (RAP) audit will confirm whether all relevant impacts were adequately identified, including those the Panel states were overlooked, and identify whether additional action is required. Moreover, access to the grievance redress mechanism and other channels for raising concerns and claims for compensation will remain functional until the completion of the Project.

xiii. ***The indirect economic impacts of coastal degradation on local residents are being appropriately addressed under the Project’s social sub-projects, which is designed to provide technical assistance and financial support benefitting communities of the coastal zone, from Agbodrafo to Aného.*** This targeted support will specifically include the individuals and groups involved in various fishing activities, such as the beach seine fishers and *mareyeuses*.²

xiv. ***Recognizing the importance of beach seine fishing to the livelihoods of local communities, the Bank will finance a social livelihood project to support beach seine fishers, mareyeuses and other fishers under Project Subcomponent 3.2.*** The Project has earmarked up to US\$6 million in financing for that purpose. The Bank will also commission a study of the evolution of beach seine fishing on the West African coast. This study will look at the challenges for fisher communities posed by coastal erosion and those that may result from the technical interventions designed to address that erosion.

xv. ***In conclusion, the Bank has made every effort to apply its policies and procedures and to pursue its mission statement in the context of the Project. The proposed MAP included in this Report and Recommendation addresses the Panel’s findings of adverse impacts resulting from instances of non-compliance with Bank policy.***

² Beach seine fishing is a method used to catch fish close to the shore. *Mareyeuses* are fishmongers.

I. INTRODUCTION

1. On September 7, 2021, the Inspection Panel registered a Request for Inspection, IPN Request RQ21/03 (hereafter referred to as “the Request”), concerning the Republic of Togo: West Africa Coastal Areas Resilience Investment Project (P162337), Additional Financing (P176313) and Global Environment Facility (P092289) (“the Project”) financed by the International Development Association (the Bank) and the Global Environment Facility (GEF). The Request for Inspection was submitted by two community members living in the Project area (hereafter referred to as the “Requesters”).

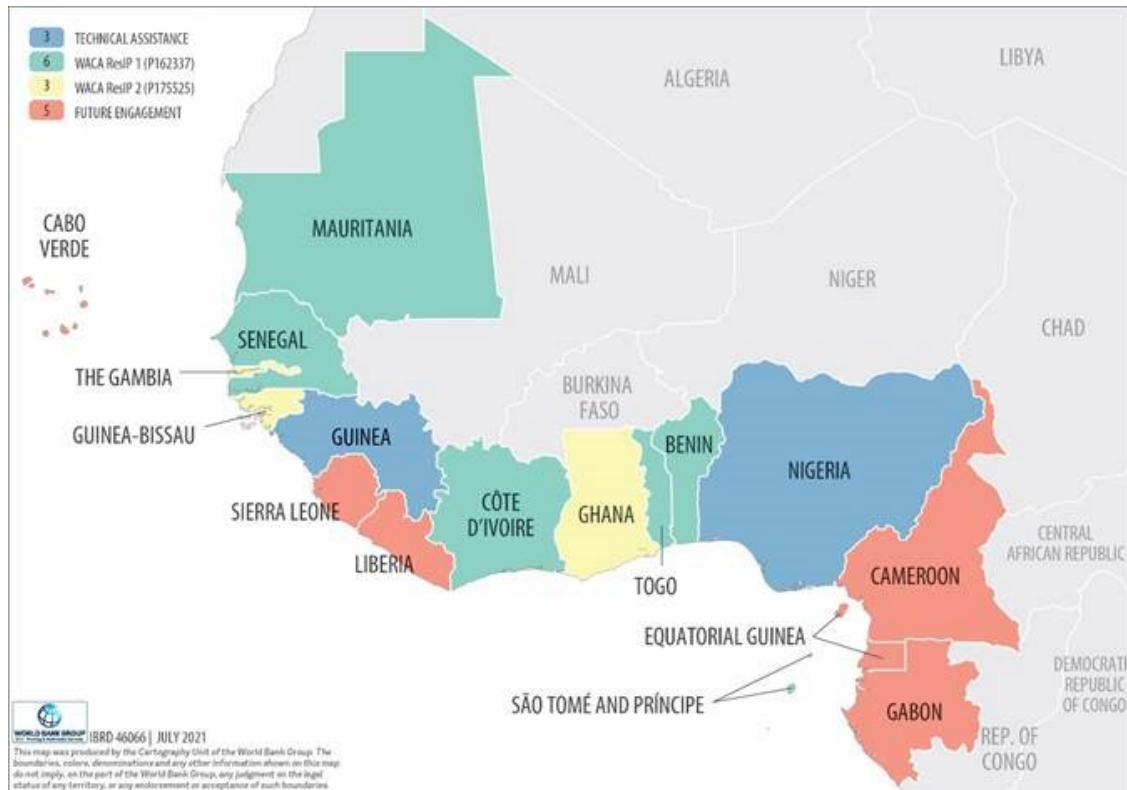
2. The Executive Directors and the President of the International Development Association (IDA) were notified by the Panel of receipt of the Request. The Management responded to the claims in the Request on October 7, 2021 and proposed a series of actions. In its first Report to the Board on November 8, 2021, the Panel recommended deferring its decision on an investigation to allow for implementation of the actions proposed by Management. On June 8, 2022, after a field visit, the Panel recommended that the Executive Directors authorize an investigation. The investigation was authorized by the Executive Directors on June 23, 2022. The Panel investigation commenced after the Accountability Mechanism Secretary informed the Board and Panel that the Requesters chose not to engage in a dispute resolution process, while the Borrower expressed support for such a process. The Panel posted its Investigation Plan on its website on September 13, 2022.

3. On April 20, 2023, the Panel issued its report outlining the findings of the investigation, and a corrigendum on May 5, 2023. This report, responding to the findings of the Panel, is organized in six sections. Section II provides Project background information. Section III summarizes the findings of the Panel. Section IV contains Management’s responses to the Panel’s findings. Section V presents Management’s Action Plan (MAP) in response to the findings, and Section VI contains the conclusion. The Panel’s findings, along with Management’s responses, are described in detail in Annex 1.

II. PROJECT BACKGROUND

The Context

4. *The West African coastline, stretching from Mauritania to Gabon, includes seventeen countries*, among them the Republic of Togo. Eight of these countries have a per capita gross domestic product (GDP) below US\$1,000. West Africa’s coastal areas host about one third of the region’s population and generate 56 percent of its GDP. Rapid urbanization and net migration to the coast increase demands on the land, its resources, and ecosystem services.



Map 1. IBRD No. 46066, Countries participating in WACA

5. *The West African coastline is subject to severe erosion* due to a combination of natural phenomena and human influence, such as the construction of major infrastructure, degradation of natural buffers such as mangroves, and sand mining. Coastal erosion causes loss of housing, assets, and land. Every year, an average of 500,000 people in the region are threatened by aggravated coastal erosion, flooding, and pollution. At a macro level, in 2017 coastal degradation was estimated to cost 6.4 percent of annual GDP in Togo, due to destruction of housing and loss of livelihoods stemming from coastal erosion (see Photo 1).

6. *Climate change and climate variability are predicted to further aggravate existing physical, ecological, biological, and socioeconomic stresses on the coast.* Climate change is set to exacerbate coastal degradation, with a rise in sea levels of 0.3–0.6 meters by 2050,

and 1 meter by 2100.¹ Extreme rainfall, extended droughts and other climate events are likely to become more frequent in the region. The increased frequency and intensity of tidal waves and storm surges exacerbate coastal erosion (see Photo 2).



Photo 1. Receding shoreline evidencing coastal erosion in Togo (June 2022)



Photo 2. Remnants of the Lomé-Aného Road lost to coastal erosion (June 2022)

7. ***Sandy beaches in coastal West Africa are maintained by a strong wave-driven longshore transport² of silt, sand, and gravel.*** Sediments originate from rivers and large

¹ *The World Bank: Effects of Climate Change on Coastal Erosion and Flooding.* May 2020. Technical Report in Benin, Côte d'Ivoire, Mauritania, Senegal, and Togo.

² The combined effects of sediment transport within the surf zone by the longshore current and sediment movement along the beach by swash and backwash is known as *longshore transport*, or *littoral drift*.

coastal sand deposits. Over the last decades, the natural movement of sediment to the coast in West Africa has been obstructed or removed due to coastal and river infrastructure and sand mining. Management of the coastline and its sediments is complex and requires regionally coordinated and integrated efforts of regional and national institutions. It also requires engineering and social solutions, some of which are available, and others which call for innovation.

8. ***To address these challenges, in response to requests from Togo and Benin, the World Bank committed at COP21 to supporting Togo and other coastal countries in coastal zone management.*** The Bank is using its convening power, instruments, finance, and partnerships as part of the 10-year West Africa Coastal Areas Management Program (WACA)³ to assist countries in managing coastal erosion, flooding, and pollution.

9. ***Other development partners recognize the strategic importance of WACA and are supporting or engaged in WACA alongside the World Bank.*** The French Development Agency (AFD) and French national technical institutions, such as the Center for Studies on Risks, the Environment, Mobility and Urban Planning (Cerema); the Nordic Development Fund; the Netherlands Enterprise Agency; the Spanish Agency for International Development Cooperation; the Japan Ministry of Land, Infrastructure and Transport; and the Korea-World Bank Partnership Facility are among those engaged in WACA. The collaboration on and parallel co-financing of the Program are part of an effort to provide West African countries access to solutions and finance at the scale needed to combat coastal erosion, flooding, and pollution.

The Project

10. The West Africa Coastal Areas Resilience Investment Project (P162337), which was approved by the Board on April 9, 2018, is a ***multi-country regional project*** that supports the strengthening of resilience of coastal communities and assets in ***six countries***—Benin, Côte d’Ivoire, Mauritania, São Tomé and Príncipe, Senegal, and Togo. In December 2022, the Board approved another project (P175525) adding Ghana, The Gambia, and Guinea Bissau to WACA. These nine countries have particularly vulnerable coastal areas (due to erosion, flooding, pollution) and have a degree of readiness through national multi-sectoral investment planning processes. The common Project Development Objective is to strengthen the resilience of targeted communities and areas in coastal Western Africa.

11. The Project is regional in scope and works with regional institutions and multiple countries along the Western African coast, including Togo, to address common coastal challenges and foster regional cooperation. By implementing a holistic approach that combines engineering solutions, ecosystem-based approaches, and community engagement, the Project seeks to enhance the resilience and sustainability of coastal areas in Western Africa.

³ See www.wacaprogram.org for the WACA Annual Report, Call for Innovation, State of the Coast, Africa Center of Excellence for Coastal Resilience and Partnerships.

WACA ResIP Project Components (P162337)

12. **Component 1: Strengthening Regional Integration (US\$12.0 million IDA).** The West African Economic and Monetary Union (WAEMU) plays a strategic role in the implementation of the regional component. WAEMU focuses on identifying innovative financing instruments and helping countries adopt them, developing directives for the harmonization of regulations for integrated coastal zone management in West Africa and implementing a sound communication and awareness-raising plan. WAEMU established a Regional Integration Management Unit to manage this component.

13. **Component 2: Strengthening the Policy and Institutional Framework (US\$40.8 million) of which US\$7.1 million in Togo (US\$5.0 million IDA and US\$2.1 million GEF).** This component helps countries develop an adequate policy framework and the necessary tools for development and/or operationalization of their coastal management strategies and plans. More specifically, it provides support to develop and operationalize these strategies and action plans at the central and local levels and promote effective management of transboundary coastal ecosystems and spatial planning. Support is also provided for designation of areas with high ecosystem value. The GEF funds complement the IDA-financed activities by strengthening local regulations, policies, and institutions to address major perceived problems and issues in the coastal ecosystems along West Africa's coastal zone.

14. **Component 3: Strengthening National Physical and Social Investments (US\$192.4 million) of which US\$52.4 million in Togo (US\$47.4 million IDA and US\$5.0 million GEF).** This component finances coastal investments, or sub-projects, to protect vulnerable areas from coastal erosion and flooding, to support pollution control and waste management operations, and to promote climate-resilient coastal development. Investments include support for restoring or preserving healthy and functioning ecosystems and protecting coastal economic assets, emergency measures to prevent further degradation of hotspots, and long-term planning and management of the coast, based on sector priorities, scenarios for sustainability, pre-feasibility studies, cost-benefit analysis, environmental and social (E&S) impacts, and public consultations.

15. **Component 4: National Coordination (US\$18.5 million) of which US\$5.0 million in Togo (US\$4.6 million IDA and US\$0.4 million GEF).** At the national level, a Project Implementation Unit (PIU) in each beneficiary country manages the Project. Technical Committees have also been established to ensure smooth technical coordination. GEF funds finance the additional support required for the GEF-specific interventions, including the monitoring and evaluation system for the GEF, reporting requirements, and sharing of results and knowledge gained through the Project by participation in International Waters learning activities.

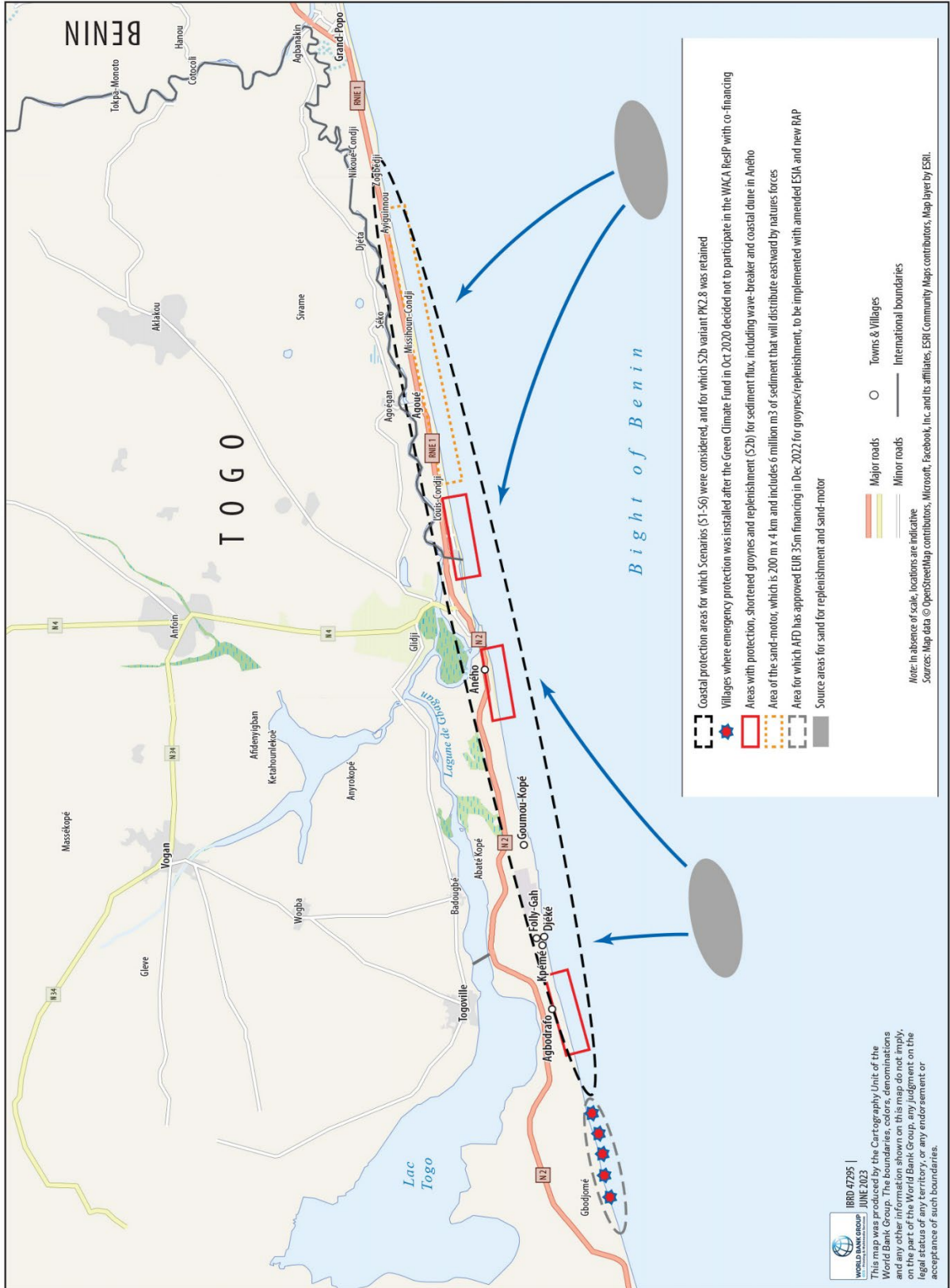
16. **Togo Project Status.** In terms of major activities, the status of Project implementation can be summarized as follows.

- (i) *Coastal protection works:* The Project finances *coastal protection works* from *Agbodrafo to Aného in Togo* and from *Hilacondjie to Grand-Popo in*

Benin (also referred to as cross-border or long-term coastal protection works or groynes throughout this document).⁴ Following preparation of the feasibility study (Artelia Phase 1, Phase 2, and Phase 3), the Governments of Togo and Benin contracted Boskalis to carry out the construction of *coastal protection works from Agbodrafo to Aného in Togo* (see Map 2) and from *Hilacondjie to Grand-Popo in Benin*, and hired Inros-Lackner as the Supervision Engineer. The works, which include the construction of groynes, beach replenishment and other measures, started in November 2022 and are expected to be completed by the end of June 2023 (see Photo 3). Because joint co-financing with the Green Climate Fund fell through, the Project also financed *emergency coastal protection works* (Emergency Works)—small-scale temporary measures to provide short-term protection for homes and assets against coastal erosion using lengths of sand-filled concrete pipe installed on the beaches—which were completed at six sites in January 2022.

- (ii) *Lake Togo and Lagoons*: The first part of the pre-feasibility study for the dredging and stabilization of the banks of Lake Togo and associated lagoons has been prepared, while the detailed feasibility study is in preparation.
- (iii) *Community projects*: Two flood control sub-projects have been implemented by communities, eleven social sub-projects are underway, and agreements for seven income-generating activities have been signed.
- (iv) *Regional integration*: Togo is participating in regional integration activities, including the cross-border technical and ministerial committee with Benin, and contributed to and validated the West Africa State of the Coast Report in July 2021.

⁴ These works are referred to in the Panel’s Report as “Combined Works”



Map 2. IBRD No. 47295 Cross-border coastal protection works



Photo 3. Example of groynes under construction to address erosion (March 2023). When finished (expected June 2023), the area in between the groynes will be filled with sand (Agbodrafo, Togo).

17. On December 16, 2022, AFD approved a loan of EUR 35 million to Togo to finance additional coastal protection measures at the emergency site stretching from Gbodjomé to Agbodrafo, for which the Environmental and Social Impact Assessment (ESIA) is being updated and a Resettlement Action Plan (RAP) is being prepared. The AFD financing, which will also finance income generating activities, will be supervised by the World Bank as part of the 2018 World Bank–AFD Co-Financing Framework Agreement.

18. As of May 31, 2023, the Project disbursement rate, excluding the AFD financing, was 51.3 percent. The Government has requested an extension of the Closing Date of the Project from December 31, 2023, to December 31, 2026, in order to allow sufficient time to complete the additional coastal protection works.

III. PANEL FINDINGS

Issue Area	Panel Observations and Findings
Chapter 3 - Project Scenarios and Identification of Environmental and Social Risks	
<p>Project Scenarios</p>	<p>The Project analyzed various scenarios as protection measures and this initially led to the selection of three options for further study. According to the multicriteria analysis, the best two scenarios (S1 and S5) involved massive-beach-replenishment (soft options). Nevertheless, the Project did not consider S1 and S5 further and considered only combined hard and soft options as a resilience measure, even though these scenarios scored worse in the multicriteria analysis. The Panel received no information to explain this decision. Ultimately, the scenario implemented was neither selected in the feasibility studies nor modelled. The Panel was informed that the final scenario, analyzed in the ESIA, was chosen for cost reasons.</p> <p>The Panel notes the two best options identified by the multicriteria analysis at the Phase 1 feasibility stage were not carried forward. However, the ESIA analyzed three alternatives and the no-project scenario. Therefore, the Panel finds Management is in compliance with OP [Operational Policy] 4.01, paragraph 2, and with OP 4.01 Annex B, paragraph 2(f). OP 4.01 requires an analysis to compare feasible alternatives systematically but does not provide guidance on the alternative to select.</p> <p>The Panel understands that massive beach replenishment scenarios was considered under the Phase 1 feasibility studies but was not taken forward, even though it scored better in the multicriteria analysis. The Panel notes that a massive-beach- replenishment scenario would have impacted beach seine fishing less.</p>
<p>Area of Influence and Impact of the Combined Measures on the Coast</p>	<p>The Panel observes that the Combined Works as described in the ESIA will curtail the longshore transport of sediment to the area from Kpémé to the groyne farthest west at Aného, causing increased erosion and flooding. The Panel finds that Management did not ensure the ESIA adequately assessed the Project’s adverse impact on Area B and included no measures to mitigate this impact, which is in non-compliance with OP 4.01, paragraph 2.</p>
<p>Environmental and Social Screening for the Emergency Works</p>	<p>The Panel notes that key design aspects and their E&S impacts were not considered in the Environmental and Social screening. Such key aspects include i) the suitability of the pipes to withstand the waves and storms, ii) pipe maintenance, and iii) the decommissioning of the pipes, since they were temporary. The Panel observes that the failure to consider these aspects may have led to the misclassification of the environmental categorization of the Emergency Works as Category C, which meant that, beyond screening, no further EA action is required.</p> <p>On this basis, the Panel observes that Bank classification of the Emergency Works as Category C, which requires no further EA action, led to a lack of meaningful consultation and the absence of an appropriate environmental and social impact assessment of these</p>

Issue Area	Panel Observations and Findings
	<p>Works. The Panel finds this classification is in non-compliance with OP 4.01, paragraph 8. As a result, the Panel finds Management failed to ensure the Emergency Works are environmentally sound and sustainable, which is in non-compliance with OP 4.01, paragraph 1.</p>
<p>Construction of the Emergency Works and Working Conditions</p>	<p>The Panel observes that some workers claimed to have outstanding wages during construction of the pipes, hazardous working conditions, and lacking health and safety measures. The Social Audit acknowledged the weak health and safety measures and the occurrence of accidents. The Panel heard accounts of serious injuries to workers. The Panel observed throughout its three visits that the pipes continued to break and that the broken parts were not being removed. The Panel notes these broken parts continue to pose a risk of accident to fishers and immediate residents, including children. The Panel finds that the working conditions for the construction of the Emergency Works lacked adequate human health and safety considerations. This is in non-compliance with OP 4.01, paragraph 3.</p>
<p>Grievance Redress relating to the Emergency Works</p>	<p>The Panel recognizes the actions taken by Management to ensure expansion of the GRMs [Grievance Redress Mechanisms] to cover the Emergency Works areas and their disclosure to the PAPs [Project-affected People]. The Panel notes that although it is good practice, GRMs were not required in Bank-supported projects for anything other than involuntary resettlement before the Bank’s Environmental and Social Framework became effective in October 2018. Hence, the Panel makes no finding on GRM in relation to the Emergency Works.</p>
<p>Chapter 4 - Project Footprint Considerations and Involuntary Resettlement</p>	
<p>Minimization of Resettlement and Moving Baseline</p>	<p>The Panel finds that, in the context of this resettlement, several survey confirmation exercises were undertaken between May 2021 and October 2022 in order to ensure that the Project area was limited to that which was strictly necessary for groyne construction, which minimized resettlement. The Panel finds Management is in compliance with OP 4.12, paragraph 2(a).</p> <p>The Panel notes that coastal erosion is ongoing. The Panel observes that the longer it takes to construct the groynes, the greater the risk that the geophysical baseline will move inland. The Panel notes however that this risk is lower where the sediment of the micro-cliff is composed of stronger, consolidated materials, such as where the old highway ran. This is not the case in the rest of the areas, where the micro-cliff is composed of unconsolidated sand; in these areas the risk of erosion is greater and could go deeper inland.</p>
<p>Livelihood Restoration</p>	<p>The Panel finds that not all PAP characteristics of vulnerability identified in the socioeconomic data were considered for compensation. The Panel also finds no evidence that a vulnerability analysis was conducted which would have considered landless people and people living below the poverty line as part of this analysis. The Panel finds Management is not in compliance with OP 4.12, paragraph 8.</p>

Issue Area	Panel Observations and Findings
	<p>Furthermore, the Panel finds that the socioeconomic data did not take into consideration some income streams, such as that of the <i>mareyeuses</i> whose economic activities are homebased. The Panel finds that the verified socioeconomic data failed to describe the production systems and livelihoods of the <i>mareyeuses</i>, some of which are based on operating smokehouses. This meant they were not compensated for the expected losses related to their occupation. In addition, the Panel finds that some displaced PAPs were not provided transitional support, including rent allowance, to enable them to restore their livelihoods and standards of living. The Panel finds that not all PAPs were provided sufficient support to improve their livelihoods and standards of living or at least to restore them. The Panel finds Management is in non-compliance with OP 4.12, paragraph 2(c) and paragraph 6(c)(i).</p> <p>The Panel finds that by the time the December 2022 RAP was reviewed and approved, the implementation of the previous RAP was essentially 90 percent complete. The Panel finds Management was not in compliance with OP 4.12, paragraph 29, for not having ensured that the satisfactory RAP was submitted for approval prior to acceptance of the works for Bank financing and therefore before RAP implementation.</p> <p>The Panel finds it encouraging that three months after completion of the works the PIU will conduct a comprehensive and participatory audit of the RAP implementation to identify all impacts of resettlement and implement mitigation measures, and additional compensation as needed. The Panel is also encouraged that Bank financing will cover gaps identified between Bank policy requirements and national requirements, as required by the Resettlement Policy Framework.</p>
<p>PAPs Participation in Resettlement and GRM</p>	<p>The Panel observes that the resettled PAPs with whom it spoke considered the resettlement process to be confusing. They said they were offered no opportunity to participate in the development of the RAP. The Panel observes that consultations during the development of the RAP did not create sufficient awareness and clarity of the Project’s resettlement process.</p> <p>The Panel finds that consultation with the resettled PAPs on the RAP regarding resettlement options was not meaningful. The Panel finds that resettled PAPs were only offered an opportunity to participate in the planning and implementation of the resettlement process during the negotiations of compensation, which took place after resettlement decisions had been made. The Panel finds this is in non-compliance with Bank Policy on Involuntary Resettlement, OP 4.12, paragraph 2(b).</p> <p>The Panel observes that resettled PAPs had insufficient information about the GRM and how to use it. The Panel observes that most resettled PAPs used the COMEX mechanism, which was explained to them only at the time of compensation payment. However, this mechanism is not designed to address all types of grievances that could arise from the impacts of the Project. The Panel finds Management is in non-compliance with Bank Policy on Involuntary Resettlement, OP 4.12, paragraph 13(a).</p>

Issue Area	Panel Observations and Findings
Chapter 5 - Project Impact on Fishing Communities	
<p>Identification and Consultation of Fishers as Stakeholders</p>	<p>The Panel observes that the safeguard documents (ESMF [Environmental and Social Management Framework], ESIA, and RAPs) for the Combined Works identified the presence of fishing communities in the Project area and determined that the impact on them would be temporary and occur only during the construction phase. However, it did not sufficiently assess the adverse impact of these works beyond the construction phase, especially on those practicing beach seine fishing or its associated value chain, which comprises many affected people. The Panel notes that the fishing community and Government officials, with the exception of officials in Aného, believe the beach seine fishery in the Project area is unlikely to continue because of the Project. On the other hand, Management states that beach seine is likely to continue depending on the fishing net dimensions and the half-kilometer distance between the groynes.</p> <p>The Panel finds that the consultation process did not target fishers and their associated value chain, which constitute distinct categories of stakeholders with unique, specific potential impacts. The Panel notes that after submission of the Request, a series of consultation meetings took place with fishers. The Panel finds that the Project’s consultations were not meaningful before submission of the Request, as per Bank policy, and is in non-compliance with Bank Policy on Environmental Assessment, OP 4.01, paragraph 15. The Panel finds that after the submission of the Request the Project’s consultations targeted fishers and mareyeuses, which brought the Combined Works back into compliance with Bank Policy on Environmental Assessment, OP 4.01, paragraph 15.</p>
<p>Impact from the Combined Works on the Fishing Community</p>	<p>The Panel notes that Bank policy on Environmental Assessment (OP 4.01) requires consideration of a project’s natural and social aspects in an integrated way. The Panel finds the Project is not in compliance with OP 4.01, paragraph 3, for not having assessed adequately the potential environmental risks and socioeconomic impacts of the Combined Works on the fishing community, especially those practicing beach seine fishing, in the Project area.</p> <p>The Panel observes that livelihood support measures for fishers will now be implemented under PAD [Project Appraisal Document] Subcomponent 3.2 of the Project as income-generating activities. The Panel understands from this decision that in Management’s view, the economic impact felt by the fishers is not economic displacement per the Involuntary Resettlement Policy (OP 4.12). The Panel observes that since fishers, particularly beach seine fishers and members of their associated value chain, are not targeted by Subcomponent 3.2, it is incumbent upon them to propose a livelihood restoration project. The Panel observes that it will be challenging for this community to do so and thus restore livelihoods.</p> <p>The Panel finds that, by requiring the fishers to propose income generating activities as livelihood restoration measures under Subcomponent 3.2, Management did not ensure that the Project’s</p>

Issue Area	Panel Observations and Findings
	<p>adverse socioeconomic impacts on the fishing community and members of its associated value chain is mitigated. This is in non-compliance with OP 4.01 paragraph 2, and OP 4.12 paragraph 3, footnote 5.</p>
<p>Impact from the Emergency Works on the Fishing Communities</p>	<p>The Panel notes that the E&S screening did not identify the impact of the concrete pipes on fishing activities from the time of construction to installation, maintenance, and decommissioning. The Panel finds that, due to inadequate screening and categorization of the Emergency Works, as noted above, Management failed to prepare an environmental assessment for the Emergency Works to ensure they are implemented in an environmentally sound and sustainable manner; this is in non-compliance with OP 4.01, paragraph 1.</p>
<p>Chapter 6 - Project Supervision</p>	
<p>Frequency of Bank Supervision</p>	<p>The Panel notes that the frequency of Bank supervision of the Project was adequate. The Bank undertook the regular biannual supervision visits. In addition, the Bank conducted monthly visits and weekly meetings with the PIU. The Panel finds that Management periodically assessed the Project and reviewed the Borrower’s monitoring of results, risks, and implementation status. The Panel finds Management is in compliance with the Directive on Investment Project Financing, paragraph 43.</p>
<p>Technical Expertise Deployed for Supervision</p>	<p>The Panel observes, however, that the composition of the Bank Project team lacked expertise on fisheries, which may have contributed to the shortcoming in the ESIA to adequately identify the Project’s impacts on the fishing communities and their associated value chain. The Panel also observes that the composition of the Bank Project team during supervision lacked consistent involvement of a social scientist, which may have contributed to the need for extensive revisions of the RAP and the confusion around its implementation without Bank approval, and the delayed functioning of the GRM. As the Panel noted above, the Panel finds the expertise on social aspects and fisheries was not commensurate with the complexity, risks, and challenges of the Project’s social aspects.</p>
<p>Quality of Bank Supervision</p>	<p>The Panel finds that the quality of supervision varied. Supervision documents satisfactorily reported on the preparation of safeguard instruments and the problems in managing and establishing a functional GRM. However, they did not adequately report on the impact to fishing communities or on H&S issues relating to the Emergency Works. Furthermore, the Panel finds that Management’s supervision was not effective since it did not ensure the proper sequencing of RAP implementation, which needs to take place only after approval. Therefore, the Panel finds that Management did not ensure that the impact on fishing communities, health and safety issues, and challenges in RAP implementation were identified and addressed in an effective manner. The Panel finds Management is not in compliance with the Bank policy on Investment Project Financing, paragraph 20.</p>

IV. MANAGEMENT RESPONSE

19. Management appreciates the insights provided by the Panel in its Investigation Report. Management will continue to provide implementation support to the Project, including for the Management Action Plan (MAP) proposed below.

20. ***The World Bank is committed to helping Togo and other Western African countries address coastal erosion, flooding and pollution, a major economic and development challenge.*** The gradual loss of land along the West African coastline due to natural processes such as waves, tides, and wind, exacerbated by climate change and sea-level rise, is projected to significantly harm residents in the affected areas, including property and environmental damage, displacement, and threats to livelihoods. Despite the efforts to address such erosion, including those supported through WACA, some coastal erosion will continue, with adverse impacts on residents. In addition, coastal protection measures are costly and technically challenging, and they can sometimes have unintended consequences for residents which then need to be managed.

21. ***The Panel Report focuses attention on several instances of non-compliance, which mostly led to localized and temporary adverse impacts. The Panel Report is focused primarily on the indirect economic impacts of the Project on fisher communities and the impact from the temporary Emergency Works, through the lens of different Bank policies. These impacts are all either already addressed through Project components, or will be addressed through the actions in the proposed MAP.***

22. ***The Project is designed to protect fisher communities in Togo, who are highly dependent on a stable coastline and healthy ecosystems for their livelihoods. Poorly managed coastal infrastructure and climate change are aggravating coastal erosion and threatening ecosystems and the communities that rely on them.*** In order to maintain their livelihoods, fisher communities in Togo will need to adapt to the challenges that result from management of coastal erosion and flooding. Once the erosion management measures supported by the Project have been implemented, the Project can support communities in this transition through technical and financial assistance for adaptation measures (under Subcomponent 3.2).

23. ***Management agrees with the Panel that Project design selection was consistent with Bank policy. Based on Management’s assessment, the Project design was appropriate to achieve the Project objectives, and will not accelerate coastal erosion on other segments of the coast, once the Project activities are completed.*** It is important to consider the Togo-Benin cross-border dimensions of coastal erosion, including the fact that coastal ecosystems are already affected by a combination of factors unrelated to the Project, such as sea-level rise, other climate-related ocean changes, and adverse effects from human activities. As shown in the studies supporting the Project design selection, even in areas that are not directly targeted by Project interventions (such as “Area B” mentioned in the Panel Report, which is the segment between Kpémé and Aného), erosion on the Togolese

coast is being reduced overall by an estimated 50 percent⁵ annually when compared to the without-Project scenario, due to the Project's positive impact on sediment transport.

24. **Management acknowledges that some of the adverse impacts of the Emergency Works were not fully assessed initially, which is why a social audit was commissioned in 2022 to identify and assess any unintended impacts these works may have caused.** These Emergency Works, which were carried out at the request of the nearby communities, were meant as urgent and temporary protection of community assets against the rapid loss of coastal areas, which was an immediate threat to some of the fisher villages. The implementation challenges identified in the Panel Report are being addressed under the Project, including through the proposed Action Plan contained in this document.

25. **It was anticipated during Project preparation that building the groynes would directly affect some PAPs. The compensation process for the 64 individuals and their dependents directly impacted by the Project works has been successfully completed, in accordance with Bank policy requirements.** In addition to the RAP Completion Report, a RAP audit will confirm whether all relevant impacts were adequately identified, including those the Panel states were overlooked, and identify whether additional action is required. Access to the grievance redress mechanism and other channels for raising such concerns and claims for compensation will remain available until the completion of the Project.

26. **While OP 4.12 only requires compensation of directly affected individuals and households, the broader impacts on indirectly affected individuals or groups – such as those mentioned in the fishery “value chain” outlined in the Panel Report – are being addressed through the Project design,** in accordance with OP 4.01. These indirect economic impacts of coastal degradation are being appropriately addressed under the Project's social sub-projects, which are designed to provide technical assistance and financial support benefitting communities of the coastal zone from Agbodrafo to Aného. This will specifically include and target the individuals and groups involved in various fishing activities, such as the beach seine fishers and *mareyeuses*. The Project has earmarked up to US\$6 million in financing to develop and implement targeted support for these groups.

27. **Management would like to note that the Panel Report also discusses issues that were not raised in the Request.** While many useful conclusions and findings are provided and could help Project implementation going forward, the Report also discusses some issues that do not clearly relate either to harm or to potential harm stemming from the Project, or were not raised in the Request for Inspection.

28. Below are more detailed responses to the Panel's findings and observations.

⁵ The number is derived from data in the Multi-Sectoral Investment Plan (MSIP) (*Plan d'actions pour le développement et l'adaptation aux changements climatiques du littoral Togolais*) (pre-Project) and ESIA (forecast).

Alternatives analysis and selection of technical design

29. ***The Panel Report finds the analysis of various scenarios for protection measures under the Project to be in compliance with Bank policy. However, the Panel Report goes a step further into opining on the efficacy and development effectiveness of the selected scenario as part of Project design. Management would therefore like to clarify the process that was used under the Project to arrive at the selected scenario.***

30. ***The Project scenario ultimately selected by the Borrower was carefully informed by engineering studies, the ESIA, consultations between the Governments of Togo and Benin in the context of regional coastal management efforts, and the benefits and constraints of the selected scenario.*** The selected scenario for coastal protection in Togo relied on a series of technical studies and reviews.⁶ At appraisal stage, Togo and Benin chose to consider their neighboring coasts as one Project area. Hence, the feasibility study and ESIA looked at the cross-border area from Agbodrafo in Togo to Grand-Popo in Benin. The feasibility study, undertaken by an internationally selected firm,⁷ considered six scenarios (S1 to S6). Scenario S2 was eventually selected through a multi-criteria analysis in a joint decision by the governments of Togo and Benin⁸ in 2020. Scenario S2 was then adjusted (to become S2b) to reduce unwanted eastward coastal erosion. The ESIA included an analysis of three alternatives.⁹ Ultimately, the selected scenario S2b, that is, alternative PK2.8, is the one currently under construction.

31. ***The Borrower, Togo (jointly with Benin) selected Scenario S2b—a cross-border solution—to ensure that any significant intervention made in Togo would also benefit, rather than harm, coastal areas in Benin.*** The selected scenario and alternative include: (i) shortened groynes with replenishment that reduces risk of downstream erosion, a breakwater with replenishment and leveling, and a vegetated coastal dune in Togo; and (ii) shortened groynes with replenishment combined with a “Sand Motor” (referred to by the Panel Report as “massive-beach-replenishment,” see Photo 4), and filling of dead lagoon arms.

32. ***The final decision on the interventions and the technical design was made jointly by Togo and Benin, as part of their cross-country technical and ministerial collaboration.*** The multi-criteria analysis, on which the Panel focuses, was meant as a starting point—not a prescriptive test—to inform the two governments’ decision. In addition to the scores in the analysis, the governments considered other factors important

⁶ These were: (i) a scientific analysis of the geomorphological dynamics (2017 Deltares Study); (ii) evidence of historic trends in coastal erosion and investment needs (2017 Antea Multi-Sectoral Investment Plan, MSIP); for which (iii) scenarios were proposed, compared, and modelled (2020 Artelia Ph1, Ph2, Ph3); and which (iv) received extra independent technical review (2020 Cerema).

⁷ Artelia. *Etudes Conjointes de Faisabilité Technique de la Protection Côtière du Segment Frontalier Togo-Benin, Phase I*, October 2020, (Artelia 2020).

⁸ Ministère du Cadre de Vie et du Développement Durable (Benin) et Ministère de l’Environnement du Développement Durable et de la Protection de la Nature (Togo), 2020: *Procès-verbal de la séance de validation du Rapport d’Avant-Projet Sommaire (APS) de l’étude de faisabilité technique de la protection transfrontalière du segment de cote Benin-Togo. 16 au 18 septembre 2020, Grand-Popo, Benin.*

⁹The alternatives are referred to in the ESIA as PK14, PK8, and PK2.8. Alternative PK2.8, which corresponds to Scenario 2b, was selected.

to them, such as costs, maintenance, and the concerns and expectations of their stakeholders.

33. ***Neither design Scenario S1 nor Scenario S5 were acceptable to Togo and Benin. The statement in the Panel Report that these scenarios would have been preferable does not take into consideration that the selected Scenario required the support of both governments.*** Scenario S1 was not acceptable to Togo and Benin because of the long time it would take to have meaningful anti-erosion results in Benin, while S5 (which is a variation of S1) was not acceptable to Togo because of required maintenance.



Photo 4. Beach restoration by pumping sand on the shore in Benin, which is part of the Togo-Benin coastal protection solution (March 2023)

34. ***Management acknowledges the complexity of the cross-border coastal protection approach employed by the Project. This evolved from, and is informed by, various considerations, including technical, social, environmental, and political-economy dimensions.*** Under the Project's Regional Implementation Support Unit, Cerema was contracted to provide technical review and guidance on complex issues. The chosen Scenario S2b and the corresponding studies (Phase 1, 2, and 3 of the feasibility procured by the Government of Togo and undertaken by the engineering firm Artelia) were reviewed and confirmed by Cerema. Cerema found the selected scenario to be sound, recognizing the efforts made to reconcile the need for rapid results and long-term planning. Cerema also emphasized that climate change could unpredictably change coastal erosion patterns.



Photo 5. Groyne construction in Togo (March 2023)

Alleged environmental impacts from the groynes

35. ***In Management’s view the Project works will not cause increased erosion and flooding in the segment of the coast between Kpémé and Aného as suggested in the Panel Report.*** While at this stage no groynes are being built in this segment, it still benefits from the Project interventions, since the Project will significantly *reduce* the overall annual coastal erosion over the coming decades. The projected annual coastal erosion in this segment, of 0.5 m to 2.7 m *with* the Project, needs to be compared to the average erosion that would occur on Togo’s coasts *without* the Project, which is 1.66 m to 5.25 m annually. Hence, when compared to the “without-project situation,” as required by the Inspection Panel Resolution,¹⁰ there is no adverse impact to this segment because of the Project. To the contrary, the reduction of an estimated 50 percent in the projected average annual coastal erosion represents a benefit for the segment.

36. ***More generally, it is not clear how the Panel Report arrives at the conclusion that the Project will be “causing increased erosion and flooding.”***¹¹ It is difficult for Management to evaluate or respond to the Panel’s conclusion without: (i) new data on historic erosion-rates (other than what was used in the existing modelling); (ii) evidence from a different modelling exercise; or (iii) new assumptions in sub-regional coastal infrastructure or coastal protection. Such an analysis by the Panel to support the conclusions reached in its Report would have been useful.

37. ***Management did consider and include measures to mitigate erosion impacts in the segment of the coast between Kpémé and Aného.*** The selected scenario (S2b)

¹⁰ 2020 Inspection Panel Resolution, paragraph 39: “For assessing material adverse effect, the without-project situation should be used as the base case for comparison, taking into account what baseline information may be available. Non-accomplishments and unfulfilled expectations that do not generate a material deterioration compared to the without-project situation will not be considered as a material adverse effect for this purpose.”

¹¹ Panel Report, paragraph 117.

minimized the dimensions of the groynes (see Photo 5 above) and augmented the volume of sand to be replenished in order to improve sediment flux and thereby reduce annual erosion rates eastward of the groynes. The ESIA (Table 50) considered the adverse impacts of three alternatives, and the adverse impacts of the selected design on the concerned segment are no greater than those of the other two design alternatives examined by the ESIA. Hence, the revised design also further reduces the potential negative impacts on those using the beach in the immediate vicinity of the groynes, such as fishers and *mareyeuses*. In sum, the Project assessed adverse impacts on the concerned segment from Kpémé to Aného and included measures to address them.

38. ***The conclusion in the Panel report that the Project “will” cause erosion in the segment from Kpémé to Aného does not sufficiently consider the fact that coastal erosion rates in Togo are subject to multiple factors unrelated to the Project and beyond the Project’s control.*** Apart from the fact that the Project is *designed to reduce* erosion, Management notes that the main drivers of coastal erosion in Togo which will need to be managed are the following:

- (i) *Climate*: Sea-level rise will result in a residual maximum 0.5 m/y of erosion in Togo.
- (ii) *Change in coastal protection to the upstream west of Gbodjomé*: Different technical options for coastal protection are still being considered for the coastal protection upstream (westward) from the WACA area—supported by the African Development Bank (AfDB) and the Islamic Development Bank (IsDB)). The design eventually chosen will result in different degrees of coastal protection and reduction in the rate of annual erosion, depending on that design choice.
- (iii) *Lomé beach front development*: The Ministry of Maritime Economy, Fisheries and Coastal Protection is promoting new beach front development in Lomé, inspired by examples from Nigeria, that involves major new construction of housing and commercial areas, for which the Government is seeking investors. Any development to the east or west of the Lomé Port would affect the downdrift (eastward) sediment budget.
- (iv) *Lomé Port expansion*: There is a plan in the longer term to extend the Lomé Port further out into the ocean than the current Lomé Container Terminal. The extension depends on operational and commercial viability. Any development of the Lomé Port would likely affect the sediment flow and erosion rates around the protection financed under the Project.

Impacts from the Emergency Works

39. ***The small-scale emergency coastal protection measures (the “Emergency Works”) were undertaken in six non-contiguous hotspots totaling 1.2 km in length.*** They consist of precast concrete pipes (approximately 1.5 m in diameter and 1 m in height) that are installed upright on top of each other on the beach, in stretches varying from 80 to 500

m, anchored to bedrock, and filled with sand (see Photo 6 below). They were intended to be urgent and temporary measures to provide short-term protection for homes and assets against coastal erosion, until longer-term protective measures, such as groynes and beach nourishment, could be put in place. These small-scale emergency coastal protection measures were never intended to be a long-term, sustainable solution. Because they can be quickly installed, they were an effective option to provide immediate protection to houses and livelihoods.

40. ***The Emergency Works were implemented at the request of the local communities, who also participated in the site selection.*** Consultations were held on March 10, 2020, and included local communities, the National Environmental Management Agency (ANGE) and representatives of the PIU. As a result, six sites were selected. An E&S screening process was conducted to identify necessary E&S measures to be undertaken prior to installing the pipes. The site selection and E&S screening took place with the participation of representatives from the PIU, the Ministry of Environment and Sustainable Development, the neighboring communities and fishers, and technical specialists, including the innovator/engineer who had tested this local technology.



Photo 6. Completed emergency coastal works to protect houses and livelihood assets (March 2023)

41. ***Management acknowledges that the E&S screening for these Emergency Works did not fully anticipate the risks and adverse impacts associated with the strong waves and storm surges, which dislocated and disintegrated some of the pipes.*** The initial screening determined that the proposed Emergency Works were likely to have minimal to no adverse environmental impacts at the selected sites, hence the Category C classification. In addition, the social audit commissioned by the Bank concluded that the Emergency Works did not cause any physical or economic displacement, nor did they have a negative impact on the fishing communities (see Photo 7 below). However, the Bank later became aware of reported incidents of boat damage related to the Emergency Works. These incidents concerned collisions between the boats and the installed pipes on the shore during

rough seas, and were addressed through the Project's GRM in April, July, and October 2022. One boat was replaced and the other two were repaired.

42. ***Despite the Category C classification, several mitigation measures were already put in place (and others will be put in place) to minimize any interference of the Emergency Works with fishing activities and to manage health and safety on work sites.*** As part of the mitigation measures that were already in place, the Project created two access corridors in Adissem (see next paragraph); it also funded signage, improved lighting, and removal of broken pipes. The removal of broken pipes and maintenance of the Emergency Works was delayed in some sections because seasonal rough seas prevented access and safe operation of the necessary equipment. As indicated in the MAP, the Borrower will contract a company to monitor pipe integrity and manage the removal of broken pipes; in addition, the Borrower will hire community members as third-party monitors to assist in reporting problems.



Photo 7. Readied fishing gear and boats in the foreground, and emergency protection in the background (circled), showing livelihood activities taking place alongside the emergency protection (March 2023)

43. ***Beneficiary communities have been involved in all phases of these Emergency Works. They were consulted and regularly informed about the work as documented in the screening report and mission aide-memoires.*** During these regular consultations with the beneficiary communities, local fishers requested that the original design be modified to include two 50-meter corridors that would allow them to pull up their boats (pirogues) for maintenance (see Photo 8 below). This design change request was accommodated by the PIU and Contractor; two corridors now enable easy access from the sea to the higher section of the beach and provide adequate boat landing and storage spaces.



Photo 8. Fishers using the established corridor in Adissem (2022)

44. ***Going forward, the Borrower will commission a new contract for maintenance and removal of any pipes that become dislocated or broken, as well as the final decommissioning and removal of the pipes once the permanent coastal protection measures are undertaken on that section of the coast, with AFD support.***

Occupational Health and Safety Issues

45. ***Management is concerned about reports of inappropriate working conditions, such as the incidents alleged by the community members in the Panel Report. Management had ensured that occupational health and safety (OHS) measures were built into the screening report and included in the Emergency Works contract.¹² The contractor was required to put in place OHS measures, including providing workers with personal protective equipment (PPE) and first aid kits, securing the work site during the civil works, and covering the workers with an appropriate insurance policy. These measures were routinely reviewed during supervision missions and referenced in Aide-Memoires. Unfortunately, the injuries and concerns cited in the Panel Report were not reported to the GRM or raised during supervision missions while the works were underway, nor were they raised in the Request for Inspection.***

46. ***Management has confirmed that the contractor had maintained adequate insurance coverage, although this coverage expired with the completion of the contract in January 2022. Management has raised with the PIU the urgent need to advise community members that the Project GRM remains available to receive claims from former Project workers involved in the construction of the Emergency Works who hold unresolved or new claims for injuries resulting from those Emergency Works. The PIU***

¹² The Emergency Works and the groynes were implemented by different contractors.

will review such claims with a view to promptly resolving them. The Borrower has committed to ensuring that eligible workers will be duly compensated.

47. **Management has also requested that the PIU review available records with regard to any claims of unpaid wages for the Emergency Works.** Any former Project workers are invited to come forward with claims of unpaid work hours, either directly to the PIU or through the GRM for resolution. Management has made it clear in writing to the PIU that retaliation against Project workers who submit claims or complaints should not be tolerated.

Implications for Beach Seine Fishing

48. **Beach seine fishing is a method that is used to catch fish that are close to the shore in coastal areas.** It involves using a large fishing net called a “seine” with one end fixed on the shore and the other end that is deployed in a semi-circular shape from the beach up to a certain distance from the shore by a canoe. The net is then returned to the shore pulled in by hand from both ends. The seine net is typically a long, rectangular-shaped net that has floats along the top edge and weights along the bottom edge. As the net is pulled in, it captures fish and other marine organisms that are swimming in the area or lying at the bottom.



Figure 1: Schematic representation of beach seine fishing
Source: Food and Agriculture Organization (FAO)

49. **While beach seine fishing will remain possible after the Project activities are completed, Management agrees that some adaptation in fishing practices may be required for continued beach seine fishing between the groynes.** There are seven groynes over 2.5 km on the beach in Agbodrafo. The impact of the groynes is that the net has to be hauled onto the shore in the 350-meter space between two groynes. There are two options

to adapt to that: one is shortening the length of the net so it can be managed between two groynes; the other is to use any length of net in the 4-5 km stretch of the shore that is free of groynes. In some locations, the on-shore portion of the groynes is entirely covered with sand, which would permit fishers to simply walk over them as they move along the beach—depending on the sea drift.



Photo 9. Beach seine fishing alongside groyne near Goumoukopé, Togo

50. ***Beach seine fishing in Togo is already done in different configurations depending on the presence or absence of groynes. This suggests that similar adjustments will be possible once Project works are complete.*** In Agbodrafo and Aného, where groynes are already in place, the nets used are typically 300 to 1,200 m long, which allows fishers to operate them in the space between two groynes. Management understands that fisher communities have already adapted to the presence of groynes in Aného and have been able to continue using that fishing technique, as evidenced from observations in 2022 and 2023.

51. ***In Management’s view, the constraints that the Project interventions may place on beach seine fishing are modest compared to those that the unmitigated rapid coastal erosion would place on beach seine fishing if the Project did not exist. Left to continue unabated, such erosion would, with time, make beach seining fishing impossible altogether.*** The combination of changes in shoreline stability, alterations to marine ecosystems, and increased safety hazards navigating the exposed beach rock make it increasingly difficult for fishers to carry out beach seine fishing in areas affected by rapid coastal erosion. Without interventions to address the underlying causes of erosion and to support sustainable fishing practices, this fishing method will no longer be viable, as explained below:



Photo 10. Beach seine fishing near Aného, Togo (November 2022)

- ***Beach seine fishing typically relies on having a relatively stable shoreline where the net can be set perpendicular to the shore and held in place by fishers.*** However, as coastal erosion continues to expose beach rock and reshape the shoreline, it can make it difficult or impossible to set the net in the desired location. This can make it more difficult for fishers to catch fish close to the shore using this method.
- ***Coastal erosion in combination with the impacts of other climate-related changes to the ocean can lead to changes in the marine ecosystems that support fish populations.*** As habitats are lost or altered due to erosion, fish populations may decline or shift to different areas in search of suitable habitat. This can make it more difficult for fishers to locate and catch fish using beach seine fishing methods.
- ***Coastal erosion can increase the risk of safety hazards for fishers.*** As erosion reshapes the shoreline and exposed beach rock, it can create unstable areas and increase the risk in navigation and of landslides or collapses, which can be dangerous for fishers who are working on or near the beach.

52. ***In the segments of the coast protected by the Project with groynes and sand replenishment, the beach will be preserved by up to 30 m in width for an estimated 10-15 years.*** Management notes, however, that beach geomorphology is highly dynamic, and

no single solution will protect the beach from erosion in perpetuity as the deficit of sediment, wave action, extreme weather events, and sea-level rise will continue to cause erosion of the beach and change the coastline. Unless these larger systemic issues causing coastal erosion are addressed, the coastal population of Togo will remain at risk over the long term.¹³

53. ***Recognizing the importance of beach seine fishing to the livelihoods of local communities, the Project will finance a social livelihood sub-project to support beach seine fishers, mareyeuses and other fishers under Subcomponent 3.2 (as reflected in the MAP).*** This social livelihood sub-project could include fish processing and transformation, improved sanitary conditions and access to markets.

54. ***As a contribution to global knowledge, Management will also commission a study on the evolution of beach seine fishing on the West African coast.*** This study will look at the challenges posed by coastal erosion as well as those posed by the technical interventions to address such erosion. This will include identifying possible support for adapting fishing techniques and related practices to these changes.

55. ***Management notes that the Food and Agriculture Organization of the United Nations (FAO) is providing support to Togo to help manage beach seine fishing in a sustainable manner to avoid the significant negative impacts that this fishing technique can have on marine life, which in return will impact fisher communities.*** It is important to develop and implement fishing practices that minimize the ecological impacts of fishing activities and protect the long-term health of marine ecosystems. Management will ensure that the Bank’s efforts are coordinated with and informed by FAO’s support to Togo.

RAP Compensation and Livelihood Restoration

56. ***In Management’s view, the RAP adequately identified the relevant categories of PAPs directly affected by the coastal protection works under Component 3 and sufficiently assessed the impact of the Project activities on PAPs’ economic assets, as required by the applicable Bank policies.*** The RAP was cleared by the Bank in June 2022 and updated in December 2022.

57. ***Following design adjustments to minimize involuntary resettlement, 64 PAPs remained in total. These PAPs consisted of 60 individual PAPs (51 men and 9 women) with 237 dependents and 4 collective PAPs (townhall, school). Fifty-seven PAPs lost 653***

¹³ See, e.g., Intergovernmental Panel on Climate Change (IPCC), AR6 Synthesis Report Climate Change 2023: “Sea level rise is unavoidable for centuries to millennia due to continuing deep ocean warming and ice sheet melt, and sea levels will remain elevated for thousands of years (high confidence). Global mean sea level rise will continue in the 21st century (virtually certain), with projected regional relative sea level rise within 20% of the global mean along two-thirds of the global coastline (medium confidence). The magnitude, the rate, the timing of threshold exceedances, and the long-term commitment of sea level rise depend on emissions, with higher emissions leading to greater and faster rates of sea level rise” (p. 42). The Report also concludes that: “Continued [greenhouse gas] emissions will further affect all major climate system components, and many changes will be irreversible on centennial to millennial time scales” (p. 34).

coconut and other trees, 7 PAPs lost houses or beach huts, 10 PAPs lost income, 12 PAPs were tenants that were obliged to move, and 5 divinities had to be moved. Satellite maps show the affected physical assets that are included in the RAP and the assets are geotagged and linked to the relevant PAP identifier number.

58. Compensation for the loss of buildings and related assets was paid between June and October 2022. The self-reported primary sources of income for the PAPs indicate that the income of most PAPs was not impacted by the Project.¹⁴ The 10 PAPs who lost income as a direct result of Project activities, including mobilization and groyne construction (4 small business owners and 6 fishers and *mareyeuses*), received compensation in March 2023. Transitional allowances for the 12 tenant PAPs were fully paid by May 31, 2023. ***With these final payments, all compensation and allowances due under applicable Bank policies will have been delivered and confirmed.***

Assessment of vulnerability of directly affected PAPs

59. ***In Management's view, the RAP adequately considered the vulnerability of the PAPs as required by applicable Bank policy.*** The socio-economic survey conducted during RAP preparation included a vulnerability analysis of both the PAPs and their dependents. The survey results appeared in the December 2022 RAP¹⁵ and used the following criteria from the Resettlement Policy Framework (RPF) to determine vulnerability: (i) households headed by women; (ii) heads of households that are destitute or nearly destitute; (iii) widows and orphans that are in a precarious socio-economic situation; (iv) senior citizens whose monthly income is below the national minimum wage; (v) people living with a physical or mental disability; and (vi) chronically ill people, particularly those suffering from HIV/AIDS or other serious or incurable illnesses. These categories were carefully considered and adequately addressed through the RAP.

60. ***Based on these vulnerability criteria, the RAP indicates that 11 PAPs (18 percent of the total number of PAPs) were considered to be vulnerable (9 women, 2 men).*** During the final RAP validation, the Togolese expropriation commission (COMEX) determined that there was an additional vulnerable PAP and added her to the RAP, bringing the total number to 12 (10 women, 2 men). For all vulnerable PAPs, a vulnerability stipend of 95,000 CFA (US\$155) per person was paid in addition to any compensation paid for their other Project-related losses (2 PAPs were paid 190,000 CFA (as they had an additional vulnerable member in their households). The vulnerability stipend was intended to provide extraordinary support for health care expenses, economic development activities and other expenses related to their vulnerable situation. This amount was paid as a lump sum with no restrictions on its use. The total amount of compensation paid to the 12 vulnerable PAPs (and 2 dependents) in the RAP Completion Report is 1,330,000 CFA (US\$ 2,171). The RAP also took into account the particular situation of the landless by providing for an

¹⁴ Pages 88-89 of the December 2022 [Resettlement Action Plan \(RAP\)](#)

¹⁵ Page 34 of the RAP.

adjusted compensation and assistance package for those PAPs without formal rights to land.

Indirect economic impacts not covered by OP 4.12

61. ***Since most professions identified in the Panel Report as being part of a multi-layered fishing “value chain” did not suffer “direct economic and social impacts” from the Project, they were not entitled to compensation under OP 4.12. Nevertheless, these indirect impacts were adequately considered and addressed in accordance with the requirements of OP 4.01. These indirect impacts are also important but of a different nature, and hence are being addressed through the Project design and activities.***

62. ***OP 4.12 requires the assessment and compensation of the direct impacts of Project activities that are caused by the involuntary taking of land and/or restriction of access to legally designated parks and protected areas.***¹⁶ Given the very small footprint of the groynes, such direct impacts are limited and extremely localized. As verified by the team through satellite photos showing the affected assets, there are very few productive and economic activities that would be difficult to continue during Project implementation or in the future due to the Project activities. The few exceptions identified during the RAP survey were 10 PAPs – including fishers and *mareyeuses* – who were compensated for income that will be lost for the short period of time during groyne construction. All PAPs in this category will be able to resume their livelihoods as soon as the groyne construction is complete.

63. ***The indirect adverse economic impacts of the Project were adequately considered and addressed under the ESIA, consistent with the requirements of OP 4.01.***¹⁷ ***In an effort to address these impacts and help improve resilience in the local communities along the coast, Subcomponent 3.2 of the Project was designed to provide financial and technical support to these communities.*** It has delivered a wide variety of local-level initiatives to strengthen resilience and improve local livelihoods and well-being of people and communities, including fishing and related activities.

64. ***The PIU will design and implement a social sub-project financed under Subcomponent 3.2 (for which up to US\$ 6 million is available) to support economic activities and improve resilience for individuals and groups that live in the larger coastal Project zone.*** This will specifically target the individuals and/or groups involved in fishing activities, including *beach seine fishers* and *mareyeuses*. The design of these activities and eligibility for them will be informed by the results of consultations with the communities, including fisher groups and associations, being undertaken by a social consultant who has been engaged for this purpose.

¹⁶ OP 4.12 para. 3.

¹⁷ OP 4.01 paras. 2-3.

Project Supervision

Technical expertise deployed for supervision

65. ***Contrary to the observation in the Panel Report, Bank social development specialists have been integral to the Project and have remained consistently involved. Several Senior Social Development Specialists have been core members of the Project team and supported the Project in Togo since its inception. During preparation and implementation of the RAP, four Senior Social Specialists and one Lead Social Specialist have been providing technical support and guidance to the PIU.*** Social development specialists participated in all implementation support missions (with the exception of one virtual mission held in May 2021), and also organized separate E&S missions that focused on providing additional support specifically for the revision and updating of the RAP. Apart from joining regular implementation support missions, the Bank's social specialists have also carefully reviewed the contractor's monthly E&S reports, held extensive discussions with the PIU and COMEX regarding the draft RAPs, and provided extensive technical support for the various consultations and discussions with PAPs and community members in the Project area. In addition, two social development consultants recruited by the PIU to focus on working directly with the local communities have been advised by the Bank's social specialists and have provided technical assistance and support for Project implementation.

66. ***Similarly, the Bank team had appropriate fisheries-related knowledge and expertise. One Lead Environmental Specialist with knowledge, experience, and expertise in fisheries was on the Bank team during the design phase and another has been on the Bank team during implementation.*** One Risk Management Specialist with local knowledge in fisheries has been on the team since the outset. An international fisheries expert was also contracted by the Bank to support Project implementation. Additional perspectives and studies, such as those Management will pursue through the MAP, can be useful, but the technical expertise deployed to supervise this Project was fully in accordance with the requirements of Bank policy.

Quality of Bank Supervision

67. ***Management followed paragraph 20 of the Policy on Investment Project Financing (IPF). Management's implementation support to the Project was consistent with Policy requirements.*** The Policy and related Directive defer to Management's sound discretion regarding the extent of supervision needed for the Project. As noted above, the Bank team had the appropriate mix of skills and expertise to oversee the Project. In addition, as explained below, Management set up supervision modalities that were commensurate with the Project profile and assessed risks and impacts. In this regard, Management wishes to highlight a few examples of implementation support activities that demonstrate this diligence:

- (i) ***Meeting the needs of vulnerable fishing communities:*** Just one year into Project implementation, the Green Climate Fund withdrew from funding the 7-km Gbodjomé-Agbodrafo segment of the coast. In response, the Bank

team identified the temporary solution of emergency protection that was implemented, without which the fishing villages of Adissem and Tonga would have lost housing and assets. Management engaged other donors and is grateful to AFD for recognizing the needs and stepping in with EUR 35 million to support this effort.

- (ii) ***Adapting solutions for fishers:*** The location of emergency protection was determined by communities. As the emergency protection was built, in one location, Adissem, the community found that although the emergency protection saved their houses, the distance to the boat landing had increased significantly. In response, Management assisted the Project to establish an access corridor, which is being used by the community.
- (iii) ***The RAP process:*** When Management learned that the Government was about to proceed with compensation on the basis of a RAP that was not approved by the Bank and planned for a needlessly large Project footprint with some unnecessary involuntary resettlement, Management intervened and requested in writing that COMEX stop the entire process until the RAP had been reviewed and eventually cleared by the Bank. The Bank’s social team worked with both the PIU and COMEX to review, adjust and finalize a RAP that resulted in reducing the overall impact of the Project from more than 900 PAPs to just 64 (plus 237 dependents) and the affected assets consisting mostly of coconut and other trees. Discussions with the contractor also resulted in small design changes such as rerouting the access road that would be used by heavy machinery to reach the beach and Project area, in order to avoid destroying trees and reduce traffic around homes.
- (iv) ***Stakeholder engagement and the GRM:*** As Management identified shortcomings in the functioning of the GRM, it rapidly assisted the Project in finding new strategies to improve the access to and functioning of the GRM. This included, for example, launching the “Coastal Radio” (*Radio du Littoral*), building on successful examples from Senegal; and supporting the Project in establishing third-party Observers in the emergency site villages, who acted as interlocutors to facilitate access to the GRM and engage with the communities to explain the Project and upcoming changes. In addition, the contractor’s monthly E&S reports also include a GRM log that cross references any complaints they receive with the GRM. This allows the PIU to better monitor the source and resolution of complaints. The GRM log and the log that is maintained by the contractor are regularly reviewed during implementation support missions, and key indicators such as the length of time it takes to resolve a complaint are monitored by the Bank team.

Consultations

68. *The PIU held wide-ranging and regular consultations in Ewe (the local language) and French, in accessible formats, to seek the views of local communities and PAPs throughout the RPF and RAP preparation process, in accordance with the requirements of OP 4.12.*

69. The preparation of the RPF and the RAP generally involves several steps and types of consultations, including public consultations (RPF and RAP) and individual consultations with PAPs (RAP). For this Project, general consultations during Project preparation included a discussion of the RPF in several areas over several days in October 2017 (in coordination with the ESIA). A total of six RAP-specific consultations were held in the Project area on the following dates: May 4-24, 2021; August 17-21, 2021; September 4-10, 2021; and December 11, 2021, with a total of 194 people in attendance.¹⁸ In addition, RAP updates also involved public and individual consultations during October 4-15, 2022, and these consultations took place in Aného, Agbodrafo, Sanve-Condji and Kpémé.

70. As described in Annex 8 of the December 2022 RAP, these consultations provided information on the Project and a description of the works, identified possible impacts, offered details regarding the compensation scales, and provided information on the GRM. Minutes of consultations signed by the participants confirm that these consultations were widely attended, key issues were discussed, and all consultations were bilingual (Ewe and French). The RAP Completion Report also includes details regarding the consultations held directly with PAPs. During the validation of the RAP by COMEX, further consultations and discussions were held and these details are contained in the RAP Completion Report.

71. During Project implementation, in addition to the PAPs, local community members benefited from several public consultations, information sharing events, access to the GRM and direct access to the contractor, which was permanently on-site during construction and maintains an office in a local hotel. For example, the PIU held several public events, including seven radio programs on Radio du Littoral (in French and local languages) on April 29 and October 28, 2022, prior to the start of groyne construction. The theme of the radio programs was, among others, “Grievance Redress Mechanism – A conflict resolution prevention tool.” The format was a live show during which the public was able to call in and ask questions or raise concerns.

72. The Bank task team regularly reviews the functioning of the GRM jointly with the PIU during Project implementation support missions. The log that contains the complaints also integrates complaints raised during the COMEX validation process and those that are raised on site directly to the contractor. Since December 2019, when the GRM was operationalized prior to the start of works, the GRM log has recorded 47 complaints, 18 of which were related to compensation. The first complaint was received on September 25, 2020. As of May 31, 2023, 3 complaints are pending resolution by the PIU and 44 have

¹⁸ There have been multiple consultations on the same days, resulting in 6 consultations over 4 days.

been resolved to the satisfaction of the complainant. There are nine local GRM committees in the Project area that work with the PIU to address and resolve the complaints.

V. MANAGEMENT’S ACTION PLAN IN RESPONSE TO THE FINDINGS

73. On May 10, 2023, Management invited the Requesters to participate in consultations on the proposed Management Action Plan (MAP). Invitations were extended using the Requesters’ contact details as provided by the Panel. The Requesters responded by accepting and confirming their participation in the consultation meeting, which was held on May 17, 2023 at the Madiba Hotel, Lomé.

74. The consultation meeting allowed sufficient time for the community to provide its feedback on the proposed actions. *A second meeting was offered in case the community members needed more time to discuss internally, but was declined.* A total of 32 community members took part in the consultations (see Photo 11). They agreed to the Bank representatives recording their attendance and taking photographs of the consultation meetings. No representatives of the PIU or any other Borrower agency were present during the consultations. The meeting was translated into the local language (Ewe) by a professional interpreter.

75. The Bank did not set any limit on the number of participants. The Bank team facilitated the meeting, which began with a short opening presentation and background information on the proposed actions to address Panel findings. All community members then had the opportunity to speak, with multiple rounds of questions and answers. Bank team members proficient in Ewe monitored the translation to correct any inaccuracies.

76. **Community feedback.** The community members appreciated the ample clarifications provided by the Bank around the process and regarding the roles and responsibilities of the parties involved. The community members further expressed support for the actions proposed in the MAP and satisfaction that the Bank would oversee its implementation.



Photo 11. MAP Consultations in Lomé (May 17, 2023).

Proposed Management Action Plan

Issue/Finding	Borrower Action	Bank Action
<p>Environmental and Social Screening for the Emergency Works</p> <p>Bank classification of the Emergency Works as Category C, which requires no further EA action, led to a lack of meaningful consultation and the absence of an appropriate environmental and social impact assessment of these Works. The Panel finds this classification is in non-compliance with OP 4.01, paragraph 8. As a result, the Panel finds Management failed to ensure the Emergency Works are environmentally sound and sustainable, which is in non-compliance with OP 4.01, paragraph 1.</p>	<p><i>Action:</i></p> <p>Management of Pipes</p> <p>The PIU will contract a company to monitor pipe integrity and signage/lighting beacons; and manage the repair, removal and cleanup of broken and dislocated pipes in the area of the Emergency Works.</p> <p><i>Date (for completion): Contractor for these works will be hired by August 31, 2023.</i></p> <p>The PIU will also hire community members as third-party monitors that will assist in the monitoring, location and reporting of problems with broken or dislocated pipes.</p> <p><i>Date (for completion): July 30, 2023.</i></p>	<p><i>Action:</i></p> <p>The Bank will review the proposed Scope of Works for this new contract and provide feedback and recommendations as may be needed.</p> <p><i>Date: June 15, 2023.</i></p> <p>The Bank will review the proposed Terms of Reference (ToRs) for the third-party monitors and provide feedback and recommendations as may be needed.</p> <p><i>Date (for completion): June 30, 2023.</i></p>
<p>Construction of the Emergency Works and Working Conditions</p> <p>The Panel finds that the working conditions for the construction of the Emergency Works lacked adequate human health and safety considerations. This is in non-compliance with OP 4.01, paragraph 3.</p>	<p><i>Action:</i></p> <p>Work accidents</p> <p>The PIU will advise communities that the GRM will remain available to receive claims from former workers involved in the construction of the Emergency Works who hold any claims from work injuries resulting from these works and that such claims should be filed by the end of 2023. The PIU will review such unresolved claims and supporting documentation for resolution.</p> <p><i>Date: June 30, 2023</i></p>	<p><i>Action:</i></p> <p>The Bank will review the outreach to the affected communities and will also follow up by Project closure with the PIU to confirm that claims received have been reviewed and resolved.</p> <p><i>Date: July 15, 2023</i></p>

Issue/Finding	Borrower Action	Bank Action
	<p><i>Action:</i></p> <p><i>Allegation of unpaid wages</i></p> <p>The PIU will advise communities that the GRM will remain available to receive claims from former workers involved in the construction of the Emergency Works who hold any claims of unpaid wages and that such claims should be filed by the end of 2023. The PIU will review such unresolved claims and supporting documentation for resolution.</p> <p><i>Date: June 30, 2023</i></p>	<p><i>Action:</i></p> <p>The Bank will review the outreach to the affected communities and will also follow up by Project closure with the PIU to confirm that claims received have been reviewed and resolved.</p> <p><i>Date: July 15, 2023</i></p>
<p>Livelihood Restoration</p> <p>The Panel finds that not all PAP characteristics of vulnerability identified in the socioeconomic data were considered for compensation. The Panel also finds no evidence that a vulnerability analysis was conducted which would have considered landless people and people living below the poverty line as part of this analysis. The Panel finds Management is not in compliance with OP 4.12, paragraph 8.</p>	<p><i>Action:</i></p> <p><i>RAP audit</i></p> <p>The PIU will commission a RAP audit to assess whether all relevant impacts were identified and whether RAP implementation was satisfactory and in compliance with OP 4.12.</p> <p><i>Date (for submission of draft RAP audit report): September 30, 2023</i></p>	<p><i>Action:</i></p> <p>The Bank will review and provide feedback and recommendations as may be needed on the proposed ToRs and the draft audit report, which will also require Bank clearance.</p> <p><i>Date (for clearance of RAP audit report): October 30, 2023</i></p>
<p>Impact from the Combined Works on the Fishing Community</p> <p>The Panel finds the Project is not in compliance with OP 4.01, paragraph 3, for not having assessed adequately the potential environmental risks and socioeconomic impacts of the Combined Works on the fishing community, especially those practicing beach seine fishing, in the Project area.</p>	<p><i>Action:</i></p> <p><i>Support for local communities</i></p> <p>The PIU will design and implement a social sub-project financed under Subcomponent 3.2 to support economic activities and improve resilience for individuals and groups that live in the larger coastal Project zone. This will specifically include the individuals and/or groups involved in fishing activities, such as the <i>beach seine fishers</i> and <i>mareyeuses</i>. The design of these activities and eligibility for them</p>	<p><i>Action:</i></p> <p>The Bank will provide technical assistance and support to the PIU in the design process of this social sub-project and will appraise and clear its final design.</p> <p><i>Date (for completion): November 30, 2023 Bank provides no objection on the design.</i></p>

Issue/Finding	Borrower Action	Bank Action
	<p>will be informed by the results of consultations with the local communities, being undertaken by a social consultant who has been engaged for this purpose.</p> <p><i>Date for completion: September 30, 2023 for proposed design for these activities.</i></p>	<p><i>Action:</i></p> <p>As a contribution to global knowledge, the Bank will commission a study of the evolution of beach seine fishing on the West African coast. This study will look at the challenges for fishing communities posed by coastal erosion and those that may result from technical interventions to address coastal erosion. This will include identifying possible support for adapting fishing and related practices to these changes. Management will ensure that the Bank’s efforts are coordinated with FAO’s ongoing work in the area in Togo.</p> <p><i>Date (for completion): June 30, 2024</i></p>

VI. CONCLUSION

77. ***In conclusion, the Bank has made every effort to apply its policies and procedures and to pursue its mission statement in the context of the Project. The proposed MAP included in this Report and Recommendation addresses the Panel’s findings of adverse impacts resulting from instances of non-compliance with Bank policy.***

**ANNEX 1
FINDINGS AND RESPONSES**

No.	Panel Findings/Observations	Policy	Response
Project Scenarios and Identification of Environmental and Social Risks			
1.	<p>Project Scenarios</p> <p>The Project analyzed various scenarios as protection measures and this initially led to the selection of three options for further study. According to the multicriteria analysis, the best two scenarios (S1 and S5) involved massive-beach-replenishment (soft options). Nevertheless, the Project did not consider S1 and S5 further and considered only combined hard and soft options as a resilience measure, even though these scenarios scored worse in the multicriteria analysis. The Panel received no information to explain this decision. Ultimately, the scenario implemented was neither selected in the feasibility studies nor modelled. The Panel was informed that the final scenario, analyzed in the ESIA, was chosen for cost reasons.</p> <p>The Panel notes the two best options identified by the multicriteria analysis at the Phase 1 feasibility stage were not carried forward. However, the ESIA analyzed three alternatives and the no-project scenario. Therefore, the Panel finds Management is in compliance with OP 4.01, paragraph 2, and with OP 4.01 Annex B, paragraph 2(f). OP 4.01 requires an analysis to compare feasible alternatives systematically but does not provide guidance on the alternative to select.</p> <p>The Panel understands that massive beach replenishment scenarios was considered under the Phase 1 feasibility studies but was not taken forward, even though it scored better in the multicriteria analysis. The Panel notes that a massive-beach-replenishment scenario would have impacted beach seine fishing less.</p>	4.01	<p>Management notes the finding of compliance with OP 4.01. Management also notes that the Panel Report goes a step further into opining on the efficacy and development effectiveness of the selected scenario as part of Project design. Management would therefore like to clarify the process that was used under the Project to arrive at the selected scenario.</p> <p>The Project design ultimately selected by the Borrower was carefully informed by engineering studies, the ESIA, consultations with Benin in the context of regional coastal management efforts, and the objectives and limitations of the Project.</p> <p>The option chosen for coastal protection in Togo relied on the following series of studies and review: (i) a scientific analysis of the geomorphological dynamics (2017 Deltares Study); (ii) evidence of historic trends in coastal erosion and investment needs (2017 Antea Multi-Sectoral Investment Plan, MSIP); for which (iii) scenarios were proposed, compared, and modelled (2020 Artelia Ph1, Ph2, Ph3); and which (iv) received extra independent technical review (2020 Cerema). The scenario (S2b) was selected through a joint decision by the governments of Togo and Benin¹ on September 20, 2020, then subject to an analysis of alternatives in the ESIA (2022 ACL Consultant/Inros-Lackner). It is now under construction by Boskalis and being supervised by Inros-Lackner.</p> <p>The Government of Togo (jointly with Benin) selected a cross-border solution to ensure that any significant intervention made in Togo would also benefit, rather than harm, coastal areas in Benin.</p> <p>The cross-border solution jointly selected by the Togo and Benin governments was Scenario S2b, alternative PK2.8 (from among the 3 alternatives studied in the ESIA), which includes: (i) shortened groynes with replenishment that reduces the risk of downstream erosion, a breakwater with replenishment and leveling,</p>

¹ Ministère du Cadre de Vie et du Développement Durable (Benin) et Ministère de l'Environnement du Développement Durable et de la Protection de la Nature (Togo), 2020: Procès-verbal de la séance de validation du Rapport d'Avant-Projet Sommaire (APS) de l'étude de faisabilité technique de la protection transfrontalière du segment de cote Benin-Togo. 16 au 18 septembre 2020, Grand-Popo, Benin.

No.	Panel Findings/Observations	Policy	Response
			<p>and a vegetated coastal dune in Togo; and (ii) shortened groynes with replenishment combined with a “Sand Motor” (referred to by the Panel as “massive-beach-replenishment”), and filling of dead lagoon arms.</p> <p><i>Decision process.</i> The six scenarios proposed in the first phase of the feasibility study considered Togo and Benin as a cross-border area in which coastal erosion was to be curtailed, and responded to the 2017 report “<i>Human Interventions and Climate Change Impacts on the West African Coastal Sand River</i>” prepared by the world-leading firm, Deltares (Netherlands). The final decision on the interventions and the technical design was jointly made by Togo and Benin, as part of their cross-country technical and ministerial collaboration. The multi-criteria analysis, on which the Panel focuses, was meant as a starting point—not a prescriptive test—to inform the two governments’ decision. In addition to the scores in the analysis, the governments considered other factors important to them, such as costs and the concerns and expectations of their stakeholders.</p> <p><i>Neither design Scenario S1 nor Scenario S5 were acceptable to Togo and Benin. The statement in the Panel Report that these scenarios would have been preferable does not take into consideration that the selected Scenario required the support of both governments.</i> Neither S1 nor S5, the two design scenarios the Panel suggests would have been preferable, were the right fit for the Project. Scenario S1 was not acceptable to Togo and Benin because of the long time it would take to have meaningful anti-erosion results in Benin, while S5 (which is a variation of S1) was not acceptable to Togo because of required maintenance.</p> <p><i>The final decision on the interventions and the technical design was jointly made by Togo and Benin, as part of their cross-country technical and ministerial collaboration.</i> “National preferences” were one aspect of the decision-making process that was part of the multi-criteria analysis. The report on Phase 1 of the feasibility study, provided to the Panel on November 14, 2022, states, “<i>These scenarios were discussed and amended following the Minutes validating this report, as well as an extraordinary meeting held to share information on how national preferences evolved. The scenarios developed in Phase 2 are 2b, 3 and 6. Scenario 2b corresponds to scenario 2, but with shortened groynes and replenished with</i></p>

No.	Panel Findings/Observations	Policy	Response
			<p><i>sand in-between to ensure continuity of downdrift sediment flows.”²</i></p> <p><i>Sand Motor and beach seine fishing.</i> The Sand Motor (i.e., massive-beach-replenishment), using the natural forces of longshore currents to re-distribute coastal sediment is a new, nature-based solution for coastal protection with just a few examples from which to learn; as such, it is not yet an established approach in the same way that the use of groynes, breakwaters, and seawalls is. The prime example of a Sand Motor comes from the Netherlands (four times the size of the one in Benin), where it is accompanied by a costly and demanding monitoring program.</p> <p>Management also understands that fisher communities have already adapted to the presence of groynes in Aného and have been able to continue using the beach seine fishing technique, as evidenced from observations in March and May 2023.</p>
2.	<p>Area of Influence and Impact of the Combined Measures on the Coast</p> <p>The Panel observes that the Combined Works as described in the ESIA will curtail the longshore transport of sediment to the area from Kpémé to the groyne farthest west at Aného, causing increased erosion and flooding. The Panel finds that Management did not ensure the ESIA adequately assessed the Project’s adverse impact on Area B and included no measures to mitigate this impact, which is in non-compliance with OP 4.01, paragraph 2.</p>	4.01	<p><i>Management’s assessment is that the works will not cause increased erosion and flooding in the segment of the coast between Kpémé and Aného. While at this stage no groynes are being built in this segment, it still benefits from the Project interventions, since the Project will significantly reduce the overall annual coastal erosion over the coming decades.</i></p> <p><i>The projected annual coastal erosion in this segment, of 0.5 m to 2.7 m with the Project, needs to be compared to the average erosion that would occur on Togo’s coasts without the Project, which is 1.66 m to 5.25 m annually. Hence, when compared to the “without-project situation,” as required by the Inspection Panel Resolution,³ there is no adverse impact to this segment because of the Project. To the contrary: the reduction of almost 50 percent in the projected average annual coastal erosion represents a benefit for this segment.</i></p> <p><i>Management did consider and include measures to mitigate erosion impacts in the segment of the coast between Kpémé and Aného. The selected scenario</i></p>

² “Ces scénarios ont été discutés et amendés suite au Procès-verbal de validation du présent rapport, ainsi que suite à une réunion extraordinaire tenue pour faire part de l’évolution des préférences nationales. Les scénarios développés en Phase 2 sont les scénarios 2b, 3 et 6. Le scénario 2b correspond au scénario 2 avec casiers rechargés, pour assurer la continuité sédimentaire.”

³ 2020 Inspection Panel Resolution, paragraph 39: “For assessing material adverse effect, the without-project situation should be used as the base case for comparison, taking into account what baseline information may be available. Non-accomplishments and unfulfilled expectations that do not generate a material deterioration compared to the without-project situation will not be considered as a material adverse effect for this purpose.”

No.	Panel Findings/Observations	Policy	Response
			<p><i>(S2b) minimized the dimensions of the groynes (see Photo 5 above) and augmented the volume of sand to be replenished in order to improve sediment flux and thereby reduce annual erosion rates eastward of the groynes. The ESIA (Table 50),⁴ considered the adverse impacts of three alternatives, and the adverse impacts of the selected design on the concerned segment are no greater than those of the other two design alternatives examined by the ESIA. In sum, the Project assessed adverse impacts and included measures to address them.</i></p> <p>The revised design also further reduces the potential negative impacts on those living in or near the groynes and the use of the beach in the immediate vicinity of the groynes by fishers and <i>mareyeuses</i>.</p> <p><i>Hence, when compared to the “without-project situation,” as required by the Inspection Panel Resolution,⁵ there is no adverse impact to this segment because of the Project. To the contrary, the reduction of an estimated 50 percent in the projected average annual coastal erosion represents a benefit for the segment.</i></p> <p>It is not clear how the Panel Report arrives at the conclusion that the Project will be causing increased erosion and flooding. It is difficult for Management to evaluate or respond to the Panel’s conclusion without: (i) new data on historic erosion-rates (other than what was used in the existing modelling); (ii) evidence from a different modelling exercise; or (iii) new assumptions in sub-regional coastal infrastructure or coastal protection. Such an analysis by the Panel to support the conclusions reached in its Report would have been useful.</p> <p>The studies by the engineering firm, Artelia, provided to the Panel, recommended Scenario 2b. This scenario called for the shortened groynes and sand-replenishment, to permit partial downdrift transport of sediment to continue and reduce the speed of landward coastal erosion. Hence, the Panel statement that the solution “will curtail” the transport of sediment is</p>

⁴ ESIA, 2020, table 50, page 270, compared three variations (PK14, PK8, and PK2.8) against economics related to the works, socio-economic parameters, and environmental parameters, and determined that PK2.8 was most suitable.

⁵ 2020 Inspection Panel Resolution, paragraph 39: “For assessing material adverse effect, the without-project situation should be used as the base case for comparison, taking into account what baseline information may be available. Non-accomplishments and unfulfilled expectations that do not generate a material deterioration compared to the without-project situation will not be considered as a material adverse effect for this purpose.”

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			<p>unsupported; rather, S2b as opposed to S2, will improve the sediment flow and reduce the speed of erosion after the easternmost groyne.</p> <p>The ESIA (Table 50, pages 277-280) evaluated three alternatives of S2b (PK14, PK8, and PK2.8) against financial feasibility of the works, socio-economic, and environmental considerations, and concluded that the alternative S2b, or PK2.8—the one selected for the Project—was preferred.</p> <p>In the selected scenario, there is still some residual erosion to be expected downdrift from the set of groynes over a 15-year period, and a range is given for the various segments, from 0.5m/y to 2.7m/y. Before the Project, average recession (over the period 1988-2018) of the Togo shoreline near Togo Lake ranged from 1.66 to 5.25 m/y.⁶ The Antea MSIP indicated rates of +0.95 to 5m/y.⁷</p> <p>Thus, the after-Project average recession noted in the ESIA of 0.5 m/y to 2.7 m/y can be considered an improvement.</p> <p>The conclusion in the Panel report that the Project “will” cause erosion in the segment between Kpémé and Aného does not sufficiently consider the fact that coastal erosion rates in Togo are subject to multiple factors unrelated to the Project and beyond the Project’s control. Apart from the fact that the Project is <i>designed to reduce</i> erosion, Management notes that the main drivers of coastal erosion in Togo which will need to be managed are the following:</p> <ul style="list-style-type: none"> • <i>Climate</i>: Sea-level rise will result in a residual maximum 0.5m/y of erosion in Togo.⁸ • <i>Change in coastal protection to the upstream west of Gbodjomé</i>: Different technical options for coastal protection are still being considered for the coastal protection upstream (westward) from the

⁶ Konko, Y., Bagaram, B., Julien, F., Akpamou, K.G., Kokou, K. (2018) Multitemporal Analysis of Coastal Erosion Based on Multisource Satellite Images in the South of the Mono Transboundary Biosphere Reserve in Togo (West Africa). *Open Access Library Journal*, 5, 1-21. doi: 10.4236/oalib.1104526.

⁷ Antea Belgium. 2017. WACA Plan d’action pour le développement et l’adaptation aux changements climatique du littoral Togolais, World Bank. Before the Project: “Agbodrafo-Kpémé PK32 à PK36: Ce sous-segment est marqué par une forte érosion avec une vitesse moyenne de -5 m/an [...] Kpémé – Goumoukopé (PK36 au PK40): Les épis ont fonctionné après leur installation avec une accrétion moyenne de 0,95 m/an. Mais les récentes observations font état d’un départ de sédiments des casiers.”

⁸ Artelia, Phase 3, Etude d’Avant-Projet Détaillée de l’Option d’Adaptation Préférentielle, page 16: “ même si le schéma de protection retenu permettait de s’affranchir à 100% des gradients de transit littoral, il resterait une érosion résiduelle moyenne de l’ordre de 0.25 à 0.5 m/an (moyenné sur les 48 km de linéaire) causée par l’élévation du niveau marin combinée aux tempêtes, et à l’extraction de sable à petite échelle. ”

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			<p>WACA area (supported by AfDB and IsDB). The design eventually chosen will result in different degrees of coastal protection and reduction in the rate of annual erosion, depending on that design choice.⁹</p> <ul style="list-style-type: none"> • <i>Lomé beach front development</i>: The Ministry of Maritime Economy, Fisheries and Coastal Protection is promoting new beach front development in Lomé, inspired by examples from Nigeria, that involves major new construction of housing and commercial areas, for which the Government is seeking investors. Any development to the east or west of the Lomé Port would affect the downdrift (eastward) sediment budget, and hence, erosion rates around the protection financed by the Bank under the Project. • <i>Lomé Port expansion</i>: There is a plan to extend the Lomé Port in the longer term further out in the ocean than the current Lomé Container Terminal. Any development of the Lomé Port would likely significantly affect the sediment flow and erosion rates around the protection financed under the Project. <p>Following recommendations from engineers (Cerema) as part of the due diligence on WACA investments, the Bank is supporting the Government of Togo to undertake a study on sand by-pass options.¹⁰</p> <p>Updated modelling of coastal sediments based on bathymetry of the after-WACA physical configuration of the shoreline, as well as the broader coast, considering the first three bullets above, and including sensibility analyses of different by-pass scenarios and impact with and without by-pass on the built structures, will provide a forward-looking tool for the Government.</p> <p>This study notwithstanding, any shoreline management with sediment replenishment needs to be monitored to map the bathymetry and the beach profiles, as stated in the “<i>Human Interventions and Climate Change Impacts on the West African Coastal Sand River,</i>” commissioned by the Bank, and to which the Panel also makes reference in Annex 5 of its report. In the case of Togo-Benin, the bathymetry will be monitored</p>

⁹ World Bank Aide Memoire, WACA Togo, March 2023.

¹⁰ *Sand by-pass* is described as the artificial transport of littoral drift across tidal entrances to help prevent accretion, on the updrift side, control downdrift erosion and maintain navigation channels.

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			in June and September, respectively before and after the rough weather season.
3.	<p>Environmental and Social Screening for the Emergency Works</p> <p>The Panel notes that key design aspects and their E&S impacts were not considered in the Environmental and Social screening. Such key aspects include i) the suitability of the pipes to withstand the waves and storms, ii) pipe maintenance, and iii) the decommissioning of the pipes, since they were temporary. The Panel observes that the failure to consider these aspects may have led to the misclassification of the environmental categorization of the Emergency Works as Category C, which meant that, beyond screening, no further EA action is required.</p> <p>On this basis, the Panel observes that Bank classification of the Emergency Works as Category C, which requires no further EA action, led to a lack of meaningful consultation and the absence of an appropriate environmental and social impact assessment of these Works. The Panel finds this classification is in non-compliance with OP 4.01, paragraph 8. As a result, the Panel finds Management failed to ensure the Emergency Works are environmentally sound and sustainable, which is in non-compliance with OP 4.01, paragraph 1.</p>	4.01	<p><i>Management acknowledges that the screening did not fully anticipate the risks/impacts associated with the strong waves and storm surges, which dislocated and disintegrated some of the pipes. The initial screening determined that the proposed Emergency Works were likely to have minimal to no adverse environmental impacts at the selected sites, hence the Category C classification. In addition, the social audit commissioned by the Bank concluded that the Emergency Works did not cause any physical or economic displacement, nor did they have a negative impact on the fishing communities. However, the Bank later became aware of reported incidents of boat damage related to the Emergency Works. They concerned collisions between the boats and the installed pipes on the shore during rough seas, and were addressed through the Project GRM in April, July, and October 2022. One boat was replaced and the other two were repaired.</i></p> <p>The small-scale emergency coastal protection measures were intended to be urgent and temporary measures to provide short-term protection to homes and assets against coastal erosion, until longer-term protective measures, such as groynes and beach nourishment, could be put in place. They represent a rapid option to provide immediate protection with very limited environmental impacts. The design of the pipes was conceived by Togolese engineers and piloted successfully in 2015 prior to this Project. The solution was deemed suitable for the purpose of immediate protection for houses and livelihoods where benefits outweigh risks.</p> <p>The site selection and E&S screening were undertaken with the participation of key stakeholders (specialists from the Project Implementation Unit, representatives of the Ministry of Environment and Sustainable Development, representatives of the neighboring communities, fishers and technical specialists, including the designer of this local technology). The screening determined that the proposed Emergency Works were likely to have minimal to no adverse environmental impacts at the selected sites, hence the Category C classification.</p> <p><i>Despite the Category C classification, several mitigation measures were already put in place (and</i></p>

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			<p><i>others will be put in place) to minimize any interference of the Emergency Works with fishing activities and to manage health and safety on work sites.</i> As part of the mitigation measures that were already in place, the Project created two access corridors in Adissem; it also funded signage, improved lighting, and removal of broken pipes. The removal of broken pipes and maintenance of the Emergency Works was delayed in some sections because seasonal rough seas prevented access and safe operation of the necessary equipment. As indicated in the MAP, the Borrower will contract a company to monitor pipe integrity and manage the removal of broken pipes; it will also hire community members as third-party monitors to assist in reporting problems.</p> <p>Beneficiary communities have been involved in all phases of these Emergency Works, consulted, and regularly informed on work activities as documented in the screening report and mission aide-memoires). During these regular consultations with the beneficiary communities, local fishers requested that the original design be modified to include two 50-meter corridors that would allow them to pull up their boats (pirogues) for maintenance. This design change request was accommodated by the PIU and Contractor; two corridors now enable easy access from the sea to the higher section of the beach and provide adequate boat landing and storage spaces.</p>
4.	<p>Construction of the Emergency Works and Working Conditions</p> <p>The Panel observes that some workers claimed to have outstanding wages during construction of the pipes, hazardous working conditions, and lacking health and safety measures. The Social Audit acknowledged the weak health and safety measures and the occurrence of accidents. The Panel heard accounts of serious injuries to workers. The Panel observed throughout its three visits that the pipes continued to break and that the broken parts were not being removed. The Panel notes these broken parts continue to pose a risk of accident to fishers and immediate residents, including children. The Panel finds that the working conditions for the construction of the Emergency Works lacked adequate human health and safety considerations. This is in non-compliance with OP 4.01, paragraph 3.</p>	4.01	<p><i>Management is concerned about reports of inappropriate working conditions, such as the ones alleged by the community members in the Panel Report. Management had ensured that OHS measures were built into the screening report and imposed in the Emergency Works contract. Unfortunately, the injuries and concerns cited in the Panel Report were not reported to the GRM or raised during supervision missions while the works were underway, nor were they raised in the Request for Inspection.</i></p> <p>OHS measures</p> <p>The contractor was required to put in place OHS measures, including providing workers with PPE and first aid kits, securing the work site during the civil works, and covering the workers with an appropriate insurance policy.</p>

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			<p>Wage payment</p> <p><i>Management has also requested that the PIU review available records with regard to any claims of unpaid wages for the Emergency Works.</i> Any former Project workers are invited to come forward with claims of unpaid work hours, either directly to the PIU or through the GRM for resolution. Management has made it clear in writing to the PIU that no retaliation against Project workers who submit claims or complaints will be tolerated.</p> <p>Mitigation measures</p> <p>The mitigation measures were informed by the potential risk of exposure of broken pipes, depending on weather/erosion patterns, particularly in Adissem. Accordingly, solar-powered signage warning of this possibility was put in place, and awareness raising efforts were undertaken. The April 2023 technical mission recommended that these efforts continue, and that signage be checked to ensure it remains functional and up to date.</p> <p>In March 2023, the technical mission observed that fishers were using the corridors in Adissem (Photo 7 above), and in other sites fishers were docking safely on either side of the structures.</p>
5.	<p>Grievance Redress relating to the Emergency Works</p> <p>The Panel recognizes the actions taken by Management to ensure expansion of the GRMs to cover the Emergency Works areas and their disclosure to the PAPs. The Panel notes that although it is good practice, GRMs were not required in Bank-supported projects for anything other than involuntary resettlement before the Bank’s Environmental and Social Framework became effective in October 2018. Hence, the Panel makes no finding on GRM in relation to the Emergency Works.</p>	N/A	<p><i>Management notes the Panel’s observation.</i></p>
Project Footprint Considerations and Involuntary Resettlement			
6.	<p>Minimization of Resettlement and Moving Baseline</p> <p>The Panel finds that, in the context of this resettlement, several survey confirmation exercises were undertaken between May 2021 and October 2022 in order to ensure that the Project area was limited to that which was</p>	4.12	<p><i>Management notes the finding of compliance.</i></p>

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	<p>strictly necessary for groyne construction, which minimized resettlement. The Panel finds Management is in compliance with OP 4.12, paragraph 2(a).</p> <p>The Panel notes that coastal erosion is ongoing. The Panel observes that the longer it takes to construct the groynes, the greater the risk that the geophysical baseline will move inland. The Panel notes however that this risk is lower where the sediment of the micro-cliff is composed of stronger, consolidated materials, such as where the old highway ran. This is not the case in the rest of the areas, where the micro-cliff is composed of unconsolidated sand; in these areas the risk of erosion is greater and could go deeper inland.</p>		
7.	<p>Livelihood Restoration</p> <p>The Panel finds that not all PAP characteristics of vulnerability identified in the socioeconomic data were considered for compensation. The Panel also finds no evidence that a vulnerability analysis was conducted which would have considered landless people and people living below the poverty line as part of this analysis. The Panel finds Management is not in compliance with OP 4.12, paragraph 8.</p> <p>Furthermore, the Panel finds that the socioeconomic data did not take into consideration some income streams, such as that of the <i>mareyeuses</i> whose economic activities are homebased. The Panel finds that the verified socioeconomic data failed to describe the production systems and livelihoods of the <i>mareyeuses</i>, some of which are based on operating smokehouses. This meant they were not compensated for the expected losses related to their occupation. In addition, the Panel finds that some displaced PAPs were not provided transitional support, including rent allowance, to enable them to restore their livelihoods and standards of living. The Panel finds that not all PAPs were provided sufficient support to improve their livelihoods and standards of living or at least to restore them. The Panel finds Management is in non-compliance with paragraph 2(c) and paragraph 6(c)(i)</p>	4.12	<p><i>In Management’s view, the RAP adequately considered vulnerability for the PAPs per the criteria outlined in the RPF.</i> The socio-economic survey conducted during RAP preparation included a vulnerability analysis of both the PAPs and their dependents. The survey results are clearly outlined in the December 2022 RAP (page 34) and used the following criteria from the RPF to determine vulnerability: (i) households headed by women; (ii) heads of households that are destitute or nearly destitute; (iii) widows and orphans that are in a precarious socio-economic situation; (iv) senior citizens whose monthly income is below the national minimum wage; (v) people living with a physical or mental disability; and (vi) chronically ill people, particularly those suffering from HIV/AIDS or other serious or incurable illnesses. These categories were carefully considered and adequately addressed through the RAP.</p> <p>Based on these vulnerability criteria, the RAP indicates that 11 PAPs (18 percent) were considered to be vulnerable (9 women, 2 men). During the final RAP validation, COMEX determined that there was an additional vulnerable PAP and added her to the RAP, bringing the total to 12. For all vulnerable PAPs, a vulnerability stipend of 95,000 CFA (US\$155) per person was paid in addition to any compensation paid for their other Project-related losses (2 PAPs were paid 190,000 CFA as they had an additional vulnerable member in their households). The vulnerability stipend was intended to provide extraordinary support for health care expenses, economic development activities</p>

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			<p>and other expenses related to their vulnerable situation. This amount was paid as a lump sum and there were no restrictions on its use. The total amount of compensation paid to 12 vulnerable PAPs (+dependents) in the RAP Completion Report is 1,330,000 CFA (US\$2,171).</p> <p><i>Since most professions identified in the Panel Report as being part of a multi-layered fishing “value chain” did not suffer “direct economic and social impacts” from the Project, they were not entitled to compensation under OP 4.12. Nevertheless, these indirect impacts were adequately considered and addressed in accordance with the requirements of OP 4.01. These indirect impacts are also important but of a different nature, and hence are being addressed through the Project design and activities.</i></p> <p>OP 4.12 requires the assessment and compensation of the <u>direct</u> impacts of Project activities that are caused by the <u>involuntary taking of land and/or restriction of access to legally designated parks and protected areas</u>. Given the very small footprint of the groynes, the direct impacts are limited and extremely localized. As verified by the team through the satellite photos showing the affected assets, there are very few productive and economic activities that would be unable to continue during Project implementation or in the future due to Project activities. The few exceptions identified during the RAP survey were 10 PAPs – including fishers and <i>mareyeuses</i> – who were compensated for income that will be lost for the short period of time during groyne construction. All PAPs in this category will be able to resume their livelihoods as soon as the groyne construction is complete.</p> <p><i>In an effort to address these impacts and help improve resilience in the local communities along the coast</i>, Subcomponent 3.2 of the Project was designed to provide financial and technical support for a wide variety of local-level initiatives for all residents of the coastal zone around the Project areas. The design of this Subcomponent, which includes implementation arrangements and selection criteria, is well advanced and has been prepared with broad community engagement and support.</p>
8.	The Panel finds that by the time the December 2022 RAP was reviewed and approved, the implementation of the previous RAP was essentially 90 percent complete. The Panel	4.12	<p><i>In Management’s view, the RAP adequately identified the relevant categories of PAPs directly affected by the coastal protection works under Component 3 of coastal protection works and</i></p>

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	<p>finds Management was not in compliance with OP 4.12, paragraph 29, for not having ensured that the satisfactory RAP was submitted for approval prior to acceptance of the works for Bank financing and therefore before RAP implementation.</p> <p>The Panel finds it encouraging that three months after completion of the works the PIU will conduct a comprehensive and participatory audit of the RAP implementation to identify all impacts of resettlement and implement mitigation measures, and additional compensation as needed. The Panel is also encouraged that Bank financing will cover gaps identified between Bank policy requirements and national requirements, as required by the Resettlement Policy Framework.</p>		<p><i>sufficiently assessed the impact of the Project activities on PAPs’ economic assets, as required by the applicable Bank policies.</i> The RAP was cleared by the Bank in June 2022 and updated in December 2022.</p> <p>Following design adjustments to minimize involuntary resettlement, 64 PAPs remained in total. There are 60 individual PAPs (51 men and 9 women) with 237 dependents and 4 collective PAPs (townhall, school). Fifty-seven PAPs lost 653 coconut and other trees, 7 PAPs lost houses or beach huts, 10 PAPs lost income, 12 PAPs were tenants that were obliged to move, and 5 divinities had to be moved. Satellite maps show the affected physical assets that are included in the RAP and the assets are geotagged and linked to the relevant PAP identifier number.</p> <p>Compensation for the loss of buildings and related assets was paid between June and October 2022. The self-reported primary sources of income for the PAPs indicate that the income of most PAPs was not impacted by the Project. However, the 10 PAPs who lost income as a direct result of Project activities, including mobilization and groyne construction (4 small business owners and 6 fishers and <i>mareyeuses</i>), received compensation in March 2023. Transitional allowances for the 12 tenant PAPs were fully paid by May 31, 2023. With these final payments, all compensation and allowances due under applicable Bank policies will have been delivered and confirmed.</p>
9.	<p>PAPs Participation in Resettlement and GRM</p> <p>The Panel observes that the resettled PAPs with whom it spoke considered the resettlement process to be confusing. They said they were offered no opportunity to participate in the development of the RAP. The Panel observes that consultations during the development of the RAP did not create sufficient awareness and clarity of the Project’s resettlement process.</p> <p>The Panel finds that consultation with the resettled PAPs on the RAP regarding resettlement options was not meaningful. The Panel finds that resettled PAPs were only offered an opportunity to participate in the planning and implementation of the resettlement process during the negotiations of compensation, which took place after</p>	4.12	<p><i>The PIU held wide-ranging and repeated consultations to seek the views of local communities and PAPs throughout the RPF and RAP preparation process, in accordance with the requirements of OP 4.12.</i></p> <p>The preparation of the RPF and the RAP generally involves several steps and types of consultations, including public consultations (RPF) and individual consultations with PAPs (RAP). For this Project, general consultations during Project preparation included a discussion of the RPF in several areas over several days in October 2017 (in coordination with the ESIA). Six RAP-specific consultations were held in the Project area on the following dates: May 4-24, 2021, August 17-20, 2021, September 4-10, 2021, and December 11, 2021. A total of 194 people attended these six consultation sessions. In addition, RAP</p>

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	<p>resettlement decisions had been made. The Panel finds this is in non-compliance with Bank Policy on Involuntary Resettlement, OP 4.12, paragraph 2(b).</p> <p>The Panel observes that resettled PAPs had insufficient information about the GRM and how to use it. The Panel observes that most resettled PAPs used the COMEX mechanism, which was explained to them only at the time of compensation payment. However, this mechanism is not designed to address all types of grievances that could arise from the impacts of the Project. The Panel finds Management is in non-compliance with Bank Policy on Involuntary Resettlement, OP 4.12, paragraph 13(a).</p>		<p>updates also involved public and individual consultations during October 4-15, 2022 and these consultations took place in Aného, Agbodrafo, Sanve-Condji and Kpémé.</p> <p>As described in Annex 8 of the December 2022 RAP, these consultations provided information on the Project and a description of the works, identified possible impacts, covered details regarding the compensation scales and provided information on the GRM. Minutes of consultations signed by the participants indicate that they were widely attended, key issues were discussed including the GRM, that all consultations were bilingual (Ewe and French).</p> <p>During Project implementation, in addition to the PAPs, local community members benefited from several public consultations, information sharing events, access to the GRM and direct access to the contractor who was permanently on-site during construction and maintains an office in a local hotel. A summary of the consultations is outlined above and the RAP Completion Report also includes details regarding the consultations held directly with PAPs. The PIU held several public events including seven radio programs on Radio du Littoral (in French and local languages) on April 29 and October 28, 2022, prior to the start of groyne construction. The theme of the radio programs was, “Grievance Redress Mechanism - A conflict resolution prevention tool”. The format was a live show during which the public was able to call in and ask questions or raise concerns. The contractor holds weekly meetings with local school groups, women’s organizations and fisher organizations to share information about Project implementation and sensitization training on SEA/H, coastal management and conservation (turtles and marine mammals).</p> <p>The functioning of the GRM is regularly reviewed jointly with the PIU during Project implementation support missions. The log that contains the complaints also integrates complaints raised during the COMEX validation process and those that are raised on site directly to the contractor. Since December 2019, when the GRM was operationalized prior to the start of works, the GRM log has recorded 47 complaints, 18 of which were related to compensation. The first complaint was received on September 25, 2020. As of May 31, 2023, 3 complaints are pending resolution by the PIU and 44 have been resolved to the satisfaction</p>

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			of the complainant. There are nine local GRM committees in the Project area that work with the PIU to address and resolve the complaints. The monthly E&S reports by the contractor also include an update of its GRM log.
Project Impact on Fishing Communities			
10.	<p>Identification and Consultation of Fishers as Stakeholders</p> <p>The Panel observes that the safeguard documents (ESMF, ESIA, and RAPs) for the Combined Works identified the presence of fishing communities in the Project area and determined that the impact on them would be temporary and occur only during the construction phase. However, it did not sufficiently assess the adverse impact of these works beyond the construction phase, especially on those practicing beach seine fishing or its associated value chain, which comprises many affected people. The Panel notes that the fishing community and Government officials, with the exception of officials in Aného, believe the beach seine fishery in the Project area is unlikely to continue because of the Project. On the other hand, Management states that beach seine is likely to continue depending on the fishing net dimensions and the half- kilometer distance between the groynes.</p> <p>The Panel finds that the consultation process did not target fishers and their associated value chain, which constitute distinct categories of stakeholders with unique, specific potential impacts. The Panel notes that after submission of the Request, a series of consultation meetings took place with fishers. The Panel finds that the Project’s consultations were not meaningful before submission of the Request, as per Bank policy, and is in non-compliance with Bank Policy on Environmental Assessment, OP 4.01, paragraph 15. The Panel finds that after the submission of the Request the Project’s consultations targeted fishers and mareyeuses, which brought the Combined Works back into compliance with Bank Policy on Environmental Assessment, OP 4.01, paragraph 15.</p>	4.12	<p><i>Management notes the final finding of compliance. While beach seine fishing will remain possible after the Project activities are completed, Management agrees that some adaptation in fishing practices may be required for continued beach seine fishing between the groynes.</i></p> <p>Management notes also that beach seine fishing in Togo is already done in different configurations depending on the presence or absence of groynes. This suggests that similar adjustments will be possible once Project works are complete.</p> <p><i>In Management’s view, the constraints that the Project interventions may place on beach seine fishing are modest compared to those that the unmitigated rapid coastal erosion would place on beach seine fishing in the absence of the Project supported measures. Left to continue unabated, such erosion would, with time, make beach seining fishing impossible altogether.</i></p> <p>In the segments of the coast protected by the Project with groynes and sand replenishment, the beach will be preserved by up to 30 m in width for an estimated 10-15 years. Management notes, however, that beach geomorphology is highly dynamic, and no single solution will protect the beach from erosion in perpetuity as the deficit of sediment, wave action, extreme weather events, and sea-level rise will continue to cause erosion of the beach and change the coastline. Unless these larger systemic issues causing coastal erosion are addressed, the coastal population of Togo will remain at risk over the long term.</p> <p><i>Recognizing the importance of beach seine fishing to the livelihoods of local communities, the Project will finance a social livelihood sub-project to support beach seine fishers, mareyeuses and other fishers under Subcomponent 3.2 (as reflected in the MAP). This social livelihood sub-project could include fish processing and transformation, improved sanitary conditions and access to markets.</i></p>

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			<p><i>As a contribution to global knowledge</i>, Management will commission a study of the evolution of <i>beach seine fishing</i> on the West African coast.</p>
<p>11.</p>	<p>Impact from the Combined Works on the Fishing Community</p> <p>The Panel notes that Bank policy on Environmental Assessment (OP 4.01) requires consideration of a project’s natural and social aspects in an integrated way. The Panel finds the Project is not in compliance with OP 4.01, paragraph 3, for not having assessed adequately the potential environmental risks and socioeconomic impacts of the Combined Works on the fishing community, especially those practicing beach seine fishing, in the Project area.</p> <p>The Panel observes that livelihood support measures for fishers will now be implemented under PAD Subcomponent 3.2 of the Project as income-generating activities. The Panel understands from this decision that in Management’s view, the economic impact felt by the fishers is not economic displacement per the Involuntary Resettlement Policy (OP 4.12). The Panel observes that since fishers, particularly beach seine fishers and members of their associated value chain, are not targeted by Subcomponent 3.2, it is incumbent upon them to propose a livelihood restoration project. The Panel observes that it will be challenging for this community to do so and thus restore livelihoods.</p> <p>The Panel finds that, by requiring the fishers to propose income generating activities as livelihood restoration measures under Subcomponent 3.2, Management did not ensure that the Project’s adverse socioeconomic impacts on the fishing community and members of its associated value chain is mitigated. This is in non-compliance with OP 4.01 paragraph 2, and OP 4.12 paragraph 3, footnote. 5.</p>	<p>4.01; 4.12</p>	<p><i>Management followed OP 4.01, paragraph 3, as the ESIA considered E&S aspects in an integrated way in assessing potential E&S risks and impacts of the Project (see ESIA, pages 277-288, 322-362). The Environmental and Social Management Plan specifies the mitigation measures to address the potential risks and impacts.</i></p> <p>As mentioned in Items 1 and 10 above, Management’s assessment is that beach seine fishing will continue to be possible after the completion of the Project.</p> <p><i>The support for economic resilience measures for fishers under Subcomponent 3.2 of the Project as income-generating activities is open to all local residents. This component is not intended to compensate PAPs for entitlements under the RAP.</i></p> <p><i>Subcomponent 3.2 of the Project was designed to provide financial and technical support to these communities.</i> It will deliver a wide variety of local-level initiatives to strengthen resilience and improve local livelihoods and well-being of people and communities, including fishing and related activities. The design of this Subcomponent, which includes implementation arrangements and selection criteria, is well advanced and has been prepared with broad community engagement and support. Seventy-two representatives of local groups and associations, including the local fisher committees have been consulted so far regarding the design of this Subcomponent and the selection criteria for the activities that will be supported. The launching of the activities under Subcomponent 3.2 is expected by September 1, 2023.</p>
<p>12.</p>	<p>Impact from the Emergency Works on the Fishing Communities</p> <p>The Panel notes that the E&S screening did not identify the impact of the concrete pipes on fishing activities from the time of construction to</p>	<p>4.01</p>	<p><i>As mentioned in Item 3 above, Management acknowledges that the screening did not anticipate the risks and adverse impacts associated with the strong waves and storm surges. The social audit commissioned by the Bank to assess whether there had been any additional impacts concluded that the</i></p>

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	<p>installation, maintenance, and decommissioning. The Panel finds that, due to inadequate screening and categorization of the Emergency Works, as noted above, Management ensure that the Project prepared an environmental assessment for the Emergency Works to ensure they are implemented in an environmentally sound and sustainable manner; this is in non-compliance with OP 4.01, paragraph 1.</p>		<p><i>Emergency Works did not cause any physical or economic displacement, nor did they have a negative livelihood impact on the fishing communities.</i></p> <p><i>The temporary works deployed were meant as an emergency measure to provide urgent and temporary protection and included in response to the request of the nearby communities. These small-scale emergency coastal protection measures were intended to help retain beach sand and provide short-term protection to homes and assets against the fast-moving coastal erosion, until longer-term protective measures, such as groynes and beach nourishment, could be put in place. They represent a rapid option to provide immediate protection to houses and livelihoods with limited environmental impacts.</i></p> <p><i>During implementation, the fishers found that improvements could be introduced to facilitate storage of boats at their village and requested two boat corridors. Based on this, and as an adaptive measure in support of the Emergency Works, the Project incorporated the boat access corridors in the village of Adissem.</i></p> <p><i>The emergency protection is to be replaced with a long-term sustainable solution, for which financing has been mobilized by AFD under the Framework Agreement between the World Bank and AFD.</i></p> <p><i>In the meantime, photographic evidence shows that communities are undertaking their fisheries livelihood activities around the Emergency Works (Photo 6), utilizing the boat access corridors (Photo 7), and the works, although partly damaged by strong wave energy, are protecting fishers' sheds and housing located just 3 meters from the waterline.</i></p> <p>The Emergency Works were deemed suitable for the purpose of immediate protection for houses and livelihoods based on a successful pilot implemented in 2015, prior to this Bank-funded Project. In some locations, wave action had eroded the beach, exposing sharp rocks in the seabed and drastically limiting the areas suitable for boat landing.</p> <p>Considering the need for immediate action against the fast-moving erosion and the experimental nature of the works, the screening did not anticipate the strong waves and storm surges that damaged installed pipes at two locations (Adissem and Divikinme). The pipe segments that were hampering access to small sections of the beach were quickly removed in Adissem. The</p>

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			<p>removal of broken pipes and maintenance of the Emergency Works was delayed in some sections because seasonal rough seas prevented access and safe operation of the necessary equipment. The Government will decommission and remove all broken pipes once the long-term protective measures are in place (groynes and beach nourishment).</p> <p>See also detailed response in Item 3 above.</p>
Project Supervision			
13.	<p>Frequency of Bank Supervision</p> <p>The Panel notes that the frequency of Bank supervision of the Project was adequate. The Bank undertook the regular biannual supervision visits. In addition, the Bank conducted monthly visits and weekly meetings with the PIU. The Panel finds that Management periodically assessed the Project and reviewed the Borrower’s monitoring of results, risks, and implementation status. The Panel finds Management is in compliance with the Directive on Investment Project Financing, paragraph 43.</p>	Dir. on IPF	<i>Management notes the finding of compliance.</i>
14.	<p>Technical Expertise Deployed for Supervision</p> <p>The Panel observes, however, that the composition of the Bank Project team lacked expertise on fisheries, which may have contributed to the shortcoming in the ESIA to adequately identify the Project’s impacts on the fishing communities and their associated value chain. The Panel also observes that the composition of the Bank Project team during supervision lacked consistent involvement of a social scientist, which may have contributed to the need for extensive revisions of the RAP and the confusion around its implementation without Bank approval, and the delayed functioning of the GRM. As the Panel noted above, the Panel finds the expertise on social aspects and fisheries was not commensurate with the complexity, risks, and challenges of the Project’s social aspects.</p>	N/A	<p><i>This is not a policy compliance finding.</i></p> <p><i>Contrary to the observation in the Panel Report, Bank social specialists have been integral to the Project and have remained consistently involved. Several Senior Social Development Specialists have been core members of the Project team and supported the Project in Togo since its inception. During preparation and implementation of the RAP, four Senior Social Specialists and one Lead Social Specialist have been providing technical support and guidance to the PIU. Social development specialists participated in all implementation support missions with the exception of a virtual mission held in May 2021, and also organized separate E&S missions that focused on providing additional support specifically for the revision and updating of the RAP. The Bank’s social team has also carefully reviewed the contractor’s monthly E&S reports, held extensive discussions with the PIU and COMEX regarding the draft RAPs, and provided extensive technical support for the various consultations and discussions with PAPs and community members in the Project area. In addition, two social development consultants focused on working directly with the local communities have been</i></p>

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			<p>advised by the Bank’s social team to provide additional technical assistance and support for Project implementation.</p> <p>One Lead Environmental Specialist with knowledge, experience, and expertise in fisheries was on the Bank team during the design phase and another has been on the Bank team during implementation. One Risk Management Specialist with local knowledge in fisheries has been on the team since the outset. An international fisheries expert was also contracted by the Bank to support Project implementation.</p> <p>The Project ESIA adequately identified the Project’s impacts on the fishing communities and their livelihood in that it foresaw the risk of temporary disturbances and made provision to manage that risk during Project implementation, which is still ongoing. (ESIA, pages 277-281 and page 333).</p> <p>The need for livelihood restoration activities was foreseen in the PAD, para 62) and a fisheries expert (Natural Resources Management Specialist in the PAD, Annex 3, para 12) was assigned. This specialist prepared a <i>Note on Fisheries and Coastal Protection</i> (May 23, 2022) with assistance from the Risk Management Specialist with local knowledge in fisheries and the international fisheries expert.</p> <p>In Togo, review of fishing related livelihoods was initiated after completion of the Emergency Works, (which addressed resilience in absorptive and transformative capacity). That expertise addresses adaptive capacity, in helping to define lasting opportunities for livelihoods.</p>
15.	<p>Quality of Bank Supervision</p> <p>The Panel finds that the quality of supervision varied. Supervision documents satisfactorily reported on the preparation of safeguard instruments and the problems in managing and establishing a functional GRM. However, they did not adequately report on the impact to fishing communities or on H&S issues relating to the Emergency Works. Furthermore, the Panel finds that Management’s supervision was not effective since it did not ensure the proper sequencing of RAP implementation, which needs to take place only after approval. Therefore, the Panel finds that Management did not ensure that the impact on fishing communities, health and</p>	<p>Policy on IPF</p> <p>OP 10.00</p>	<p><i>Management followed paragraph 20 of the Policy on Investment Project Financing (IPF). Management’s implementation support to the Project was consistent with Policy requirements. The Policy and related Directive defer to Management’s sound discretion regarding the extent of supervision needed for the Project. As explained in Item 14, the Bank team had the appropriate mix of skills and expertise to oversee the Project. In addition, as explained below, Management set up supervision modalities that were commensurate with the Project profile and assessed risks and impacts.</i></p> <p>The Emergency Works began in 2021 and were completed in 2022. During this period, the works were supervised and reported upon in Aide Memoires,</p>

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	<p>safety issues, and challenges in RAP implementation were identified and addressed in an effective manner. The Panel finds Management is not in compliance with the Bank policy on Investment Project Financing, paragraph 20.</p>		<p>including impacts on, and measures for, fisheries. For example, boat access corridors were created based on desires expressed by fishing community members. The Bank conducted a social audit, and subsequently recruited observers, added lights.</p> <p>Extraordinary support was provided to the PIU, consultants and COMEX to ensure that the Project area was correct, all PAPs directly affected were included and that the socio-economic survey was carried out. This high level of support has continued throughout the RAP implementation.</p>