

**MANAGEMENT RESPONSE TO
REQUEST FOR INSPECTION PANEL REVIEW OF THE
TOGO, WESTERN AFRICA: WEST AFRICA COASTAL AREAS RESILIENCE
INVESTMENT PROJECT (P162337); ADDITIONAL FINANCING – WEST
AFRICA COASTAL AREAS RESILIENCE INVESTMENT PROJECT (P176313);
GLOBAL ENVIRONMENT FACILITY (P092289)**

Management has reviewed the Request for Inspection of the Togo, Western Africa: West Africa Coastal Areas Resilience Investment Project (P162337); Additional Financing – West Africa Coastal Areas Resilience Investment Project (P176313); and Global Environment Facility (P092289), received by the Inspection Panel on August 4, 2021 and registered on September 7, 2021 (RQ21/03). Management has prepared the following response.

October 6, 2021

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ABBREVIATIONS AND ACRONYMS

AfDB	African Development Bank
AFD	<i>Agence Française de Développement</i> (French Development Agency)
ANGE	<i>Agence nationale de gestion de l'environnement</i> (National Environmental Management Agency)
Comex	<i>Commission d'Expropriation</i> (National Expropriations Committee)
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
GEF	Global Environment Facility
GRM	Grievance Redress Mechanism
GRS	World Bank Grievance Redress Service
IPN	Inspection Panel
OP	Operational Policy
PDO	Project Development Objective
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
WACA ResIP	West Africa Coastal Areas Resilience Investment Project
WAEMU	West Africa Economic and Monetary Union

EXECUTIVE SUMMARY

Project

- i. The WACA Resilience Investment Project was approved on April 9, 2018, as 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. Together, these six countries have approximately 2,186 km of coastline, areas of which are particularly vulnerable to erosion, flooding and pollution.
- ii. **Coastal investment component in Togo.** The Project under Component 3 supports two types of coastal investments that aim to prevent coastal erosion and help rebuild the coast by retaining sediments: (i) small-scale emergency coastal protection consisting of vertically sunk-in concrete pipes that secures the coastline, protecting coastal settlements; and (ii) longer-term sustainable coastal protection works to rehabilitate and expand existing groynes and construct new ones.
- iii. **Project status in Togo.** As of August 31, 2021, the disbursement rate was 13.1 percent. Implementation of the main components of the Project have not yet started in Togo. The contract for *coastal protection works from Agbodrafo to Aného* is under Bank review and the Supervision Engineer has been recruited. The works will start only after the ESIA and RAP have been completed and published and the RAP has been implemented. The emergency works to prevent erosion at six sites are 82 percent completed. Two flood control sub-projects have been implemented with communities, eleven social sub-projects are underway, and agreements for seven income-generating activities have been signed. The closing date of the Project is December 31, 2023.

Request for Inspection

- iv. The Requesters allege that approximately 1,000 households along the coast will be affected by the Project, including fishers, residents, and property owners. They claim the Project will limit beach access to a small strip of land, reducing the space to keep fishing boats. They fear that artisanal fishing and livelihoods will be adversely affected by the Project. Further, they are concerned with involuntary resettlement allegedly attributed to the Project and that community members have been asked to vacate their premises.

Management’s Response

- v. **Management is acutely aware of the risks West African coastal communities are facing with coastal erosion, flooding and climate change.** This is the reason why the Bank launched the WACA Program with Togo and other countries in 2018. The Program is part of the region’s green, resilient, and inclusive development.
- vi. **Management has carefully reviewed the Request and concluded that the Requesters’ concerns mainly relate to the Government’s intention to move all residents from a 100-m zone at the sea front, which is not connected in any way to the Project nor**

required for the civil works financed by the Project. The civil works financed by the Project are relatively small in scale and only a small amount of physical resettlement and economic displacement is expected, some of which will be temporary during construction and some of which will be permanent and related to the safety zone around the structures.

- vii. ***Management also notes that some of the villages cited in the Request are not located in the Project area and hence will not be affected by Project-related works at all.*** This may be caused by a confusion between the Project and other development projects that also address erosion on the Togo coast. These projects are in different locations and are not financed by the Bank, nor are they required for the Project.
- viii. ***The Project will not have permanent adverse effects on artisanal fishers and their livelihoods.*** Rather, the opposite is true: the Project is helping to prevent coastal erosion, and by doing so helping to secure access to the sea for artisanal fishers. The Project's worksites will be temporarily inaccessible to the public during construction for safety reasons, but open space between the sites will be 350-400 meters, which allows for public access to the sea. The works will block the sea front only in very limited places and will not restrict use of the beach for storing boats or fishing. There have been some instances where works or stored materials have interfered with boat landing, but those have been resolved. A social audit will be conducted in connection with the completion of the emergency works and serve to assess any potential impacts from temporary access restrictions resulting from the construction works.
- ix. ***Consultations and information outreach for the Project have just begun.*** The Request may confuse the Project's *framework* documents and its *site-specific plans*. While consultations were held during preparation on the Project's ESMF/RPF with a broad range of stakeholders, the site-specific ESIA's and RAPs are still under preparation and will be consulted upon specifically with the affected communities. Management recognizes that information provided by Government agencies to the affected communities made it difficult to separate the activities supported by the Project from the unrelated implementation of government policies or enforcement of national law. In addition, initial consultations were carried out by the Borrower on the basis of an incomplete draft RAP that was neither reviewed nor cleared by the Bank. These consultations have been stopped until the Bank-cleared RAP is ready to be consulted upon. The Bank is working with the Borrower to enhance communication and outreach to address this situation.
- x. ***The Project considered relevant alternatives – including groynes only, beach replenishment (from dredging) only and combination of groynes and beach replenishment – and selected an option that combines different approaches to achieve the Project's development objective*** The Project will finance about 600,000 m³ of beach sand replenishment to fill the spaces between the groynes, using sand from deep-sea dredging. The selection of the combined option for coastal protection (groynes and beach replenishment) was studied in detail through feasibility studies. This considered costs, the level of protection, lifetime, and potential positive and negative environmental, social and economic impacts. It is important to note that the

beach-replenishment-only option, as suggested in the Request, is not viable based on scientific and technical studies. Without the additional groynes on the shoreline the replenished sand would quickly vanish again and would fail to protect coastal communities from continued erosion.

- xi. ***The reported loss of beach access between 2009 and today, as cited in the Request, is due to coastal erosion that pre-dates the Project.*** Coastal erosion is a natural and human-induced phenomenon that has gradually worsened due to construction on the coast over the last 60 years. Togo loses an average of 2.5 m of beach per year along its 56-km coastline. A specific impact on fishing communities is that wave action has eroded the beach in many areas, exposing sharp rocks that can damage the fishing boats when landing. The Project is designed to make communities less exposed to coastal erosion and the ensuing impacts to their livelihood.
- xii. ***The Government's efforts to remove residents from the country's maritime public domain (100 meters from the high-water mark) is neither part of the Project, nor is it required for the Project.*** The Government has issued two "Communiqués Interministeriels" asking occupants of the maritime public domain to vacate the area within six months. The issuance of these Communiqués has contributed to some confusion between the limited, site-specific impacts expected from the Project and this broader government initiative. The Project does not support any resettlement resulting from the enforcement of the *Communiqués* or other laws. No such support is included or otherwise provided for in the Project.
- xiii. ***The Bank has raised the issue with the Government of Togo, which has confirmed that it will suspend the implementation of the Communiqués until an adequate regulatory framework for coastal management has been put in place.*** Such framework would establish appropriate procedures and principles, in line with good global practice. The Bank will support the Government through technical assistance to finalize the respective regulation to implement the 2021 law on managing the maritime public domain. This will help shape the national legal framework for managing the coastal zone in Togo in line with good global practice, taking into account relevant principles of Bank policies for addressing the social impacts of implementation.
- xiv. ***In Management's view, the Bank has followed the policies and procedures applicable to the matters raised by the Request. As a result, Management believes that the Requesters' rights or interests have not been, nor will they be, directly and adversely affected by a failure of the Bank to implement its policies and procedures.***

I. INTRODUCTION

1. On September 7, 2021, the Inspection Panel registered a Request for Inspection, IPN Request RQ 21/03 (hereafter referred to as “the Request”), concerning the Togo, Western Africa: West Africa Coastal Areas Resilience Investment Project (P162337); Additional Financing – West Africa Coastal Areas Resilience Investment Project (P176313); and Global Environment Facility (P092289), financed by the International Development Association (the Bank) and the Global Environment Facility (GEF).

2. *Structure of the Text.* The document contains the following sections: Section II presents the Request; Section III provides background on the Projects and Section IV contains Management’s response. Annex 1 presents the Requesters’ claims, together with Management’s detailed responses, in table format. Annex 2 contains relevant news articles.

II. THE REQUEST

3. The Request for Inspection was submitted by two community members living in the villages of Kpogan and Kpeme on the coast of Togo, who claim to represent fishermen of their communities. On August 27, 2021, a third community member living in the village of Agbodrafo, Togo, signed the Request. Additional signatures from 27 project-affected persons living in nine villages (Adjissenou, Agbavi, Agbodrafo, Alimagna, Djeke, Follygah, Gbodjomé, Kpeme, and Kpogan)¹ and from a community-based organization authorized by the Requesters to represent them, were also sent to the Panel on the same date. There are hereafter referred to as the “Requesters.” The Requesters have asked that their identities be kept confidential.

4. Attached to the Request were copies of the correspondence, in French, between the community members and the Bank from March and June 2021 raising concerns related to beach access and involuntary resettlement. No other materials were received by Management related to the Request. No grievances related to this Request have been received by the Project grievance mechanism in Togo, nor by the Bank’s Grievance Redress Service.

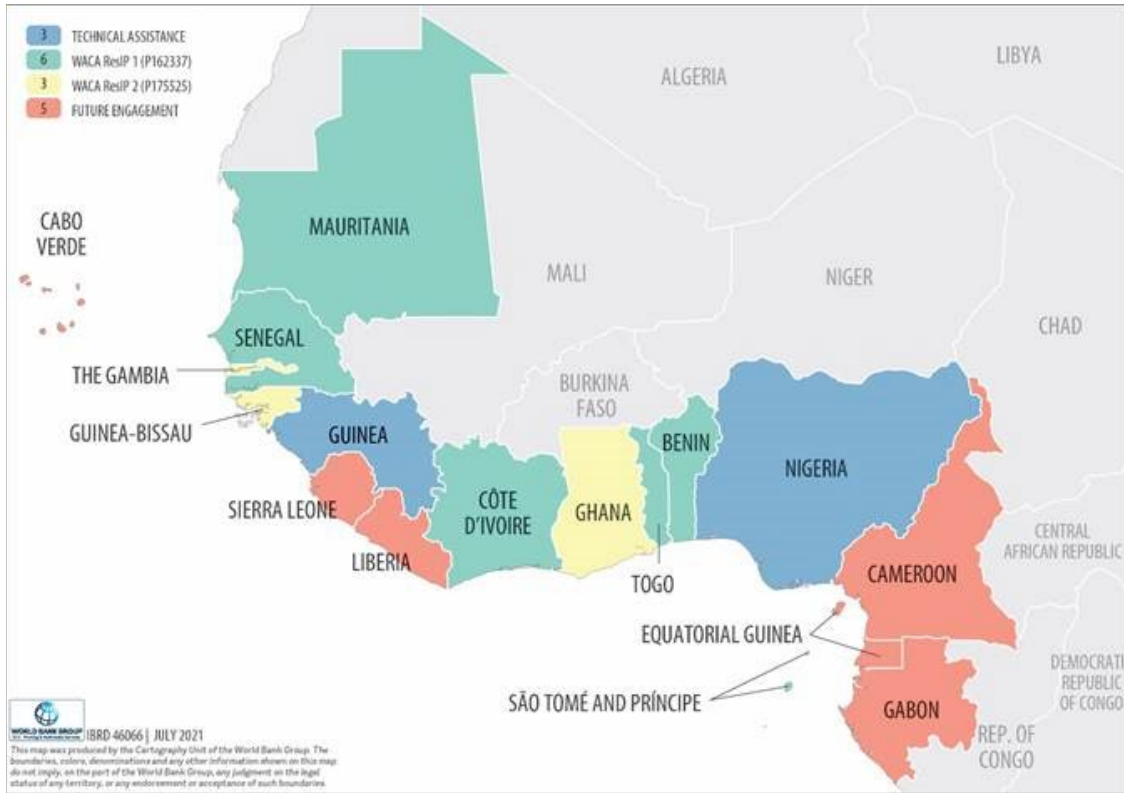
III. PROJECT BACKGROUND

5. The Request concerns the West Africa Coastal Areas Resilience Investment Project (WACA ResIP, P162337) in Togo, which has fully blended finance from the Global Environment Facility (P163945), approved in April 2018, and Additional Financing (P176313), approved in June 2021.

¹ There are alternative spellings for *Adjissenou* (“Adissem”) and *Alimagna* (“Nimanga”) used in this report.

The Context

6. *The West African coastline, stretching from Mauritania to Gabon, includes 17 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 the WACA Program

7. *The coast 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 the cost was estimated at 6.4 percent of the GDP annually in Togo, of which the main cause was destruction of housing and loss of livelihoods due to coastal erosion (see Picture 1).

8. *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 sea level rise of 0.3-0.6 meters by 2050, and 1 meter by 2100. 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.



Picture 1. Coastal erosion in Togo; the structure on the far left used to be a water well



Picture 2. Remnants of the eroded Lomé-Aného road

9. ***Sandy beaches in coastal West Africa are maintained by a strong wave-driven longshore transport of silt, sand, and gravel.*** Sediments originate from rivers and large coastal sand deposits. Over the last decades the natural supply 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, others which call for innovation.

10. ***For the reasons above, the World Bank committed at COP21 to support 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 Program (WACA)² to assist countries in managing coastal erosion, flooding, and pollution.



Picture 3. Example of a groyne that prevents coastal erosion (not in Togo)

11. ***Other development partners recognize the strategic importance of WACA, and are supporting or engaged in WACA along with the World Bank.*** The French development agency (AFD) and French national technical institutions; the Nordic Development Fund; the Netherlands Enterprise Agency; the Spanish Agency for International Development Cooperation; Japan; and the Korea-World Bank Partnership Facility are among those engaged in WACA. The collaboration on and parallel co-financing of the WACA ResIP 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.

12. ***President Macron of France, President Sall of Senegal, and President Kim of the World Bank convened on the coast of Saint-Louis, Senegal in February 2018 to confirm this commitment, as a follow-up to the 2018 World Planet Summit in Paris.*** This approach

² See www.wacaprogram.org for the WACA Annual Report, Call for Innovation, State of the Coast, Center of Excellence, and Partnerships.

is consistent with the Bank's effort to become transformational with its programs, whereby IDA works to prevent donor overlaps, and capitalize on existing solutions to address development challenges of the poor and vulnerable in Africa.

The Parent Project (P162337)

13. The WACA Resilience Investment Project (ResIP, 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. These six countries, covering approximately 2,186 km of coastline, have particularly vulnerable coastal areas (erosion, flooding, pollution) and have a degree of readiness through national multi-sectoral investment planning processes. The Project Development Objective is to strengthen the resilience of targeted communities and areas in coastal Western Africa.

Project Components

14. **Component 1: Strengthening Regional Integration (US\$12.0 million IDA).** The West Africa 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 western Africa and implementing a sound communication and awareness-raising plan. WAEMU established a Regional Integration Management Unit (RMU) to manage this Component.

15. **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 the adequate policy framework and the necessary tools for the development and/or operationalization of their coastal management strategies and plans, both at the national and regional levels. More specifically, it provides support to develop and operationalize coastal management 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 toward 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 Western Africa's coastal zone.

16. **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 impacts, and public consultations.

17. **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 (TCs) have also been established to ensure smooth technical coordination. GEF funds finance the additional support required for the GEF-specific interventions, including the M&E system for the GEF, reporting requirements, and sharing of results and knowledge gained through the Project by participation in International Waters learning activities.

18. **Togo Project Status.** In terms of major activities, the status of Project implementation can be summarized as follows. Following preparation of the feasibility study, the contract for *coastal protection works from Agbodrafo to Aného* (see Map 2) is under Bank review and the Supervision Engineer has been recruited. The work will start only after the Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) have been completed and published, and the RAP implemented. The emergency works to prevent erosion at six sites are 82 percent completed. 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. Two flood control sub-projects have been implemented with communities, eleven social sub-projects are underway, and agreements for seven income-generating activities have been signed. In addition, Togo has participated in regional integration activities, including the cross-border technical and ministerial committee with Benin, and contributed to the West Africa 2020 State of the Coast Report. As of August 31, 2021, the Project disbursement rate was 13.1 percent. The closing date of the Project is December 31, 2023.

Environmental and Social

19. The impacts of the Project on the target coastal areas and populations are expected to be positive in terms of addressing the risks of coastal erosion for local communities and risks to livelihoods for many households as well as improving conservation of biodiversity and physical cultural heritage. Nevertheless, it was also anticipated that Project activities might result in some limited negative environmental impacts and five Operational Policies (OPs) on safeguards were determined to be applicable: OP 4.01, Environmental Assessment; OP 4.04, Natural Habitats; OP 4.36, Forests; OP 4.11, Physical Cultural Resources; and OP 4.12, Involuntary Resettlement. Since the very detailed scale and specific location of interventions in each country were not defined at approval, the Project used a framework approach to provide guidance on how to manage these risks and impacts. **Each country** prepared an Environmental and Social Management Framework (ESMF) and a Resettlement Policy Framework (RPF) to guide the preparation of site-specific ESIA and RAPs. **In Togo**, the ESMF was consulted upon and was disclosed on November 15, 2017, updated, and redisclosed on April 16, 2021. The RPF for Togo was disclosed on November 30, 2017. Additional ESIA, including Environmental and Social Management Plans, will be prepared for some site specific investments. Similarly, RAPs will be prepared as necessary during Project implementation; the RAP for the *coastal protection works from Agbodrafo to Aného* is currently under preparation.

IDA Additional Financing (P176313)

20. An Additional IDA Financing of US\$36 million (of which US\$12 million is for Togo,) was approved by the Board on June 18, 2021 for the cost overrun associated with physical investments in the Togo-Benin transboundary area under Component 3. The cost overrun became apparent once the cost for the preferred 15-year sustainability option—a combination of construction of groynes and beach nourishment—became known. The only change that the Additional Financing brings to the WACA ResIP is the increase in financing amount. Other than that, there is no change in the closing date, implementation arrangements, environmental and social safeguards policies, risks, and results framework.

21. In summary, the total amount of financing available for Togo is US\$64.5 million (US\$57 million from IDA and US\$7.5 million from GEF).

Legal Background in Togo

22. ***Under Component 2, the Project is providing financing for technical assistance to help the Government improve its legislative and regulatory framework for coastal management.*** The Project Appraisal Document indicates that technical assistance would include support for finalization of new legislation governing coastal area management. Although the Bank had previously supported a desk review of the existing legislative and institutional framework for coastal management through a Bank-Executed Trust Fund, the Project did not provide support for the drafting of new legislation, which eventually took the form of Law No. 2021-011 *Relative à l'Aménagement, à la Protection et à la Mise en Valeur du Littoral*, prepared by the Government and adopted in May 2021. Instead, the Project has recently begun supporting the preparation of implementation decrees and *arrêtés* (orders) for the 2021 law. Several draft decrees are in the process of being elaborated.³

23. ***Unrelated to the WACA ResIP, the Government of Togo has announced that people settled in the country's maritime public domain should move away from the area.*** The Government has issued two “*Communiqués Interministeriels*” asking those that are illegally occupying the maritime public domain⁴ to vacate the area. A first *Communiqué* was issued on August 31, 2020, requesting settlers to vacate what was referred to as “illegally occupied areas” in the maritime public domain within six months. A second *Communiqué* was issued on January 28, 2021, as a reminder to vacate the area by March 3, 2021. ***The Communiqués themselves predate the 2021 law and are based on preexisting Togolese law.*** To the Bank's knowledge, no evictions have yet taken place as a result of said *Communiqués*.

³ *Décret Portant modalités de recherche dans la zone du littoral; Décret Portant attributions, composition, organisation et fonctionnement du comité national de gestion du littoral; Décret Définissant les modalités d'application des directives d'aménagement du littoral; Arrêté Fixant les conditions de collecte, de traitement et d'évacuation des déchets solides et liquides dans la zone du littoral; Arrêté Définissant les conditions et modalités d'exploitation du sable ou du gravier continental dans la zone du littoral.*

⁴ **Maritime public domain** includes territorial sea, its soil and subsoil extending 12 nautical miles from low tide, the shoreline, lagoons, rivers, salt ponds, bays and navigable rivers communicating with the sea, as well as **100 meters from the farthest point at high tide** (*Loi N 2016-028 11 du 10/16 Portant Code de la Marine Marchande*).

24. ***The issuance of these Communiqués has contributed to some confusion between the limited, site-specific impacts expected from the WACA ResIP and a broader government initiative.*** As described in the Inspection Panel’s Notice of Registration and in Management’s response below, the Requesters refer to the Government’s intent to vacate settlements in the maritime public domain, as expressed in the *Communiqués*, in the context of WACA ResIP implementation. Management notes that the *Communiqués* have not been issued in connection with the Project nor are they required to achieve the Project’s development objective. In addition, Project technical assistance did not contribute to the drafting of these Communiqués.

25. ***During meetings and in correspondence with the Government, the Bank has reminded the Government that any land acquisition, involuntary resettlement or economic displacement required for the implementation of Project activities must be governed by the RPF and applicable Bank policy.*** Moreover, the Bank has reiterated to the Government that the WACA ResIP does not support any resettlement resulting from the enforcement of the *Communiqués* or other laws. No such components are included or otherwise provided for in the Project. The civil works supported by the Project are not expected to require a significant amount of permanent physical or economic displacement. The Government has confirmed that it shares this understanding.

26. ***Further, the Government of Togo has confirmed to the Bank that it will suspend the implementation of the Communiqués until an adequate regulatory framework for coastal management has been put in place.*** Such framework would establish, *inter alia*, appropriate procedures and principles for addressing the social impacts of implementation, in line with good global practice. This would also be required to enable the technical assistance offered by the Project to provide meaningful input into the development of the legal framework for coastal management, based on good global practice.

27. ***The Bank will support the Government through technical assistance to finalize four décrets and two arrêtés implementing the 2021 law.*** The intent is to help shape the national legal framework for managing the coastal zone in Togo in line with good global practice, reflecting Bank policy provisions, and in coordination with other donors and civil society.

IV. MANAGEMENT'S RESPONSE

28. The Requesters' claims, accompanied by Management's detailed responses, are provided in Annex 1.

29. ***Management has carefully reviewed the Request for Inspection and concluded that the Requesters' concerns mainly relate to the Government's intention to move all residents from a 100-m zone at the sea front known as the maritime public domain.*** This, however, is not connected in any way to the WACA ResIP nor required for the civil works financed by it. The civil works that are financed by the Project are relatively small in scale and situated on the sandy beach and protruding into the sea. It is anticipated that they will require only a small amount of physical resettlement and economic displacement, some of which will be temporary during construction and some of which will be permanent and related to the safety zone around the structures.

30. ***Management notes that some of the villages cited in the Request are not located in the Project area and hence will not be affected by Project-related works (see Map 2).*** This may be caused by a confusion between the WACA ResIP and other development projects, that also address erosion on the Togo coast and are financed directly by the African Development Bank (AfDB). These projects are separate interventions that are neither required for the WACA ResIP to meet its objectives, nor supported by the Project, or covered by the Bank's safeguard instruments.

31. ***The Project will not have permanent adverse effects on artisanal fishers and their livelihoods.*** Rather, the opposite is the intent: the Project is helping to prevent coastal erosion, and by doing so contributing to securing access to the sea by artisanal fishers. The Project supports two types of coastal investments, neither of which will limit access to the shore or fisheries: (i) small-scale emergency coastal protection that consists of vertically sunk-in concrete pipes; and (ii) coastal protection works to rehabilitate and expand a breakwater and existing groynes and construct new groynes of 60-75 m length perpendicular to the shore. The worksites themselves will not be accessible to the public during construction for safety reasons, but the open space between the groynes will be about 350-400 meters, which allows for public access to the sea. The works will block the sea front only in very limited places and will not restrict use of the beach for storing boats or fishing. For the emergency works, which are largely completed, a social audit will be conducted to assess any unintended impacts from temporary access restrictions that may have resulted from the construction works. The audit will also help to draw lessons from implementation of the emergency works.

32. ***Finally, regarding the allegations of lack of information and unsatisfactory consultations, Management notes that the consultation and information processes have only just begun.*** There also seems to be confusion between the Project's *framework* documents and its *site-specific plans*. Consultations were held during preparation on the Project's ESMF/RPF with a broad range of stakeholders, which included but were not restricted to potential Project-affected people. The site-specific ESIA's and RAPs, on the

other hand, are currently under preparation.⁵ Consultations with affected communities on these draft documents are underway. Management recognizes, however, that information provided by Government agencies to the affected communities at times can make it difficult to separate the activities supported by the Project and the unrelated implementation of government policies or enforcement of national law. Additionally, the Bank has learned that the national Expropriations Committee (Comex)⁶ had consultations with communities in the Project area based on an initial draft of the RAP. As this draft RAP was neither reviewed nor given a no-objection by the Bank, the Bank has asked Comex to stop all engagements and consultations until the Bank-cleared RAP is ready to be consulted upon. These premature consultations have contributed to the communities' confusion. The Bank will work with the PIU to enhance communication and outreach to address this situation.

33. *A Bank team visited the Project area in Togo during September 20–22, 2021.* The mission team inspected the six sites for emergency protection (*Gbodjomé*, two sites in *Dévikinme*, *Tango*, *Nimanga*, and *Adissem*), the seven sites for construction of new groynes, and the six sites for rehabilitation of existing groynes. The Bank team met with about 62 community members in the concerned villages, as well as the PIU and the contractor building the emergency works.



Picture 4. Mission team meets with *Dévikinme* community representatives (September 21, 2021)

⁵ The Project is expected to have two RAPs. One is for the coastal protection work from Agbodrafo to Aného that is currently under preparation. A second RAP will be prepared for Project areas that are not located on the coast and unrelated to the Request.

⁶ Comex, or *Commission d'Expropriation*, is an interministerial committee established by Decree No 2019-189/PR, whose mandate is to implement land acquisition related to development projects for the Government of Togo.

34. The specific allegations are discussed in more detail below.

A. Alleged Impacts related to Occupation of the Maritime Public Domain

35. ***The reported loss of beach access between 2009 and today, as cited in the Request, is due to coastal erosion that pre-dates the Project, which was approved in 2018.*** Coastal erosion is a natural and human-induced phenomenon that has gradually worsened due to construction on the coast over the last sixty years: dams have reduced the natural flow of sediments to the beach; ports have obstructed longshore sediment flow; and sand has been mined from riverbanks and beaches for construction. Togo loses an average of 2.5 m of beach per year along its 56-km coastline, taking into account areas that erode up to 10 m per year. If no action is taken, climate change is likely to exacerbate the situation. The WACA ResIP is designed to make communities less exposed to coastal erosion.

36. ***The Project's Legal Agreement requires that any land acquisition, physical resettlement or economic displacement be commensurate with the needs of the Project only. The civil works supported by the Project are not expected to require a significant amount of permanent physical or economic displacement.*** Any such impacts caused by the Project will be assessed and managed in line with Bank policy and per the RPF approved for the Project.

37. The site-specific RAP that is under preparation for the coastal protection works for the section from Agbodrafo to Aného will cover impacts directly related to the construction of the groynes, including temporary impacts during construction as well impacts related to establishing a permanent safety zone around the groynes.

38. ***The Government of Togo issued two Communiqués Interministeriels unrelated to the WACA ResIP, which are noted in the Request.*** The first is dated August 31, 2020 and requested people illegally occupying the coastal area under maritime public domain to leave within six months. The second is dated January 28, 2021 and was a reminder of the request to vacate the area, for which it set a deadline of March 3, 2021. The maritime public domain is defined under Togolese law (*Loi No 2016-028 du 11/10/2016 Portant Code de la Marine Marchande*, Article 16) as including the area up to 100 m from the high-water mark.

39. ***The Communiqués issued by the Government to vacate settlements in the maritime public domain are not connected to the WACA ResIP.*** The Government's request that residents vacate the 100-meter maritime coastal domain is not required by the Project and not necessary for the implementation of the civil works, nor has the Government asked the Bank to support the resettlement of population out of the maritime public domain. The WACA ResIP will not support any potential resettlement resulting from the Government's enforcement of the *Communiqués* or other laws. No such components are included or otherwise provided for in the Project. The Bank has raised these issues with the Government which has re-confirmed that it shares the Bank's understanding, as set out above.

40. ***Both Communiqués, based on pre-existing Togolese law, state the Government's intent to enforce national law requirements relating to illegal occupation of the maritime***

public domain. The pre-existing legislative definition of maritime public domain and the enforcement of related laws prohibiting its occupation (as reflected in the August 2020 and January 2021 *Communiqués*) are unrelated to the WACA ResIP (see paragraphs 23-26 above).

B. Alleged Impacts on Fisheries and Livelihoods

41. ***The Project will not have permanent adverse impacts on artisanal fishing activities.*** Project-financed civil works (groynes, breakwaters, beach replenishment) are not intended to limit access to the shore or fisheries. Rather, the Project will result in an increased beach width of around 30 m (instead of the currently expected loss from erosion of 40 m over the next 15 years). The Project aims to strengthen the resilience of targeted communities and areas in coastal Western Africa. It is financing coastal protection to prevent erosion in Togo. This will help to secure the beach, provide greater access to fishing activities, and protect an estimated 4,600 households from the impacts of coastal erosion. ***Any potential temporary access restrictions resulting from the construction works will be assessed and compensated, as may be warranted.***



Picture 5. Groynes at Kpeme on the Togolese coast to be rehabilitated by the Project (2021)

42. ***The Project is designed to prevent coastal erosion through shore protection structures.*** There are two types of structures supported by the Project to secure long-term access to the shore and fisheries: (i) small-scale emergency coastal protection that consists of vertically sunk-in concrete pipes; and (ii) coastal protection works to rehabilitate and expand breakwaters and existing groynes, fill abandoned lagoon arms with sand and revegetation, and construct new groynes. Both types of infrastructure have a relatively small footprint and were selected on the basis of the results of feasibility studies. As noted above in paragraph 31, the works will not block access to the sea front.

43. ***The small-scale emergency coastal protection measures (in the original of the Request referred to as “faux puits de Gbodjomé”, or “false wells of Gbodjomé”) are measures that have been undertaken in six noncontiguous hotspots totaling 1.2 km, which***

are 82 percent completed. They consist of precast concrete pipes (approximately 150 cm in diameter and 1 to 2 m in height) that are installed upright on the beach (hence the resemblance to wells), in stretches varying from 80 to 500 m, anchored to bedrock, and filled with sand. They are intended to help retain beach sand behind the pipes and provide short-term protection to homes and assets against erosion, until longer-term protective measures, such as groynes and beach nourishment, can be put in place. They are not a long-term solution because they can be damaged or displaced by heavy wave action over time; nevertheless, because they do not take long to install, they represent a rapid option to provide immediate protection to houses and livelihoods where benefits outweigh risks.

44. ***The local beneficiary communities participated in the site selection for the small-scale emergency coastal protection.*** Consultations were held on March 10, 2020 and included local communities, the national agency for environmental management (*Agence nationale de gestion de l'environnement*, ANGE) and representatives of the PIU. As a result, six sites were selected. An environmental and social screening was conducted to identify necessary environmental and social measures to be taken prior to installing the pipes. These measures were incorporated as environmental health and safety clauses into the works contracts. Some of the mitigation measures included the need for the contractor to maintain a regular dialogue with the fishermen to avoid/minimize any interference with fishing activities, identify temporary alternate fishing boat landing locations, establish a health and safety committee where needed, and secure the site during the works. On some work sites construction material was not properly stored; corrective measures have been agreed with the PIU and the contractor was instructed accordingly.

45. ***The construction of the small-scale emergency coastal protection measures is advanced and following the Bank mission to the sites in September 2021, their status is as follows.*** The measures have been completed in *Tango and Gbodjomé*, and will be completed shortly in *Nimagna*. However, in *Adissem*, rough seas during seasonal storm surges delayed the works. Pipes have been stored on the beach until the work can start. Local fishermen have requested that the original design be modified to include two 50-meter corridors that will allow them to pull up their boats (pirogues) for yearly maintenance, which the contractor is now putting in place. Regarding the two sites in *Dévikinme*, the works were completed but the tides and strong storm wave action damaged and engulfed some of the installed pipes. The contractor is in the process of repositioning the pipes and cleaning up the site by removing all broken and engulfed pipes.

46. In meetings with the community during the September 20-22, 2021 mission, the Bank team inquired about possible impacts from the emergency works. Community members emphasized the need to work quickly to address the progressing erosion and make the boat landing points available and free from any construction material. Wave action has eroded the beach in many areas, exposing sharp rocks that the fishermen need to avoid so as not to damage their boats. A social audit at completion stage will establish any unintended impacts from temporary access restrictions resulting from the emergency works, which will be compensated, as may be warranted.



Picture 6. Emergency coastal works to protect livelihood assets (a small resort) is almost completed. Surplus construction material will be removed (September 21, 2021)

C. Alleged Lack of Information and Consultation

47. *The site-specific ESIA and RAP are currently under preparation and formal consultations with the affected communities on these instruments have only recently begun.* The Request appears to refer to the preparation process for the Project's framework documents (ESMF/RPF), for which consultations were held with a broad range of stakeholders, including but not limited to people potentially affected by the Project.

RPF

48. *Consultations for the RPF were conducted in several locations in the broad Project area and in Lomé in October 2017.⁷ These consultations were not site-specific or focused on a particular activity because neither Project sites nor Project activities had been finalized at that point.* The consultations included representatives of the various ministries, local authorities, village chiefs and community members, including representatives from several women's organizations. The final version of the RPF contains lists of the participants in these consultations, photos of the proceedings, summaries of the information discussed, and questions raised during the sessions.

49. The approved RPF contains details regarding the potential categories of Project-affected people and possible losses and impacts, including livelihoods, land, housing, and commercial structures, among others. It also contains details regarding the process to be used

⁷ On October 16, 2017 in Tchekpo Deve, with 43 participants (including female participation through the associations 'N'Godeha, Galagbleme, Novilolo, and Assinense, and on October 26, 2017 in Aného, with 25 participants. Consultations were also conducted in the localities of Katanga, Gbétsogbé, Agbodrafo, Aného, Agomè-Séva, Adamè, and Agbétiko.

in each WACA country to prepare the site-specific RAPs. The approved RPF and ESMF were publicly disclosed in-country and at the Bank's InfoShop in 2017.⁸

Site-specific ESIA and RAPs

50. ***The site-specific ESIA for the Agbodrafo – Aného coastal protection works, where new groynes will be built and existing groynes will be rehabilitated, is currently under preparation. It will focus on the discrete Project area and involve direct consultation with Project-affected people and communities.*** The RAP preparation process outlined in the RPF includes several levels of consultation in order to ensure that the assessment of the impacts and methodology to determine eligibility and valuation of assets is as comprehensive and complete as possible. The RAP preparation process includes accessible and inclusive discussions with affected stakeholders in order to present the Project and discuss its impacts, provide an opportunity for stakeholders and Project-affected people to express questions, concerns and recommendations and hear responses from the PIU and local authorities. These sessions provide Project-affected people with a clear explanation regarding resettlement principles and suggestions about best uses of compensation received. In terms of public dissemination of information, in accordance with OP 4.12, the final version of the RAP will be made available to Project-affected people for their review. The WACA ResIP will also disseminate more general project information to the public through the media, newspapers and radio broadcasts in national languages. The dissemination of information must be accessible for all relevant stakeholders: administrative authorities, local traditional leadership and grassroots communities (association/NGOs, women's and youth groups, socio-professional associations, religious authorities, etc.).

51. ***The preparation of the RAP for the coastal works from Agbodrafo to Aného is currently underway.*** While some discussions with local communities and Project-affected people have been held as part of the RAP preparation process, these have been preliminary and are not final determinations of eligibility. These initial consultations were carried out by the Borrower on the basis of an incomplete draft RAP that was neither reviewed nor cleared by the Bank. These consultations have been stopped at the Banks' request until the Bank-cleared RAP is ready to be consulted upon. This final version of the RAP will be reviewed by the Bank and will require a no-objection before it is considered ready for implementation. Moreover, a RAP completion report confirming the satisfactory implementation of the RAP will be required prior to the start of civil works. The Project-level grievance redress mechanism (GRM) is already operational and will continue to be available to all stakeholders during RAP preparation and implementation, as well as during the life of the Project.

52. ***The RAP census and surveys of the potentially affected persons have started but have not been completed.*** Once the surveys and the draft RAP are finalized, they will be

⁸ ESMF Approved and disclosed on November 18, 2017 <https://documents1.worldbank.org/curated/en/926031511191770807/pdf/WACA-ESMF-Executive-Summaries-15-Nov-2017-11152017.pdf>
ESMF updated in 2021 to incorporate provisions for OP 4.09 and redisclosed in April 2021 https://environnement.gouv.tg/wp-content/uploads/2021/06/Rapport-CGES-WACA-TOGO_actualise-avril-2021-ver_ok.pdf

RPF Approved and disclosed on the Bank's website on Dec 1, 2017 <https://image-bank2.worldbank.org/Search/28957464>

further discussed and consulted upon with Project-affected people as part of the RAP consultation process. Agreement on the compensation package must be obtained from any person or household affected by the implementation of the civil works prior to the start of works. Their satisfaction with the compensation measures will be confirmed as part of the RAP completion report.

D. Project Alternatives

53. ***The Project considered relevant alternatives – including beach replenishment only, groynes only and combination of groynes and beach replenishment – and selected an option that combines different approaches to achieve the Project’s development objective.*** The Project will finance about 600,000 m³ of beach sand replenishment to fill the spaces between the groynes. The sand will be obtained from deep-sea dredging. The selection of the combined option for coastal protection (groynes and beach replenishment) was studied in detail during Project preparation. This considered costs, the level of protection, lifetime, and potential positive and negative environmental, social and economic impacts.

54. ***It is important to note that the beach-replenishment-only option, as suggested in the Request, is not viable based on scientific and technical studies.*** Without the additional groynes on the shoreline to slow or block the sediment flow, the replenished sand would quickly vanish again. Hence, the no-groyne option would not protect coastal communities from continued erosion and last just about three years, at which point the costly sand supply would need to be repeated.

Picture 7. Gain in sand area resulting from groyne construction



Groynes built in 1987

Expected position of shoreline today without groyne construction and beach replenishment in 1987

E. Confusion with Project Activities Financed by Other Development Agencies

55. *Management notes that some of the villages mentioned by the Requesters (Avepozo and Kpogan) are actually not in the WACA ResIP area.* Their concerns possibly pertain to project interventions that are being financed through other agencies, but not the Bank.

56. *Other projects addressing erosion on the Togo coast, which are financed by the AfDB, are similar to the WACA ResIP.* The AfDB project, Lomé-Cotonou Road Rehabilitation and Coastal Protection Project, is also funding the ongoing preparation of Togo's Coastal Master Plan (*Schéma Directeur d'Aménagement du Littoral*), which is referred to in the Government Communiqués.

57. As stated above, Management recognizes the need for the Government to provide information to communities in an accessible and timely fashion about the different government interventions, some of which are supported by development partners. The Bank will work with the PIU to enhance communication and outreach to address this situation.

Actions

58. In Management's view the Project has followed Bank policy requirements to date. The Bank is committed to supporting the Government in fully implementing this project for the benefit of coastal communities in West Africa. Recognizing the need to maintain a strong engagement with Project-affected people, additional emphasis will be put on:

- **Social audit.** As the emergency works under Component 3 are nearing completion, the Bank will commission a social audit to assess any unintended impacts that may have resulted from the temporary access restrictions during the emergency construction works. The audit will be completed and shared with the PIU by **March 1, 2022**, and will help identify unintended impacts that may require compensation.
- **Boat landing.** The Bank will work with the PIU, contractors, and local communities to identify and implement by **December 31, 2021** adequate options that will ensure free access to the beach and avoid/limit any interference with boat landing and fishing activities, which may result from the project's civil works.
- **Piloting the Local Action and Citizen Engagement (LACE) Initiative in Togo.** LACE aims to support information sharing, capacity building and dialogue with local communities as part of a community-based resilience approach. LACE activities are currently being defined in collaboration with a network of regional and local NGOs. In Togo, activities include: (i) providing information on coastal development challenges, on the WACA program itself, and on the role stakeholders can play to help protect their coastline; (ii) providing capacity building to local NGOs to work with communities to help them find solutions to challenges affecting their livelihoods; and (iii) facilitating dialogue between civil society and citizens on

partnerships for resilience and livelihoods. A consultant will be recruited to prepare a workplan for the LACE Initiative, which will provide for community consultations to identify priority activities and interventions. The workplan will be submitted by **December 31, 2021**.

- ***Supporting the Government to implement a better targeted and more proactive information campaign*** for stakeholders and local communities regarding coastal zone development challenges in Togo. This will specifically aim at ensuring that the following key information is accessible to local communities, in terms of format and language: (i) results of the *2020 State of the Coast Report*, and the *2021 WACA Compendium of Solutions*; and (ii) information regarding engagement processes as part of the RAP consultations, and the grievance redress mechanism.

The Bank will: (i) provide additional implementation support for community engagement and social communication activities to the PIU; (ii) ensure that communications activities continue to be adequately budgeted for in the Project's annual workplan; and (iii) support the PIU to develop user-friendly and accessible information materials for the grievance mechanism. These activities will be included in the annual workplan by **December 31, 2021**.

59. ***In Management's view, the Bank has followed the policies and procedures applicable to the matters raised by the Request. As a result, Management believes that the Requesters' rights or interests have not been, nor will they be, directly and adversely affected by a failure of the Bank to implement its policies and procedures.***

**Annex 1
Claims and Responses**

No.	Claim	Response
1.	<p><i>[T]he WACA project financed by the Bank IDA (World Bank Group) will have <u>negative repercussions</u> on our fishing activities and land disputes on the coastal areas.</i></p>	<p><i>The Project will not have permanent adverse effects on artisanal fishers and their livelihoods. Project-financed civil works (groynes, breakwaters, beach replenishment) are not intended to limit access to the shore or fisheries. Rather, the Project will result in an increased beach width of around 30 m (instead of an expected loss from erosion of 40 m over the next 15 years). Any temporary access restriction will be assessed and compensated, as may be warranted (see paragraph 41).</i></p> <p>The Project aims to strengthen the resilience of targeted communities and areas in coastal Western Africa. The Project is financing coastal protection to prevent erosion in Togo. This will help to secure the beach, provide greater access to fishing activities and protect an estimated 4,600 households from the impacts of coastal erosion.</p> <p>WACA ResIP activities are not expected to cause or affect land disputes in coastal areas. Any land acquisition, involuntary resettlement or economic displacement required for the implementation of Project activities is governed by the RPF and site-specific RAPs prepared according to Bank policy.</p>
2.	<p><i>In 2009 the residents had about 400 meters and at the time of writing this note <u>we only have 20 meters</u> and the State asked residents to leave 150 meters of shore while the real sea encroachment has affected a lot of houses, fields of coconut palms. This upsets the community who also thinks that the activities of artisanal fishing will be prevented and shows as an example the wells of Gbodjomé.</i></p>	<p><i>WACA does not support eviction of any residents and the Legal Agreement requires that any land acquisition, physical resettlement or economic displacement be commensurate with the needs of the Project only. The civil works supported by the Project are relatively small in scale and situated on the sandy beach and protruding into the sea. It is anticipated that they will require only a small amount of physical resettlement and economic displacement, some of which will be temporary during construction and some of which will be permanent and related to the safety zone around the structures. Any impacts will be identified and managed per the principles and standards set out in the approved RPF and the RAPs that are under preparation.¹</i></p> <p>The reported loss of beach access between 2009 and today is due to coastal erosion that pre-dates the Project, which was approved by the Board in 2018. Coastal erosion is a natural and human-induced phenomenon that has gradually worsened due to building of infrastructure on the coast over the last sixty years. Dams have reduced the natural flow of sediments to the beach; ports have obstructed longshore sediment flow; and sand has been mined from riverbanks and beaches for construction. Togo loses an average of 2.5 m of beach per year along its 56-km coastline, taking into account areas with accretion and others that erode up to 10 m per year. If no action is taken, climate change is likely to exacerbate the situation.</p>

¹ The RAP for the coastal protection works from Agbodrafo to Aného is under preparation. Another RAP for a different part of the Project (not the subject of this Inspection Panel Request) will be prepared at a later stage.

No.	Claim	Response
		<p>The WACA ResIP is designed to make communities less exposed to coastal erosion.</p> <p>With respect to the claim about eviction, the Government of Togo has issued two <i>Communiqués</i>, unrelated to the WACA ResIP:</p> <ul style="list-style-type: none"> • The August 31, 2020 <i>Communiqué Interministériel</i> requested people illegally occupying the coastal area under maritime public domain to leave within six months; • The January 28, 2021 <i>Communiqué Interministériel</i> was a reminder of the request to vacate the area and established a deadline of March 3, 2021. <p>The maritime public domain is defined under Togolese law (Loi No 2016-028 du 11/10/2016 <i>Portant Code de la Marine Marchande</i>, Article 16). According to Article 16 of this law, the maritime public domain includes the area up to 100 m from the high-water mark.</p> <p>Both <i>Communiqués</i> state the Government's intent to enforce national law requirements relating to illegal occupation of the maritime public domain.</p> <p>Neither the legislative definition of maritime public domain nor the enforcement of laws prohibiting occupation in the zone are mandated by, or related to, the WACA ResIP.</p> <p><i>The Government of Togo has confirmed to the Bank that it will suspend the implementation of the Communiqués until an adequate regulatory framework for coastal management has been put in place.</i> Such framework would establish, <i>inter alia</i>, appropriate procedures and principles for addressing the social impacts of implementation, in line with good global practice. This would also be required to enable the technical assistance offered by the Project to provide meaningful input into the development of the legal framework for coastal management, based on good global practice.</p>
3.	<p><i>Despite all the discussions with the local Bank office, we have the impression that the situation was complicated by the latest deadline the State has given to the residents to vacate their premises giving way to the WACA project. This upsets the community who also thinks that the activities of artisanal fishing will be prevented and shows as an example the wells of Gbodjomé.</i></p>	<p><i>The Communiqués issued by the Government to vacate settlements in the maritime public domain are not related to or required by the Project (see above).</i></p> <p>One individual sent two emails to the Bank office in Lomé asking for clarifications about the WACA ResIP and potential for relocation under the Project. In both instances, the Bank team responded by referring the individual to the PIU for further information on Project activities, as is standard practice. As this individual did not contact the PIU, the Bank team specifically asked the PIU on June 19, 2021 to proactively reach out to this individual and to provide information regarding the Project activities. The PIU invited this person twice (in June and July 2021) for a meeting, but no response was received.</p> <p><i>The Government's request that residents vacate the maritime coastal domain is not related to the WACA ResIP.</i> It is not required by the Project and not necessary for the implementation of the civil works, nor has the Government asked the Bank to support the resettlement of population out of the maritime public domain. The</p>

No.	Claim	Response
		<p>WACA ResIP will not support any potential resettlement resulting from the Government’s enforcement of the <i>Communiqués</i> or other laws. No such components are included or otherwise provided for in the Project.</p> <p>Any potential resettlement under the Project will be governed by the RPF and subsequent RAPs. The RAP for <i>the coastal protection works from Agbodrafo to Aného</i> (under preparation) will cover impacts directly related to the construction of the groynes, including temporary impacts during construction as well impacts resulting from establishment of a permanent safety zone around the groynes (around 5 to 10 meters on each side of the groyne). <i>The Bank asked the PIU to clarify publicly that the Project was unrelated to government announcements related to the Communiqués, which it did (as noted in news articles in Annex 2).</i></p> <p><i>No suspension of artisanal fishing has occurred, nor is any anticipated or required for the civil works financed by this Project.</i></p> <p>The “<i>faux puits de Gbodjomé</i>” or “false wells of Gbodjomé,” as they are referred to in the Request, are small-scale, emergency coastal protection measures in six noncontiguous hotspots totaling 1.2 km, which are 82 percent completed. They consist of precast concrete pipes approximately 150 cm in diameter that are installed upright on the beach (hence the resemblance to wells), anchored to bedrock, and filled with sand. They are intended to help retain beach sand behind the pipes and provide <i>short-term protection</i> to homes and assets against erosion, until longer-term protective measures, such as groynes and beach nourishment, can be put in place.</p> <p>The concrete pipes are clustered in six sites, each of which measures 1-2 m high and from 80 to 500 m wide, depending on the site. The design uses the same specifications as were used in a successful 2015 pilot that was not supported by the Bank but self-financed by the residents. The solution was deemed suitable by the Bank for the purpose of immediate protection, if properly anchored in the bedrock and combined with monitoring. They are not a long-term solution because they can be damaged or displaced by heavy wave action over time; nevertheless, because they do not take long to install, they represent a rapid option to provide immediate protection to houses and livelihoods where benefits outweigh risks.</p> <p>The local beneficiary communities participated in the site selection for these measures. Consultations were held on March 10, 2020 and included representatives of the PIU, ANGE and local communities. As a result, six sites were selected (see Map). Environmental and social <i>screening</i> was conducted by the Project’s environmental and social specialists, with the support of ANGE, to identify necessary environmental and social measures to be taken prior to installation of the pipes. These measures were incorporated as environmental health and safety clauses into the civil works contracts. Some of the mitigation measures included the need for the contractor to maintain a regular dialogue with the fishermen to avoid/minimize any</p>

No.	Claim	Response
		<p>interference with fishing activities, identify temporary alternate fishing boat landing locations where needed, establish a health and safety committee, provide workers with Personal Protective Equipment (PPE) and secure the work site during the civil works.</p> <p><i>The construction of the small-scale emergency coastal protection measures is advanced, and following a Bank mission to the sites in September 2021, their status is as follows.</i> The measures have been completed in <i>Tango and Gbodjomé</i>, and will be completed shortly in <i>Nimagna</i>. However, in <i>Adissem</i>, rough seas during seasonal storm surges delayed the works. Pipes have been stored on the beach until the work can start. Local fishermen requested that the original design be modified to include two 50-meter corridors that will allow them to pull up their boats (pirogues) for yearly maintenance, which the contractor is now putting in place. Regarding the two sites in <i>Dévikinme</i>, the works were completed but the tides and strong storm wave action damaged and engulfed some of the installed pipes. The contractor is in the process of repositioning the pipes and cleaning up the site by removing all broken and engulfed pipes.</p> <p>In meetings with the community during the September 20-22, 2021 mission, the Bank team inquired about possible impacts from the emergency works. Community members emphasized the need to work quickly to combat the erosion and make the boat landing points available and free from any construction material. Wave action has eroded the beach in many areas, exposing sharp rocks that the fishermen need to avoid so as not to damage their boats. A social audit at completion stage will establish any unintended impacts from temporary access restrictions resulting from the emergency works, which will be compensated, as may be warranted.</p> <p>The proposed <i>long-term sustainable solution</i> for the area between Gbodjomé and Agbodrafo (not in the WACA ResIP area) includes construction and rehabilitation of groynes together with beach replenishment.</p>
4.	<p>The Requesters allege that the Project, which intends to implement <u>resilience measures</u> in the coastal area, will adversely affect the fishermen, residents and property owners along the Togolese coast.</p> <p>[The Requesters] claim that as a result of the Project activities a <u>smaller area of the beach will remain</u> for the fishermen to access and use for their fishing activities, having an impact on the main source of livelihood for the fishermen and the community.</p> <p>According to the Requesters, the <u>resilience measures</u> the Project plans to implement against the decades-long coastal erosion</p>	<p><i>The Project will not adversely affect fishermen, residents or property (see response to Claim 1 above). Moreover, the Project will increase the area of the beach accessible to communities and fishermen.</i></p> <p>It is expected that the beach width <i>will increase</i> by <i>around 30 m</i> after the construction of the groynes and beach replenishment (based on technical estimates).</p> <p>Management notes that no single solution will protect the beach from eroding in perpetuity. Wave action and sea-level rise will continue to erode the beach, and unless the larger systemic issues causing coastal</p>

No.	Claim	Response
	<p>will adversely affect them. The Requesters allege that artisanal fishing and the livelihoods of fishermen and community members, who rely on fishing as a main source of livelihood, will be adversely affected by some of the Project activities. They claim that as a result of such activities, the fishermen will have <u>smaller areas of the beach to access</u>, which will impede their fishing activities, as well as reduce the landing space for their fishing boats</p>	<p>erosion are addressed, the coastal population of Togo will remain at risk over the long term.²</p> <p>That said, under the Project, a wider beach will be created, and it is expected that the coast would remain stable for about 15 years. Periodic monitoring of the beach profile and bathymetry will be required to manage the coast.</p>
<p>5.</p>	<p>Additionally, they claim that the Project is disregarding the alternative of dredging and replenishing the sand beach areas, which would stabilize coastal erosion and allow fishermen and residents to remain on the beach to continue their fishing activities</p>	<p><i>The Project considered relevant alternatives – including dredging and beach replenishment – and selected an option that combines different approaches to achieve the Project’s development objective. The Project will finance about 600,000 m³ of beach sand replenishment, using deep sea dredging, to fill the spaces between the groynes.</i></p> <p>The selection of the combined option for coastal protection (groynes and beach replenishment) was studied in detail during Project preparation. This took into account costs, the level of protection, lifetime, and potential positive and negative environmental, social and economic impacts.</p> <p>As part of the feasibility study, six alternatives were considered. Two were composed exclusively of beach replenishment on the Togolese side, with a massive sand supply (6,500,000 m³) to be deposited over 5,000 m of the western part of the shoreline in Togo, with the expectation that the natural dynamics of sediment drift to the east would distribute the sediment along the coastline.</p> <p>The options were further analyzed, with detailed modeling of the performance of the various options over time. Based on those results, the beach-replenishment-only option was not selected, because without the additional groynes on the shoreline to slow or block the sediment flow, the sand would vanish too quickly again. The no-groyne option would not protect coastal communities from continued erosion and last just three years, at which point the (costly) sand supply would need to be repeated.</p>
<p>6.</p>	<p>Second, the Requesters are concerned about the involuntary resettlement process allegedly attributed to the Project, and the loss of their land titles once their land is acquired by the government. They believe</p>	<p><i>The Project will not support any potential resettlement resulting from the Government’s enforcement of the Communiqués or other laws. No such components are included or otherwise provided for in the Project</i></p> <p><i>Any land acquisition, involuntary resettlement or economic</i></p>

² The appropriate long-term resilience measure is to actively manage the sediment on the coast. That is why the Bank engaged in a *Call for Innovation in 2020* to tackle the root causes of coastal sediment and lagoon management in Togo and neighboring countries. The “Trans-Sand Transnational Bypass Scheme” was one of the winning solutions. The bypass scheme would be principally funded through a public-private pooled dredging fund financed by the port operators/authorities and other involved in port and coastal operation.

No.	Claim	Response
	<p>that they will not be adequately compensated for any potential loss of dwelling or land caused by this process.</p> <p>According to the Requesters, the government issued a statement (“<i>communiqué</i>”) asking communities to vacate their houses and lands. The Requesters allege that this is related to the Project’s intent to relocate approximately 1,000 households along the Togolese coast</p>	<p><i>displacement required for the implementation of Project activities must be governed by the RPF and applicable Bank policy. The civil works supported by the Project are not expected to require a significant amount of permanent physical or economic displacement.</i></p> <p>The RPF was prepared and approved for the Project in 2017. The preparation of the site-specific RAP for <i>the coastal protection works from Agbodrafo to Aného</i> is currently underway. The preparation of the RAP is guided by the principles and standards outlined in the RPF approved for the Project and the Bank team is providing technical support to the PIU during the process. The final version of the RAP will be reviewed by the Bank and will require a no-objection before it is considered ready for implementation. Moreover, a RAP completion report confirming the satisfactory implementation of the RAP will be required prior to the start of civil works.</p> <p>The final version of the RAP will contain the results of a census survey covering: (i) current occupants of the affected area; (ii) characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population; (iii) the magnitude of the expected loss--total or partial--of assets, and the extent of displacement, physical or economic; (iv) information on vulnerable groups or persons, for whom special provisions may have to be made; (v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement; (vi) land tenure rights; (vii) patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; (viii) public infrastructure and social services that will be affected; and (ix) social and cultural characteristics of displaced communities, including a description of formal and informal institutions that may be relevant to the consultation strategy and to designing and implementing the resettlement activities. The draft RAP will contain details regarding the methodology used to identify losses and impacts – both temporary and permanent – as well as the calculations used to determine the full replacement cost of properties and assets. In addition to cash compensation, the RAP will also clearly describe any additional measures, such as transitional income support and livelihood restoration plans that may also be offered to eligible Project-affected people.</p> <p>The question on the Communiqués has been answered under Claim 2 above.</p>
7.	<p>The Requesters allege that the houses of some [Project-affected people] have been</p>	<p><i>The marking of houses described in the Request is not related to the Project.</i></p>

No.	Claim	Response
	<p>marked for resettlement without any explanation, while other residents received the “<i>communiqué</i>” or a visit from law enforcement agents or authorities stating that they would have to leave their properties for the purposes of the Project. They claim that some hold titles to the properties they are being asked to vacate</p>	<p><i>Resettlement processes for the Project have not yet started. The draft RAP will be carefully reviewed by the Bank team and will be subject to relevant internal clearance processes.</i></p> <p>While some discussions with local communities and Project-affected people have been held as part of the RAP preparation process, these have been preliminary and are not final determinations of eligibility.</p> <p>The preparation of the RAP is the responsibility of the Government per the Legal Agreement and initial discussions were conducted by the RAP consultants hired by the PIU; they were limited to the Project area that stretches from the villages of <i>Agbodrafo to Aného</i>. Discussions with stakeholders and affected populations will continue throughout the RAP preparation process and formal consultations will be held directly with Project-affected people in order to determine eligibility, vulnerability, gather socio-economic and livelihood information, examine land tenure, identify the nature of the anticipated losses, and discuss compensation packages based on the principles and standards outlined in the RPF. The final details of the consultations, the participants and the locations will be shared with the Bank in the draft RAP.</p> <p>Management recognizes, however, that information provided by Government agencies to the affected communities at times can make it difficult to separate the activities supported by the Project and the unrelated implementation of government policies or enforcement of national law. The Bank has learned that Comex received a copy of the draft RAP prepared by the consultants hired by the PIU in June and started consultations with communities in the Project area. As this RAP was neither reviewed nor given a no-objection by the Bank, <i>the Bank has asked Comex to stop all engagements and consultations until the Bank-cleared RAP is ready to be consulted upon.</i> These premature consultations have contributed to the communities’ confusion. The Bank will work with the PIU to enhance communication and outreach to address this situation.</p>
8.	<p>[The Requesters] claim that [Project-affected people] have not received adequate and timely Project information and have not been meaningfully consulted about Project activities.</p> <p>[They] claim that, to date, insufficient information has been provided [and] that [Project-affected people] were not informed adequately about the resettlement process and related compensation.</p>	<p><i>The site-specific (Agbodrafo to Aného) ESIA and RAP are currently under preparation. The Request appears to refer to the Project’s framework documents (RPF and ESMF – which are not site specific), for which consultations were held with a broad range of stakeholders, including but not limited to people potentially directly affected by the Project.</i></p> <p>Consultations were held during 2017 in the localities of Tchekpo Deve, Katanga, Gbétsogbé, Agbodrafo, Aného, Agomè-Séva, Adamè and Agbétiko as part of the preparation of the RPF. The final version of the RPF contains lists of the participants in these consultations, photos of the proceedings, summaries of the information discussed, and questions raised during the sessions. The approved RPF contains details regarding the potential categories of Project-affected people and possible losses and impacts, including livelihoods, land, housing, and commercial structures, among others. It also contains details regarding the process to be used in each WACA country to prepare</p>

No.	Claim	Response
		the site-specific RAPs. The approved RPF and ESMF were publicly disclosed in-country and at the Bank's InfoShop in 2017 ³ .
9.	They stated that the results of a survey, which was conducted covering some of the [Project-affected people], was not made available to them	<p><i>Census and surveys of the potentially affected persons have started but have not been completed. Once the surveys are finalized, they will be further discussed and consulted upon with the Project affected population as part of the larger RAP consultation process. Any person or household affected by the implementation of the civil works must agree to the compensation package and their satisfaction with the compensation measures will be confirmed as part of the RAP completion report.</i></p> <p>The preparation of the RAP for <i>the coastal works from Agbodrafo to Aného</i> is currently underway. While some discussions with local communities and Project-affected people have been held as part of the RAP preparation process, these have been preliminary and are not final determinations of eligibility. The final version of the RAP must be reviewed and given the no-objection by the Bank and a RAP completion report confirming the satisfactory implementation of the RAP will be required prior to the start of civil works. The Project-level GRM is already operational and will continue to be available to all stakeholders during RAP preparation and implementation, as well as during the life of the Project.</p>

³ESMF Approved and disclosed on November 18, 2017 <https://documents1.worldbank.org/curated/en/926031511191770807/pdf/WACA-ESMF-Executive-Summaries-15-Nov-2017-11152017.pdf>

ESMF updated in 2021 to incorporate provisions for OP 4.09 and redisclosed in April 2021 https://environnement.gouv.tg/wp-content/uploads/2021/06/Rapport-CGES-WACA-TOGO_actualise-avril-2021-ver_ok.pdf

RPF Approved and disclosed on the Bank's website on Dec 1, 2017 <https://image-bank2.worldbank.org/Search/28957464>

No.	Claim	Response
10.	<p>The Requesters claim that meaningful consultations with the communities were not held, but rather isolated meetings took place with certain individuals including community leaders.</p>	<p><i>The site-specific ESIA and RAP are currently under preparation and formal consultations with the affected communities on these instruments have only recently begun. The Request appears to refer to the preparation process for the Project’s framework documents (ESMF/RPF), for which consultations were held with a broad range of stakeholders, including but not limited to people potentially affected by the Project.</i></p> <p>Consultations for the RPF were conducted in several locations in the broad Project area and in Lomé in October 2017.⁴ These consultations were not site-specific or focused on a particular activity because neither Project sites nor Project activities had been finalized at that point. The consultations included representatives of the various ministries, local authorities, village chiefs and community members, including representatives from several women’s organizations.</p> <p>The RAP preparation process for the <i>coastal works from Agbodrafo to Aného</i> that is currently under preparation will be focused on the discrete Project area and will involve direct consultation with Project-affected people and communities. The RAP preparation process outlined in the RPF includes several levels of consultation in order to ensure that the assessment of the impacts and methodology to determine eligibility and valuation of assets is as comprehensive and complete as possible.</p>

⁴ On October 16, 2017 in Tchekpo Deve, with 43 participants (including female participation through the associations ‘N’Godeha, Galagbleme, Novilolo, and Assinesse, and on October 26, 2017 in Aného, with 25 participants. Consultations were also conducted in the localities of Katanga, Gbétsogbé, Agbodrafo, Aného, Agomè-Séva, Adamè, Agbétiko.

Annex 2.
News Articles regarding Government Eviction Notices
Unrelated to the WACA ResIP

<https://afriquedirect.com/>

Togo/Plage de Lomé : "le projet WACA ne demande pas le déguerpissement des occupants" martèle le coordinateur WACA-

Togo

La Rédaction

7 mois passé(e)s

1354 vues



[PARTAGER](#) [TWEET](#) [PINTEREST](#) [GOOGLE+](#) [EMAIL](#)

Le projet WACA n'est lié au projet de déguerpissement des occupants de la plage c'est l'information étonnante que le coordinateur du projet WACA Dr Adou Rahim a donné sur une radio de la place. Et pourtant le sujet a marqué toute la semaine avec de vives réactions suite à la note du gouvernement appuyée par celle de la mairie Golfe 4, adressée aux occupants de la plage de déguerpir les lieux pour l'exécution du projet WACA.

Selon ce qui a été véhiculé tout au long de la semaine comme information, les occupants (commençant) de la plage sont invités à libérer les lieux pour permettre les travaux de lutte contre l'érosion côtière. Le projet WACA est un projet sous régional pour finir avec l'érosion côtière mais il n'a d'impact sur les activités qui se développent sur les plages a fait comprendre le coordinateur de WACA au Togo, Dr Abdou Rahim Alimi Assimiou.

«Le projet WACA Resip ne concerne en rien le projet de déguerpissement initié par le gouvernement togolais», a-t-il martelé.

Selon lui, le gouvernement a un projet de reaménagement du littoral du gouvernement et c'est ce projet qui nécessite la libération de la zone ce qui n'implique pas le projet WACA comme cela circule dans l'opinion.

Il faut rappeler que la dégradation du littoral due à l'érosion côtière devient de plus en plus inquiétante. C'est le mobile qui a amené le gouvernement et ses partenaires à élaborer le projet d'investissement et de résilience des zones côtières en Afrique de l'Ouest (WACA ResIP). Un projet sous-régional qui couvre six pays du littoral côtier Ouest africain dont le Togo.

Le projet a d'ailleurs un plan directeur qui prend en compte les occupants.

<https://afriquedirect.com/togo-plage-de-lome-le-projet-waca-ne-demande-pas-le-deguerpissement-des-occupants-martele-le-coordinateur-waca-togo>

DERNIERES HEURES

Plage de Lomé : le projet de déguerpissement n'a rien à avoir avec le projet WACA ResIP

Beaucoup de personnes continuent de faire la confusion entre le projet de déguerpissement mené par le gouvernement dans le cadre de l'élaboration du schéma directeur d'aménagement du littoral, et le Projet d'investissement de résilience des zones côtières en Afrique de l'ouest-Togo (WACA ResIP-Togo). L'Unité de gestion du projet revient encore une fois sensibiliser l'opinion sur cette question.

Il n'y a pas très très longtemps, c'est Jean-Pierre Fabre le maire de la commune du Golfe 4 qui voulant déclinier toute responsabilité dans le déguerpissement des riverains illégaux de la plage, a affirmé qu'il s'agit d'une initiative du gouvernement dans le cadre du projet WACA. Il avait en partie raison sur le fait que cela soit une entreprise gouvernementale. Mais, sur le deuxième point, il était passé à côté. **Le projet WACA n'est ni de près ni de loin concerné par le déguerpissement.**

Le gouvernement à travers le ministère de l'Economie maritime, de la Pêche et la Protection ...

PAGE 3

3 POLITIQUE

TOGOMATIN N° 886 DU MERCREDI 14 AVRIL 2021

DERNIERES HEURES

... côtière, cherche à élaborer le schéma directeur d'aménagement du littoral pour une meilleure gestion de ce trésor national. Dans les jours qui ont suivi cette sortie de Jean-Pierre Fabre, le Dr Adou Rahim Alimi Assimiou, coordonnateur du projet WACA a fait une sortie médiatique pour expliquer que cela n'avait rien à avoir avec le projet dont il assure la gestion.

Malgré cela, la confusion se poursuit. Cela oblige donc l'Unité de gestion du projet WACA à poursuivre ses explications. « Cette initiative n'est pas liée au projet WACA. Il faut plutôt le lier au projet d'élaboration du schéma directeur du littoral. Le nouveau ministère chargé de la protection côtière a en charge d'élaborer un schéma directeur pour le littoral. Cela permettra

une occupation rationnelle du littoral. Cela permettra aussi d'identifier au niveau de la côte, les espaces où on peut faire de la valorisation foncière, les espaces où on peut construire certaines infrastructures. Le projet de déguerpissement ne regarde vraiment pas le projet WACA, mais, cela couvre l'ensemble de l'espace où intervient le projet WACA ».

« Dans le cadre du

projet WACA, s'il faut déplacer des populations, une étude d'impacts environnementales et sociales sera faite et tout un processus sera suivi pour que cela se fasse dans les normes », a ajouté le coordonnateur. Comme l'a dit ce dernier, le projet WACA intervient sur le littoral et accompagne plusieurs initiatives dont l'assainissement de la plage par l'Agence nationale

d'assainissement et de salubrité publique (Anasap). Et le ministère dirigé par Kokou Edem Tengue, est à la manœuvre tant en ce qui concerne le projet d'élaboration du schéma directeur du littoral (donc du déguerpissement), mais aussi, au niveau du projet WACA en collaboration avec le ministère de l'Environnement et des Ressources forestières.

Edem Dadzie

<https://www.republicoftogo.com/content/download/89602/1555058/file/Togo%20Matin%20N%C2%B0886.pdf>

TOGO

WEST AFRICA COASTAL AREAS RESILIENCE INVESTMENT PROJECT (P162337)

ADDITIONAL FINANCING – WEST AFRICA COASTAL AREAS RESILIENCE INVESTMENT PROJECT (P176313)

Request for Inspection

- LOCATIONS CITED IN THE REQUEST
- OTHER SITES REFERRED TO IN THE TEXT
- ⊙ PREFECTURE CAPITALS
- ★ NATIONAL CAPITAL
- MAIN ROADS
- MINOR ROADS
- ▭ PREFECTURE BOUNDARIES
- REGION BOUNDARIES
- INTERNATIONAL BOUNDARIES

