

June 7, 2024

Closing Memorandum

Request for Inspection

Republic of Cameroon: Nachtigal Hydropower Project (P157734) and Hydropower Development on the Sanaga River Technical Assistance Project (P157733)

The Request

1. On June 30, 2022, the Inspection Panel (the “Panel”) received a Request for Inspection (the “Request”) of the Nachtigal Hydropower Project (P157734) and the Hydropower Development on the Sanaga River Technical Assistance Project (P157733) (the “Project”) in Cameroon. The Request was submitted by two community members living in the project area in Cameroon, who asked the Panel to keep their identities confidential. On July 18, 2022, IFI Synergy—a coalition of local civil society organizations (CSOs) including Green Development Advocates (GDA), which serves as their secretariat—was authorized to represent and include in the Request an additional 99 community members and socio-professional organizations in the project area (these and the two community members are referred to as the “Requesters”). IFI Synergy/GDA also requested confidentiality for these additional 99 signatories. “Both ENDS”—a Dutch NGO—supports the Request. All signatories to the Request live in and downstream from the Nachtigal Dam area.

2. The Requesters claimed that the construction of Nachtigal Dam has caused them harm. They alleged that since the start of construction, local communities and socio-professional organizations have suffered adverse environmental and social impact. These resulted from a lack of meaningful consultation; inadequate resettlement measures; loss of income-generating activities for sand miners, fishermen, and fishmongers; untimely and inadequate compensation for lost lands and crops; inaccessibility of replacement agricultural lands; inadequate replacement housing; destruction of sacred sites, and loss of medicinal plants. They also alleged adverse environmental impact, such as reduced fish stocks, deforestation, increased greenhouse gas (GHG) emissions, and pollution. They further alleged that project activities are aggravating social problems such as theft, juvenile delinquency, commercial sex work, marital conflicts, and divorces in their community.

The Panel Process and the Referral to Dispute Resolution

3. The Panel registered the Request on July 25, 2022, and notified the Board of Executive Directors (the “Board”) and Bank Management. Management submitted its

response to the Request (the “Management Response” or the “Response”) on August 26, 2022. Following a visit to Cameroon in August 2022, on September 27, 2022, the Panel recommended an investigation “*into the alleged issues of harm and related non-compliance with World Bank operational policies and performance standards, as per OP/BP 4.03 on Performance Standards for Private Sector Activities.*”¹

4. On October 19, 2022, the World Bank Board of Directors approved the Inspection Panel recommendation to investigate the Project. Following Board approval, and in accordance with the Inspection Panel and Accountability Mechanism resolutions,² the Accountability Mechanism Secretary (AMS) offered the opportunity for dispute resolution to the Borrower and the Requesters (the “Parties”).

The Dispute Resolution Process

5. On December 1, 2022, the AMS informed the Executive Directors, the Inspection Panel and Bank Management that the Parties voluntarily agreed to pursue dispute resolution. The Panel therefore held its compliance process in abeyance until the conclusion of the dispute resolution process in accordance with the Inspection Panel and Accountability Mechanism Resolutions. On May 31, 2024, the AMS issued a Notice of Dispute Resolution Agreement (the “Notice”) stating that the dispute resolution process concluded on May 30, 2024, with a signed dispute resolution agreement. According to the Notice, the signatories have stated that the agreement is reached in full and final settlement of their dispute.

6. The Notice annexes an Outcome Report, which states that the Parties have exercised the option to keep their Agreement confidential. The Outcome Report states that the Accountability Mechanism will therefore treat the Agreement as confidential, and it shall not be published.

7. The Outcome Report explains that the Requesters chose a ten-person group of representatives with five alternates that represent the complainant communities and the socio-professional groups, and taking into account age and gender diversity. The Report states that the group of ten representatives signed the agreement. The Outcome Report states that the final Agreement includes provisions related to: livelihood restoration and supplementary support for fisherfolk, fishmongers and sand workers; collective community livelihood restoration benefits; promotion of cultural heritage; measures related to support for pupils and students, training and employment; opportunities for local service providers; and health and environmental projects.

¹ The Inspection Panel, [Report and Recommendation On a Request for Inspection Republic of Cameroon Nachtigal Hydropower Project \(P157734\) and Hydropower Development on the Sanaga River Technical Assistance Project \(P157733\)](#), p. 25, para. 111.

² The World Bank Inspection Panel, [Resolution No. IDA 2020-0003](#), September 8, 2020; The World Bank Accountability Mechanism, [Resolution No. IDA 2020-0004](#), September 8, 2020.

Closure of the Case

8. As per paragraph 33(b) of the Panel Resolution,³ which states that “[i]f the Accountability Mechanism Secretary informs the Executive Directors that the Parties have reached agreement and signed a Dispute Resolution Agreement, the case shall be considered closed”, the Panel is issuing this memorandum closing the case and taking no further action with respect to this Request for Inspection.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Ibrahim Pam', with a stylized flourish above the name.

Ibrahim Pam
Member, Inspection Panel
on behalf of the Inspection Panel

The Executive Directors and Alternates
International Development Association

Mr. Ajay Banga, President
International Development Association

Ms. Orsolya Szekely, Accountability Mechanism Secretary
The World Bank Accountability Mechanism

Requesters (confidential)

IFI Synergy

Green Development Advocates (GDA)

³ The World Bank Inspection Panel, [Resolution No. IDA 2020-0003](#), September 8, 2020.