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Projects by the African Development Bank and the quality of their applied social policies

A COMPARISON BETWEEN THE AFDB'S SOCIAL
POLICIES AND GOALS REGARDING PROJECTS, AND
THEIR ACTUAL IMPLEMENTATION
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Abstract:

This thesis analyses the implementation of social policies of the African Development Bank (AfDB), and does so through the main research question; How are the social policies from the AfDB implemented in practice? This question is answered through a focus on discrepancies between the AfDB's social policies and their implementation, the role of the Independent Recourse Mechanism (IRM) of the AfDB, and recommendations for improvement of the AfDB's social performance. The paper includes a theoretical framework which elaborates on the functionality of the AfDB. Primary qualitative data has been acquired on a broad number of the most relevant stakeholders in this system. To provide data on how the social policies are put into practice, two case studies have been selected where the IRM is involved in ensuring compliance of the AfDB with its own social policies. Overall, it was found that though the AfDB has strong social policies, in implementation, these policies are not always complied with during project implementation. It was found that project-affected people can experience heavy social impacts from projects; including losing their livelihoods, not being compensated properly, physical assault, and not being informed on their rights. Furthermore, it was found both project-affected people and NGOs staff may be afraid to be critical of project officials or to be involved with the IRM or the AfDB, as they might receive threats or be punished for this act by local officials.

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Key concepts:

Compensation measures: Measures of a compensating nature, which aim to offset negative social and/or environmental impacts that have been calculated to occur. Can be seen as a second step in after mitigation measures, to be implemented only if mitigation measures failed or were deemed insufficient.

Grievance Mechanism: A mechanism where project-affected people can express their malcontent with negative impacts of a project. Can occur on multiple scales, including the local scale and project scale.

Livelihood restoration: The act of restoring the livelihood of a person or a group of people. In the context of large-scale projects, this activity may be needed after the project affected the livelihood.

Mitigation measures: Measures of a mitigating nature, which aim to divert and minimise negative social and/or environmental impacts that have been calculated to possibly occur. Can be seen as a first step in the hierarchy before compensation measures, to be the first priority, and to only be supplemented by compensation measures when having failed or being deemed insufficient.

Project-affected people/person: A group or a person which is negatively affected, indirectly or directly, by the consequences of a project.

Reprisals: Acts of retaliation which are aimed towards people who speak up against actions, including project actions, which negatively impact them. These acts are meant to disincentivise them from continuing to speak up.

Resettlement: The act of relocating the domicile of a person or a group of people. In the context of large-scale projects, this activity may be urged by project officials, or even forced.

Social impacts: All ways in which people can be affected by events and projects.

Transition States: Countries which include elements such as limited democratic processes, and limited guidelines or general compliance with social policies.

Abbreviations:

AESNP: AES Nile Power

AfDB: African Development Bank

AfDB-WG: African Development Bank working group

BEL: Bujagali Energy Limited

BHPP: Bujagali Hydropower Project

BIP: Bujagali Interconnection Project

CODE: Committee on Operational and Development Effectiveness (AfDB)

CSO: Civil Society Organisation

DRC: Democratic Republic of the Congo

EIA: Environmental Impact Assessment

ESIA: Environmental and Social Impact Assessment

ESMP: Environmental and Social Management Plan

FAO: Food and Agriculture Organisation of the United Nations

FPIC: Free, Prior, and Informed Consent

FPU: The Fisheries Protection Unit

IAM: Independent Accountability Mechanism

IFC: International Finance Corporation

IFI: International Financial Institution

ILO: International Labour Organization

IPN: Inspection Panel (World Bank)

IRM: Independent Recourse Mechanism (AfDB)

ISS: Integrated Safeguards System

IWGIA: The International Work Group for Indigenous Affairs

LEAF II: Lakes Edward and Albert Integrated Fisheries and Water Resources Management Project

LTD: National Association of Professional Environmentalists (NGO)

NEMA: (Ugandan) National Environment Management Authority

NGO: Non-Governmental Organisation

OHCHR: Office of the United Nations High Commissioner for Human Rights

PCR: Project Completion Report

PS: Performance Standard

RAP: Resettlement Action Plan

RCDAP: Resettlement and Community Development Action Plan

SIA: Social Impact Assessment

SLO: Social License to Operate

SNSC: Safeguards and Compliance Department (AfDB)

TLC: Twerwaheno Listeners Club (NGO / CSO)

UETCL: Uganda Electricity Transmission Company Ltd

UN: United Nations

UNDRIP: United Nations Declaration on the Rights of Indigenous Peoples

UPDF: Uganda People's Defence Force

WB: World Bank

Chapter 1: Introduction

1.1: Background and context

The African Development Bank (AfDB) is an International Financial Institution (IFI), founded in 1964, which funds projects across the entire African continent (AfDB, n.d.a). These projects range from small-scale projects with only local implications, for example providing humanitarian aid, to large-scale projects which promote inter-state links and aim to integrate various parts of the African continent (AfDB, 2023a). Their objective is "to contribute to the sustainable economic development and social progress of the African countries that make up the AfDB's Regional Member Countries" (AfDB, n.d.a). The funding for these projects comes from subscription fees of member countries, donations from non-member countries, capital increases, returns from investments, and loans from other institutions (AfDB, 2020, n.d.a). The AfDB endeavours to inflict as little negative social impacts as possible during these projects, for which they adhere to social policies. These policies are embedded in their integrated safeguards system (ISS), which has been renewed as recently as April 2023 (AfDB, 2023b). These social policies aim to assess the social impacts and protect the rights of any and all affected people. To actively ensure this, measures may be implemented which might be of either a mitigating nature (mitigation measures), or a compensating nature (compensation measures). Mitigation measures are defined in this paper as policies that aim to divert and minimise negative social impact, for example by providing alternative approaches for projects. Compensation measures are defined in this paper as measures that aim to offset negative social impacts that have been calculated to occur. Examples of compensation measures are initiatives that (monetarily) compensate affected people, resettlement practices and livelihood restoration. Certain compensating measures, such as livelihood restoration, are often scheduled to occur partly after a project is finished, which makes it more likely that these measures and their evaluation and monitoring processes will not be incorporated as actively into reports regarding projects. This makes them more likely to go unnoticed or to be disregarded.

1.2: Research Aim

This research aims to explore the effectiveness of social policies of the AfDB in practice and sets out to explore case studies of projects which include social impacts, mainly focusing on the effectiveness of compensating measures and the quality of evaluation and monitoring procedures. This study aims to provide information on the quality of social policies of the AfDB to provide insight into possible points of improvement, which hopefully incentivizes future improvements.

1.3: Research questions

This study will attempt to fulfil the aforementioned aims using the following research questions:

Main research question

How are the social policies from the AfDB implemented in practice?

Secondary research questions

What are the discrepancies between social policies set out by the AfDB and its implementation?

What is the role and the mandate of the IRM in enforcing the AfDB's social policies?

How can the current social performance of the AfDB be improved?

1.4: Methodology

This research includes a theoretical and an empirical part. The theoretical part includes extensive research on the AfDB's social policies and their application. A central document for this research is the

updated ISS by the AfDB, which was published in April 2023, which is relatively recent at the time at which this thesis is written. The ISS will go into effect starting January 2024, which is after the period in which research has been conducted for this thesis. The global context has also been considered using examples of social policies of other IFIs. The empirical part of this research has been conducted using qualitative research methods, and two case studies about projects implemented by the AfDB in Uganda. Interviewees include researchers and other people with practical experience in working with the social policies of the AfDB or its operational units, or other significant experience in the project setting or working with social policies within the context of Africa. The interviewees also include two people directly involved with one of the case studies, including a project-affected person.

1.4.1: Recruitment Strategy:

The recruitment strategy for interviewees for this thesis has been quite diverse. Initially, the strategy for recruitment consisted of sampling through existing personal networks. This way, stakeholders who had experience in working with social practices for investors and banks in the African context were approached. This method could be seen as a combination of the strategies of purposive sampling and convenience sampling. The general advantages and disadvantages of convenience sampling were apparent in this approach; it provided easy and efficient access to interviewees but did not directly lead to interviewees with the most relevant knowledge (Gill, 2020). However, from this initial pool of interviewees, it was possible to initiate snowball sampling; interviewees were inquired regarding connections they might know, and who would be willing and able to provide valuable information regarding the topic. Most relevantly, one interviewee was an NGO employee and a member of an alliance of NGOs named the AfDB working group (AfDB-WG). The AfDB-WG is a collaboration of over 70 NGOs, independent from the AfDB, that work together to address social issues of the AfDB. This interviewee was able to facilitate contact with other members of the AfDB-WG, which also led to a group interview with members of the AfDB-WG. Furthermore, this ended up leading to the relevant contact of a project-affected person. Aside from providing more relevant information, the recruitment approach provided the general advantages of the snowball sampling method, which include practicality, efficiency, and requiring less time to gain the trust of the interviewees (ibid.).

Lastly, it could be argued that within this sampling approach, a certain bias exists towards English and Dutch-speaking interviewees. This could be seen as a sampling bias, as the continent of Africa includes a larger number of countries with French as the first language than countries with English as the first language (Nationsonline, n.d.a, n.d.b). Out of the twelve interviewees, only one interviewee spoke exclusively French.

1.4.2: Interviewees

In Table 1, all interviewees can be found, including notable additions of relevance for this research, and the stakeholder group that they fit into. We tried to find interviewees of all large relevant stakeholder groups involved in the process of addressing the social impacts of large-scale projects by the AfDB. To provide more clarity on the two case studies on projects that have been conducted, the assigned contact persons for both projects have been approached, unfortunately without any response.

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Name / How the interviewee is referred to in-text	Relevant additions	Stakeholder Group
Gisele Belem / Former AfDB employee	Has worked for both the AfDB and the World Bank	AfDB
Frédéric Bambara / IRM Representative	Communications and Outreach Officer for the IRM	IRM
John / Project-Affected People Representative	Experienced Negative Impacts from LEAF II	Project-Affected People
Tom Ogwang	Ugandan scholar on SIA	Social Impact Expert in the African Context
Jeroen de Zeeuw	Consultant, specialist on Social Safeguards Has researched Social Impacts in DRC	Social Impact Expert in the African Context
Anne De Jonghe	Member of AfDB-WG	NGO / CSO
Gerald Kankya / TLC Representative	Filed the complaint to the IRM regarding the LEAF II project Member of AfDB-WG Interviewed twice	NGO / CSO
AfDB-WG members 1-5	Five different representatives - all participated in a group interview	NGO / CSO

Table 1: Interviewees and their notable characteristics

Some additional information on the stakeholder groups, and certain interviewees, that is not yet covered by Table 1, will henceforth be supplemented.

The "AfDB" stakeholder group refers to any people with experience working for the AfDB, outside of the IRM. Gisele Belem fits within this group, as she is a former employee of the AfDB, where she was active in the social safeguards field. She transferred to the World Bank half a year prior to the interview. At the time of the interview, a case study was being considered which was dropped later in the process, making the interview contents focusing on this case study largely irrelevant. The interview also focused on her experiences working for both banks, which produced relevant content.

The "IRM" stakeholder group refers to any people with experience working for the IRM. Frédéric Bambara fits within this group, as he is the Communications and Outreach Officer for the IRM. He has been found through purposive sampling by approaching the IRM. His role is to contribute to making the

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IRM more accessible to its different stakeholders and implement communication and outreach strategies to support the mandate of the IRM in general.

The "project-affected people" stakeholder group refers to any people affected by the social impacts of projects financed by the AfDB. John represents this group, as he was directly impacted by the LEAF II project in Uganda, which, as a case study in this thesis, will be elaborated more upon later in this paper.

The "Social Impact Expert in the African Context" stakeholder group refers to any people with experience in social impact process and/or management in the African context. Tom Ogwang is highlighted as his work on social impacts in the Ugandan context is cited within this paper.

The "NGO/CSO" stakeholder group refers to any people working for NGOs that concern themselves (partly) with the African context. As all NGOs interviewed belong to the category Civil Society Organisations (CSOs), this is included in the group name. Coincidentally, all interviewees in this group are also part of the AfDB-WG. The members of the AfDB-WG are kept anonymous, but instead are referred to, when needed, as WG-Member 1 to 5. Gerald Kankya is highlighted as his CSO is engaged with one of two case studies that are discussed in this paper: the "LEAF II project". Gerald is the only interviewee who has been interviewed twice; once before the LEAF II was incorporated as a case study in this thesis, and once after.

1.4.3: Data collection

All interviews conducted for this academic research were held using video calls and had their audio recorded. The interviews have all been conducted by the same interviewer, the main author of this thesis. As he is fluent in both English and Dutch, the interviews were held in either language, depending on the language with which the interviewee was most comfortable. For interviewees that are not adept or comfortable with either of these languages, someone was present to translate. Furthermore, interview guides were used for every single interview, which can be found in Appendix B.

The interviews have been transcribed verbatim in the language in which the interview was originally conducted. An exception to this could be parts where overly colloquial language was used, or where sentence structures, due to inward or outward distractions, could be seen as confusing or contradictory. In these cases, small adjustments were made. In certain cases, quotes are taken from the transcription, and if these cases maintain an unusual colloquial phrase, this is indicated by the addition of; (sic).

Furthermore, in one interview, French is spoken. In this case, the spoken part is only signified by a note between brackets which alerts to the fact that the part is spoken in another language, with perhaps some extra context, e.g., if it is an answer or a question. These sections of the transcriptions are to be understood through the translations by the present translator, which are fully transcribed. The fully transcribed interviews have been coded using the "Atlas.ti" analysis software.

1.4.4: Ethical considerations

Participants were approached with full clarity of the intentions of the interview, including a brief description of the research. Every interview itself started with a certain number of questions and pieces of information given by the interviewer aimed at obtaining informed consent from the participant. This includes, among other things, information on confidentiality, anonymity, and the right to withdraw from the study. This can be found in Appendix A, or any interview guide found in Appendix B. Further ethical considerations include maintaining a neutral stance from the interviewer when formulating questions and answers, to encourage participants to share their perspectives without feeling pressured or guided towards specific answers. This mainly means refraining from leading questions, as well as refraining in general from maintaining implications or assumptions on interviewees' points of view without any basis.

Chapter 2: Theoretical framework

2.1 Social policies

The significance of robust social policies in ensuring the positive social outcomes of projects is widely recognised (Bryan, 2021; Howitt & Jackson, 2020), also among IFIs, with many of them having strong social policy documents widely available (AfDB, 2023b; European Investment Bank [EIB], 2022; WB, 2017). Social aims and standards of IFIs may be formulated in ISSs, for which the AfDB, as mentioned before, has published its most recent version in April 2023 (AfDB, 2023b). In general, strategies to fulfil social aims and standards include, but are not limited to, Environmental and Social Impact Assessments, either as a joint assessment or as separate assessments (ESIAs, EIAs, SIAs), Resettlement Action Plans (RAPs) (AfDB, 2003, 2015a), monitoring and evaluation policies and other social policies and standards. Furthermore, as an IFI, it is important to formulate strategies to help oblige the institutions that you work together with, and/or provide with funding, to adhere to your social policies and standards.

2.1.1: Social Impact Assessments

It is common practice for projects to conduct Environmental and Social Impact Assessments (ESIAs) or Social Impact Assessments (SIAs), to gauge the impact that a project will have and to plan for measures to enhance the positive impacts and offset the negative impacts. Most, if not all, IFIs require (E)SIAs for projects, as well as most modern countries (Vanclay, 2004). Social impacts can be defined as; "all ways in which people can be affected by events and projects" and may take many different shapes and forms (Vanclay, 2003). It is imperative to regard the fact that social impacts can present themselves in an obvious and direct fashion, or a less obvious fashion, only become apparent over time (Vanclay, 2003). Both types should be regarded and included in an SIA (ibid.). When researching social impacts on project-affected people, it is important to regard inherent differences between different groups of people and different individual people. Cultural, political, geological, and personal factors may influence social impacts (Vanclay, 2023). By incorporating Environmental and Social Impact Assessments (ESIAs) into project planning, IFIs like the AfDB can proactively identify and evaluate potential social impacts and risks. SIAs also may serve as valuable tools for stakeholder engagement and participation, enabling affected individuals and communities to voice their concerns and influence decision-making processes (Vanclay et al., 2015).

The process of SIA is inherently different from an EIA, as it has a different focus, and the SIA has a focus on enhancing benefits as well as offsetting negative impacts. By doing both acts properly, the project should earn its 'social licence to operate' (SLO) (Vanclay et al., 2015), which means that the project has ongoing support from local communities (Bice & Moffat, 2014; Vanclay, 2023). ESIAs focus on both environmental and social impacts, which can work well as these can coincide and reinforce each other. The downside of the ESIA can be that the environmental part of the assessment is regarded more thoroughly than the social part of the assessment. The SIA is a desirable alternative as it foregoes this issue by focusing specifically on social issues. Thus, SIAs should not be incorporated as a mere component of an ESIA or an EIA, as this leads to the social impacts being undervalued and ignored (Vanclay, 2023), and has proved largely insufficient in the past (Vanclay et al., 2015). As social impacts start as soon as a project starts being developed and rumours spread, through actions or otherwise, the process of SIA should start earlier than EIAs, simultaneously with the conceiving of a project (ibid.). Ideally, SIAs should go beyond merely protecting against social impacts, and include a social investment process, which includes strategies to address the development priorities of communities in the project area (Gulakov et al., 2020a).

2.1.2: Challenges to conducting SIA

SIAs and SIA practices may encounter numerous difficulties. Firstly, it might be difficult to assign bodies or individual consultants who are experienced, qualified, and fit to conduct SIAs. Furthermore, finding independent consultants might form a challenge, as consultants could be presented with a conflict of interest, where they benefit from sacrificing proper SIA practices in the interest of (cost-) efficiency. Further pitfalls could include the manipulation of project details by companies, relatively low priority, and low regard for the SIA by companies. A lack of true representation of the affected communities could also be an issue, which could be induced by a lack of dedication by SIA consultants, as well as fear or inability to speak out by affected people (Vanclay, 2023).

All these challenges may be more apparent in some countries than others. In general, national context plays an important role in the feasibility of conducting SIAs, with some countries encountering more difficulty in conducting SIAs and enforcing social policies than others, henceforth to be referred to as "transition states" (Gulakov et al., 2020b). Within Africa, the scope of projects by the AfDB, there are many transition states (Betey & Essel, 2013). Elements of such countries include limited democratic processes, and limited guidelines or general compliance with social policies (Gulakov et al., 2020b). Contexts like these may find additional challenges, such as national standards being inconsistent or at odds with international standards, or the implementation of these standards may be lacking. The scope of the social policies could also be too limited, or poorly integrated. The competencies and capacities of SIA professionals may be limited, for example when being understaffed, which reportedly is the case within the AfDB (AfDB, 2019). This could lead to limited monitoring processes, which may provide more incentive for responsible authorities and project officials to implement social standards minimally (Betey & Essel, 2013; Gulakov et al., 2020b).

Furthermore, the difficulty of processes of conducting research for SIAs may be aggravated by retaliation. Acts of retaliation, otherwise called "reprisals", are acts aimed towards people who speak up against (project) actions that negatively impact them. These acts are meant to disincentivise project-affected people from continuing to speak up and originate from a conflict of interest between community stakeholders and project officials, such as companies (Hanna & Vanclay, 2013). This can interfere with social policies, notably the process of FPIC (Vanclay et al., 2015), which is further elaborated upon in Chapter 2.4.1. The AfDB's most recent ISS clearly states that it is committed to protecting stakeholders against reprisals (AfDB, 2023b, p.13), and that the usage of grievance mechanisms, which should be available for any project, should be completely protected and free of (risk of) reprisals (AfDB, 2023b, p.48).

2.1.3: SIA challenges in the Ugandan context

In Uganda, ESIA practice is undergoing development, with the National Environment Act and EIA Regulations having been recently updated. Still, ESIA practice in Uganda faces challenges, as project proponents complain about delays caused by ESIA practices, and allegedly attempt to circumvent the requirements of conducting ESIA. Mainly the processes of public participation and post-ESIA follow-up are reportedly lacklustre (Kahangirwe & Vanclay, 2022). This is exemplified by oil and gas extraction projects in Western Uganda, where improvements regarding resettlement practices and compensation measures are imperative (Ogwang, 2020). To minimise adverse social impacts, proper RAPs, livelihood restoration plans, and plans to manage expectations and mitigate anxiety are important measures to be put into place. An important step in this process is raising the funding of the Ugandan National Environment Management Authority (NEMA) to improve their competency, as well as assist them in improving their policies and legal frameworks. Also, public participation needs to be improved throughout the entire project cycle, as well as improving transparency towards the public (Kahangirwe & Vanclay, 2022). Furthermore, political commitment to environmental protection should be increased, and the capacity of civil society organisations should be stimulated. Lastly, the effectiveness of imposed

social policies by IFIs like the AfDB should be improved by improving the currently weak aspect of the monitoring processes that are conducted after the implementation of projects (ibid.).

2.1.4: Measures to address social impacts

To minimise the negative impacts and enhance the positive impacts which have been defined in an (E)SIA, different types of measures may be implemented (Vanclay, 2004). Firstly, to minimise or offset negative impacts, either mitigation or compensation measures may be implemented. Secondly, to enhance the positive impacts of a project, enhancement measures may be implemented. See Figure 1 for an abstract depiction of gradations of different measures for both positive and negative impacts (João et al., 2011).
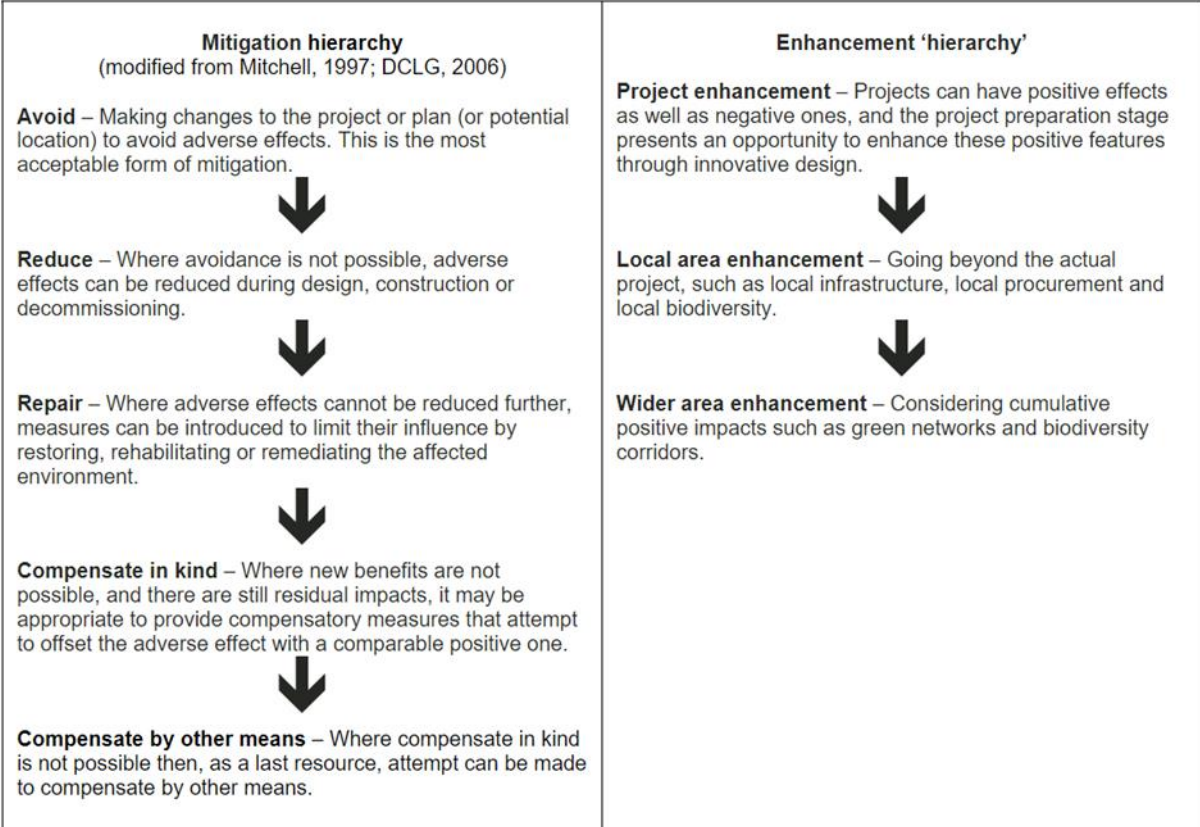

Mitigation hierarchy (modified from Mitchell, 1997; DCLG, 2006)	Enhancement 'hierarchy'
Avoid – Making changes to the project or plan (or potential location) to avoid adverse effects. This is the most acceptable form of mitigation.	**Project enhancement** – Projects can have positive effects as well as negative ones, and the project preparation stage presents an opportunity to enhance these positive features through innovative design.
Reduce – Where avoidance is not possible, adverse effects can be reduced during design, construction or decommissioning.	**Local area enhancement** – Going beyond the actual project, such as local infrastructure, local procurement and local biodiversity.
Repair – Where adverse effects cannot be reduced further, measures can be introduced to limit their influence by restoring, rehabilitating or remediating the affected environment.	**Wider area enhancement** – Considering cumulative positive impacts such as green networks and biodiversity corridors.
Compensate in kind – Where new benefits are not possible, and there are still residual impacts, it may be appropriate to provide compensatory measures that attempt to offset the adverse effect with a comparable positive one.	
Compensate by other means – Where compensate in kind is not possible then, as a last resource, attempt can be made to compensate by other means.	

Figure 1. Hierarchy of measures for positive and negative impacts of projects (João et al., 2011)

Compensation and mitigation measures may be seen in the hierarchy of one another, with mitigation measures serving as an initial response to negative social impacts, and compensation measures being implemented to supplement mitigation measures when they have proven insufficient. Mitigation measures can be implemented at the earliest in the process to avoid any social impacts that are predicted to happen in any type of SIA. Whenever this is not possible, the measures should be implemented to first reduce the negative impacts, and then repair them. When these actions prove to be (partly) unsuccessful or insufficient, compensation measures can be implemented to compensate for the negative impacts, firstly with a comparable positive effect, such as relocation or livelihood restoration (Ijabadeniyi & Vanclay, 2020). If this is not possible or desired, different means of compensation can be offered, such as monetary compensation (João et al., 2011). It is important to adapt the compensation measures to the current situation, with predetermined compensation measures having been reported as less effective (Ijabadeniyi & Vanclay, 2020), or in some cases even harmful to local communities (Hanna et al, 2016a). Furthermore, earning and keeping the trust of the affected population is an important aspect of the process of implementing mitigation and compensation measures, as decreased trust in the

authorities may lead to reduced effectiveness of any compensation or mitigation measures (Van der Voort & Vanclay, 2015).

Enhancement measures can be defined as deliberate attempts to improve the positive outcomes of projects. These do not share the same hierarchy definition as mitigation measures and may be implemented simultaneously on the three levels depicted: project, local area, or the wider area. Instead, they are ranked on scope, and thus, the ambitiousness of the type of measure. An example of an enhancement measure could be creating or enhancing employment chances in the nearby area. It is always important to implement enhancement measures in public consultation with the local communities, to increase the applicability of the measure, provide the measure with legitimacy, but also to identify risks (Vanclay et al., 2015). Furthermore, enhancement measures are important, especially for IFIs, as the primary goal of many IFIs is to contribute to development, arguably making enhancement measures not an externality but an element of their mandate (Gulakov et al., 2020a).

2.1.5: Actual implementation

Effective evaluation and monitoring processes are essential to assess the implementation and outcomes of social and environmental policies. Numerous challenges and disparities can arise between the intentions outlined in social policies and their actual implementation, and these processes enable ongoing assessment, accountability, and the identification of areas for improvement, ensuring that social policies are not merely theoretical constructs but are actively integrated and implemented throughout the project lifecycle. The follow-up process may be improved by early screening and scoping processes to identify requirements, and by remaining adaptive throughout (Arts et al., 2001). Furthermore, all relevant stakeholders should be closely incorporated in the process and should be strictly obliged and be held accountable to commitments for their responsibilities in specific parts of the process (ibid.). Furthermore, flexible, and pragmatic follow-up approaches with simple monitoring processes may lead to quick and efficient feedback, which may spare time, costs and the number of staff needed (ibid.). Follow-up processes are incorporated into the project plans of the AfDB and other IFIs, but in practice, the AfDB is assisted by other instances to comply with their plans and policies. The first and foremost instance includes the Independent Recourse Mechanism (IRM) (see also Chapter 3), an independent body of the AfDB whose specific mandate includes addressing complaints of non-compliance of the AfDB with their policies (AfDB, 2022a). The establishment of external independent bodies such as this can heavily improve follow-up processes (Arts et al., 2001). The complaints received by the IRM are most often filed by CSOs, which may thus also be regarded as examples of the aforementioned instances that force the AfDB to comply with their policies. Engagement with CSOs is viewed by the AfDB as "a significant element of AfDB's current and emerging development strategies" (AfDB, 2010). This makes specifically the "CSO" type of NGO relevant to the functionality of the IRM.

2.2: The Global North versus the Global South

In addition to the general difficulties that the AfDB is presented with in its planning practice, there are additional challenges. This stems from the fact that most planning theory predominantly originates from Western, highly developed countries, otherwise known as 'the Global North', which is generally juxtaposed against 'the Global South', meaning less highly developed countries (Dados & Connell, 2012). Dados & Connell (2012) roughly define the Global North as the continents of Europe and North America, and the Global South as the rest of the world, though this definition of Global North can be expanded to include numerous other regions and countries based on various statistics. A definition by the United Nations Conference on Trade and Development (UNCTAD, n.d.) of 'developed countries' may expand the regions comprising the Global North to include Israel, Japan, the Republic of Korea, Australia, and New Zealand. Either definition frames the entire continent of Africa as a part of the Global South. The implications of the target continent of the AfDB being a part of this Global South is multifaceted. The history of colonialism and neo-imperialism in many regions of the Global South has

opened possibilities in politics and social sciences, but, conversely, has also led to inequalities in living standards, resources, and life expectancy (Dados & Connell, 2012). Furthermore, planning contexts from the Global South are generally overshadowed by the Global North in media and academic literature, most relevantly in the category of planning theory (Watson, 2016). This leads to reduced applicability of planning theory on Global South contexts (ibid.), especially when dealing with issues such as power imbalances and closed civic spaces that are present in the earlier mentioned 'transition states', which are more apparent in the Global South (Adjei-Poku, 2018). As a slight notice of limitation, this could also imply some gap between the practicalities of the practices of AfDB-funded projects, and the parts of the established theoretical framework which find their origin in Global North contexts. To bridge this gap, it is important to remain aware of the varied nature of different planning contexts, and when addressing planning issues, any policies and frameworks should take varied contexts into account (Connell, 2014). This should include a special regard for informal elements, such as the interpretation in the local context of certain developments, and the value and meaning that are consequently tied to these developments (Raven et al., 2019). Implementing the planning theory of Global North origins in practice in the wider context of African countries has led to challenges in the past. Projects with a lack of regard for the local context may still reach the main objectives as formulated in the project planning, but goals of societal development are likely hindered, and local trust is harmed, which leads to decreased effectiveness of future projects (Osabuhoien, 2014; Walters et al., 2021).

2.3: Independent Accountability Mechanisms

An important tool for IFIs to provide just monitoring and evaluation of their policies is the "Independent Accountability Mechanisms" (IAM). An IAM is a complaint-handling body, associated with a given IFI, which must be independent to reduce any conflicts of interest. Most IAMs were established in the 1990s, to ensure greater accountability and transparency in development projects (the World Bank Inspection Panel [IPN], 2017), and have since become integral in maintaining the fairness of the policies and practices of IFIs (Bankwatch network, 2023). Examples of IAMs include the World Bank's Inspection Panel (IPN, n.d.a) and their Accountability Mechanism (World Bank Accountability Mechanism, n.d.); the European Investment Bank's complaints mechanism (European Investment Bank, n.d.); and the African Development Bank's Independent Recourse Mechanism, which will be elaborated upon in the next Chapter (Chapter 3). The various IAMs vary in the delineation of their mandates, but in general, the mandates come down to four points; addressing grievances, assessing compliance of IFIs with their policies, improving policy and practice, and mediation and conflict resolution (European Bank for Reconstruction and Development, n.d.; IPN, n.d.a; IFC, 2021; IRM, n.d.a).

The independence of IAMs is reportedly threatened by a trend of interference, as twenty-six NGOs and human rights watch organisations listed numerous acts of interference to IAMs in an open letter (Bankwatch network, 2023). This open letter was sent to IAMnet, which is a partnership that brings together 24 different IAMs of IFI worldwide to increase the capacity and legitimacy of its members (World Bank Accountability Mechanism, n.d.). Examples of these acts of interference include retaliation against actions of officials of IAMs through for example contract extermination, direct meddling of IFIs in general with the actions of IAMs or enacting of policies which compromise the capability of the IAM to operate independently, which has reportedly been the case for the World Bank Accountability Mechanism (Bankwatch network, 2023).

2.4: Indigenous Communities

Different countries and populations have an explicit preference to have Indigenous Peoples be referred to with specific terminology (The World Bank, 2019). The AfDB recognises this but opts to refer to Indigenous groups mainly using the term "Highly Vulnerable Rural Minorities". The AfDB defines these groups as *"specific socio-cultural minority groups in rural areas whose culture and life are vitally and sustainably dependent on natural resources and/or landscapes of their living environments, and whose*

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cultures and quality of life are under threat whenever the features of these resources or landscapes are substantially deteriorated. They include minorities qualified as indigenous people under national legislation, forest dwellers, traditional pastoralists, hunter-gatherers, nomadic groups, etc" (AfDB, 2023b, p.123). Any mention of this term in their ISS is supplemented with a footnote saying that these groups *"may be referred to as Indigenous People in some contexts".* For the sake of clarity, any person or group adhering to the aforementioned definition will be referred to within this paper as "Indigenous". However, this is done while recognising that not all people that are referred to within this paper using the term "Indigenous" may self-identify as such and might have an explicit preference to be referred to using different terminology. The AfDB recognises the increased vulnerability of these groups and stresses multiple times within the frameworks that are elaborated upon in the ISS that they need to be particularly considered. Furthermore, the AfDB recognises the right of Indigenous Peoples to the process of "FPIC", which will be elaborated upon in the following subChapter.

2.4.1: FPIC

Free Prior and Informed Consent (FPIC) is an overarching philosophy and a set of principles developed for Indigenous Peoples and is recognized in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (UN General Assembly, 2007) and the International Labour Convention 169 (Hanna & Vanclay, 2013). Its function is to empower Indigenous Peoples to give or withhold their consent for projects which affect them or their territories, as well as negotiate the terms on which their consent is given. Indigenous Peoples are explicitly given these extra regulatory measures as they may experience larger barriers of culture, values and language which aggravate the difficulty of achieving true consent of these groups. FPIC aims to ensure that these groups can conduct their own independent collective decision-making processes, in an environment without intimidation, and any of the earlier mentioned barriers, on matters "affecting their rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems, and culture or heritage (tangible and intangible)" (Food and Agriculture Organisation of the United Nations [FAO], 2016, p.13). Vanclay and Esteves (2011, pp. 6-7) summarise the concept of FPIC as follows:

> "In both the formal and more general utilization of FPIC, each word contributes meaning to the concept. Free, meaning that there must be no coercion, intimidation or manipulation by companies or governments, and that should a community say 'no' there must be no retaliation. Prior, meaning that consent should be sought and received before any activity on community land is commenced and that sufficient time is provided for adequate consideration by any affected communities. Informed, meaning that there is full disclosure by project developers of their plans in the language acceptable to the affected communities and that each community has enough information to have a reasonable understanding of what those plans will likely mean for them, including the social impacts they will experience. Consent, meaning that communities have a real choice, that they can say yes if there is a good flow of benefits and development opportunities to them, or they can say no if they are not satisfied with the deal, and that there is a workable mechanism for determining whether there is widespread consent in the community as a whole and not just a small elite group within the community."

This definition of the values that are attached to each individual word of the "FPIC" concept resonates clearly with the definitions given by different branches of the UN, including the FAO (2016) and the Office of the United Nations High Commissioner for Human Rights (OHCHR, 2013).

Overall, FPIC is crucial because it respects the right to self-determination of Indigenous Peoples/Communities, involving communities in decision-making processes, addressing cultural differences, and transparently communicating risks. Furthermore, it fosters sustainable relationships, mitigates conflicts, and grants companies their SLO. In this process, it is crucial that project officials

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consider the Indigenous Peoples more than just a 'social risk', but respect their rights, and consider them strategic partners in project development (Hanna et al., 2016b).

2.4.2: Indigenous Peoples in Uganda

To provide further context for the case studies situated in Uganda, which are discussed further in Chapter 2.1.7 of this thesis, the Indigenous groups which are located within Uganda will briefly be discussed in particular. Uganda officially recognises five constitutional monarchies within its country's borders, namely Butoro, Busoga, Bunyoro-Kitara, Buganda, and Rwenzururu (see Figure 2). These kingdoms are constitutionally entitled to cultural rights, including being considered Indigenous which provides them with a protective status (IRM, 2007a, p 14). Furthermore, even though the constitution provides them with no political power, their enormous territories provide them with a certain level of power and significance (Steinicke & Kabananukye, 2014, p.34). Aside from the monarchies, The International Work Group for Indigenous Affairs (IWGIA, n.d.) recognises five remaining major Indigenous groups living within Uganda. Out of these five, the Karamojong people are the largest, with a population of nearly a million. The other four groups; the Benet, Ik, Batwa and Basongora peoples, each have a population of somewhere around 10.000. Furthermore, there are many smaller Indigenous communities (Cultural Survival, 2021). The United Nations Human Rights Council has expressed criticism of the treatment of Indigenous Peoples by the Ugandan government, with several member states, including the Netherlands, putting forward recommendations in Universal Periodic Reviews. The most notable recommendation is that of Guatemala in 2016, which recommended ratifying the earlier mentioned (Chapter 2.3.1) C169; the ILO Indigenous and Tribal Peoples Convention, which the government of Uganda has not yet done as of July 2021 (ibid.). Furthermore, according to Cultural Survival (2021), Uganda has violated the earlier mentioned (Chapter 2.3.1) article 10 of the UNDRIP, which states: "Indigenous Peoples shall not be forcibly removed from their lands or territories". The right to FPIC is explicitly mentioned to have been disregarded by Uganda through the continued "fortress-style conservation, as well as other forms of land grabbing, at the expense of Indigenous Peoples" (ibid, p.3).

Figure 2: The five recognised constitutional monarchies of Uganda (Steinicke & Kabananukye, 2014).

Chapter 3: The AfDB's 'Independent Recourse Mechanism' and their handling of cases

3.1: The logistics of the AfDB's IRM

The IRM is the accountability and redress mechanism of the AfDB and is regarded to be the AfDB's equivalent of an IAM. According to the website of the IRM, "IRM's mandate is to provide fair, independent, and effective recourse and remedy for individuals, workers, and communities who are adversely affected by an AfDB-funded project." (IRM, n.d.a). Furthermore, according to an IRM representative, it aims to identify potential areas through the complaint-handling process where the AfDB can further strengthen its policies, procedures and/or practices in support of sustainable development, ensuring that "no one is left behind". Its overall goal is to improve projects, raise standards, minimise disputes, and enhance accountability for sustainable development. To fulfil its mission, the IRM uses three main functions: Problem-solving, Compliance Reviews, and Advisory services. The advisory function includes using knowledge gained from complaints to improve AfDB's processes and policies (IRM, n.d.b).

According to an IRM representative, IRM maintains an arm's length independence from the AfDB's operational units, framing itself as a distinct unit. This conveys to project-affected people that they are independent and impartial, to earn the trust and confidence of different stakeholders. Officially, the IRM was one of the units within the AfDB which has a direct link to the board of directors, and merely an administrative link to the president (AfDB, 2022b). For a visualisation of this organisational structure, see Figure 3. As of 2021, the IRM is fully independent, but, before 2021, it was administered by the AfDB's 'Compliance Review and Mediation Unit' (AfDB, 2021a). There is no organisational structure to be found with the IRM being depicted under its state of fully being independent, so Figure 3 is the closest approximation of the current situation that can be provided (AfDB, 2022b).

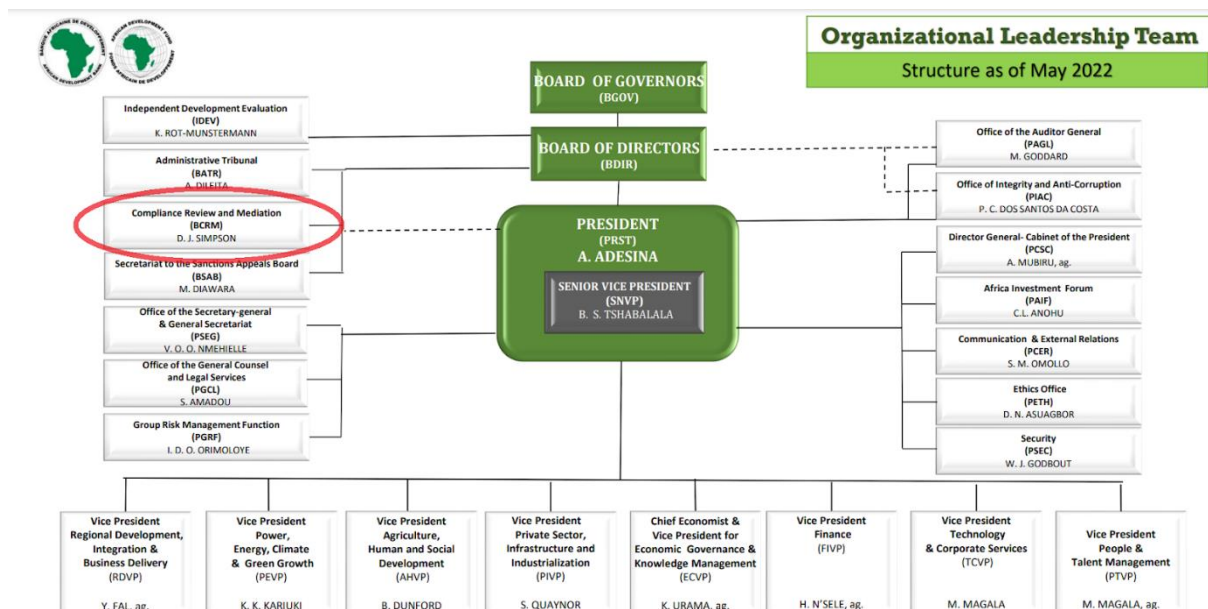*Figure 3: Organisational structure of the AfDB as of May 2022, the BCRM highlighted (Modified from source: AfDB, 2022b)*

Though the IRM is under the organisational umbrella of the AfDB, they facilitate and make decisions regarding complaints independently from the Bank. The direct governance relationships of the IRM are depicted in Figure 4, which is hereafter explained. The IRM is directly accountable to the AfDB Boards

of Directors, which reflect the interests of the Bank Governors. The Board of Governors represents the shareholders from, and the governments of the member countries. It is also the highest decision-making organ of the Bank (IRM, 2021a, p.10). The IRM Director is selected through a multi-stakeholder process that includes representatives of AfDB management and its Boards of Directors as well as civil society organisations (CSOs). The IRM Director reports to the AfDB Boards of Directors through the Boards' Committee on Operational and Development Effectiveness (CODE). The CODE sets the Rules and Procedures by which the IRM operates, endorses our annual work program and budget before it is sent for approval by the Boards, and oversees our performance against our objectives. The IRM also has a "duty of care" to many other stakeholders, such as project-affected communities, CSOs, borrowers and clients, and others. This means they are responsible for addressing any issues that these stakeholders encounter through contact and collaboration with the AfDB. This responsibility and the trust of various stakeholders give the IRM legitimacy and credibility to carry out its mandate (IRM, 2021a, p.10).

Figure 4: IRM's Governance Relationships (IRM, 2021a)

Similar to most IAMs, the IRM acts according to four key objectives (IRM, n.d.b):

1- To provide complainants with a recourse mechanism which is fair and trustworthy.

2- To use knowledge from the complaints to improve practices of the AfDB.

3- To ensure that impacted people possess the tools to reach and use the IRM.

4- To be an accountable office which enables cooperation

The IRM acts according to 'Key Policy Indicators', to quantify their progress in fulfilling the key objectives (IRM, n.d.b). Within the operating rules of the IRM, it is stated that anyone who alleges that they have been impacted by an AfDB project is free to file a complaint to the IRM (IRM, 2021b).

3.2: The IRM's functionality in practice

An IRM representative, Frédéric Bambara, was available for an in-depth interview. This provided insights regarding the activities of the IRM in practice and the challenges that are faced. As he puts it, the IRM maintains an arm's length independence from the AfDB's operational units, framing itself as a different unit. This conveys to project-affected people that they are independent and impartial, to earn the trust and confidence of different stakeholders. The IRM interacts with a variety of stakeholders, which includes, but is not limited to; project-affected people, CSOs, the Bank's clients or borrowers (government officials, private sector representatives), and project implementation units. Furthermore, the IRM interacts with other Bank departments, mainly the Safeguards and Compliance Department (SNSC), in the handling of complaints. The IRM gets contacted with complaints for cases where social and environmental impacts are anticipated, as well as cases where they are already being felt. Frédéric Bambara framed the three most frequent categories of complaints that the IRM receives, or "top three issues", as issues in the categories of compensation, inadequate consultations, and livelihoods being affected. Since the IRM became operational in 2006, they have received 128 cases or complaints, which have been assessed according to the eligibility criteria of the IRM, and of which 28 have ultimately been handled. The criteria exclude cases which fall outside the mandate or jurisdiction of the IRM. According to Frédéric Bambara, cases related to procurement issues, or allegations of fraud or corruption, fall within the mandate of other departments of the Bank. Furthermore, the IRM shall not handle complaints filed more than 24 months after the physical completion of the concerned operation, or more than 24 months from the date the complainant becomes aware of the adverse impacts, whichever comes later. (IRM, 2021b, p.6).

3.2.1: The complaint registration process

Recently renewed rules and procedures of the IRM allow individuals to submit complaints or cases themselves. Frédéric Bambara estimates that half of the complaints that the IRM received were submitted by individuals, and half were submitted by CSOs on behalf of project-affected people. According to him, CSOs are involved in the process when project-affected people have difficulty submitting complaints, or difficulty navigating the complaint handling procedure of the IRM. A reason for this could be that they are not adept at either English or French, which are the languages in which the IRM website is mainly operated, which is the place where the online complaint form can be found (IRM, n.d.e). Relevantly, English and French are the official languages of the AfDB. The complaint form itself is also available in Portuguese, Arabic, and Kiswahili (ibid.). These five languages are chosen as they are widely spoken in the African region, according to Frédéric Bambara. He goes on to say that complaints in other languages, including "local languages", are also accepted, and the complainant will get notified that the complaint will first have to be translated which means that the process may take longer:

> *"... we just inform our stakeholders that we are going to translate it into one of our official languages and let them know how much time it will take to do that, so that they may be aware of the timeline [...] we will just specify to our stakeholders that this will need to be translated first, or transcribed in one of our official languages, before the IRM is in a position to handle it."*

Each step of the complaint registration process in practice has been further clarified by Mr. Bambara, as summarised in Table 2.

1: Complaint Receipt and Assessment (Within 7 Days):
• *IRM receives a complaint.*
• *Within seven days, they acknowledge receipt and assess if it falls within their mandates.*

2: Notification to AfDB Management: • *If the complaint is eligible, IRM informs the Bank management about the received complaint.*
3: The AfDB's Response: • *The AfDB's operational unit responds to the complaint, addressing the allegations.*
4: Complainant Notification: • *IRM informs the complainant about the Bank's response to their complaint.*
5: Function Determination: • *IRM decides, in consultation with the complainant, the appropriate function for handling the complaint:*   *A: Problem Solving*   *B: Compliance Review*
6: Process Initiation (Problem Solving or Compliance Review):   • *Depending on the complainant's choice, IRM initiates either the problem-solving or compliance review process.*
7: Results and Feedback: • *Complainants are informed about the results of each process chosen.*   • *Complainants provide feedback on the reports produced as part of each process (problem-solving or compliance review).*
8: Board and Management Involvement: • *Reports are shared with the Bank's Board of Directors and Management.*
9: Action Plan: • *Bank Management provides an action plan to address the IRM's findings.*   • *The IRM is tasked with monitoring the implementation of the action plan.*

Table 2: The steps to the complaint registration process of the IRM

The problem-solving process and the compliance review process are the two types of approaches that the IRM uses to handle complaints and are both participatory in nature. The IRM's decision on which function is most appropriate is made through consultation with all stakeholders, most importantly the complainants, and through information gathered through fieldwork.

The problem-solving, or mediation process, is a process where parties voluntarily come together to collaboratively address specific issues, with the IRM serving as a facilitator to guide the resolution process. The compliance review process involves an investigative approach to assess whether the AfDB has adhered to its policies and procedures in a particular operation. The IRM conducts a thorough examination, sharing the results with complainants. The AfDB is then required to formulate an action plan to address any identified issues. On average both processes may take about one year or more, depending on the complexity of issues involved.

3.2.2: The IRM's objective of raising awareness

In practice, the fulfilment of the IRM's mandate is hindered by a lack of awareness of project-affected people and CSOs, either to the existence of the IRM altogether, or the relevant knowledge needed to successfully submit a complaint to the IRM. As the Communications and Outreach Officer within the IRM, Frédéric Bambara's role is to implement communication and outreach strategies to support the mandate of the IRM in general and to contribute to making the IRM more accessible to its different stakeholders. The IRM does so through outreach events, and appropriate communications channels or tools. In practice, improving accessibility of the IRM includes raising awareness about the functions of, and ways to reach the IRM. This also includes creating awareness of the eligibility criteria of the IRM to reduce ineligible complaints and redirecting them to the appropriate bank department. In reaching

this objective, Frédéric Bambara is mainly concerned with the instances that would contact the IRM, which are project-affected people and CSOs.

Frédéric Bambara contributes to the IRM's outreach events, which are annual, and participatory in nature. These events may be held in multiple languages to maximise their reach, as stated by Frédéric Bambara:

> *"We've recently organised, for example, an outreach event for CSOs in North Africa. And we've used the local language, because most of the CSOs speak Arabic in North Africa, and we wanted to communicate with them about the IRM - about our work, about our processes - using the local languages, so that they may know about first of all the existence of the IRM, but also how to file a complaint with the IRM. Because if they don't know that we exist, they will not be able to come to us and bring forward the complaint."*

These events mainly contribute to raising awareness regarding the objectives, guidelines, and overall existence of the IRM as a recourse mechanism. These events may be attended by stakeholders, virtually or in person. This is also used to convey the importance of the AfDB being accountable for their actions, and the efforts by the IRM to provide this accountability.

3.3: Case study of two IRM compliance reviews in Uganda

To provide case studies on the functionality of the AfDB's social policies, and the practices of the IRM, two AfDB projects and the adhering IRM documents are analysed. The case studies are the Bujagali dam and its associated infrastructure (BHPP & BIP), and the "Lakes Edward and Albert Integrated Fisheries and Water Resources Management Project" (LEAF II). Both cases have received a compliance review by the IRM regarding perceived social impacts that were not in compliance with the social guidelines and regulations of the AfDB. The case studies are from a similar spatial and disciplinary context, namely water-based development projects from Uganda. For the direct geographical project impact areas of both cases, see Figure 5 below.
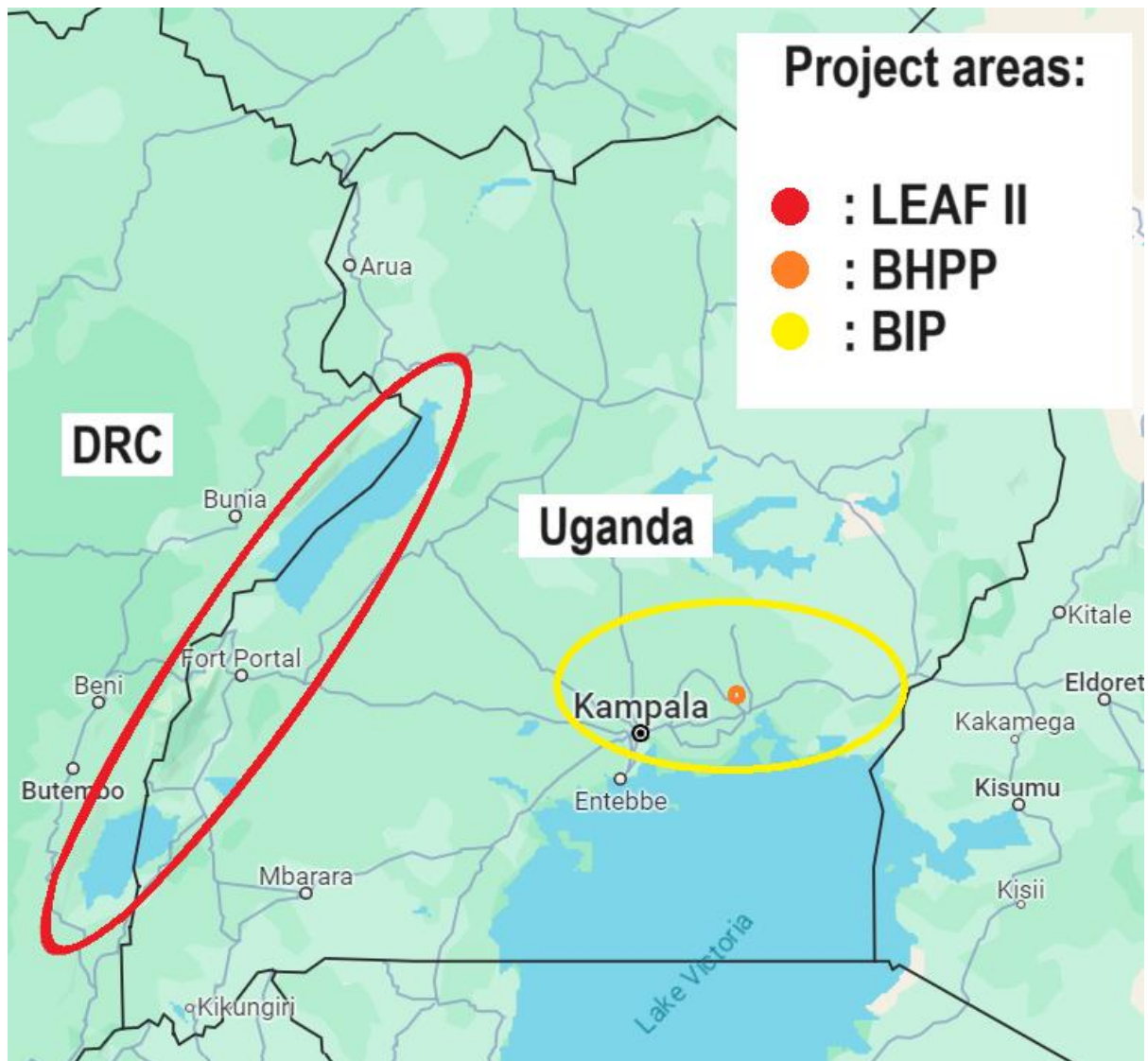
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Figure 5: Approximate locations of the project areas (Modified from source: Google Maps, n.d.a)

The Bujagali dam encompasses two efforts; the building of a dam on the Victoria Nile, and the building of infrastructure to distribute the energy which the dam generates. The official AfDB site frames these two efforts as separate projects, but as they are intrinsically linked and collectively reviewed by the IRM, they will be treated in this paper as one project for clarity. Henceforth, both efforts will collectively be referred to as the Bujagali dam, or the Bujagali project. The IRM compliance review monitoring for the Bujagali dam has been closed off since 2019 (AfDB, n.d.b, n.d.c). By including a completed case review with the Bujagali project, it is possible to gain a complete view of the process, including the closure and any follow-up processes. This case study is only covered by secondary data in the form of a full document review.

The second case review, the LEAF II project, has a compliance review still in progress (AfDB, n.d.d). The project encompasses a wide array of initiatives to improve the sustainability of practices and management of the basin in which Lakes Edward and Albert are located. It is relevant to mention that the project area of the LEAF II project is also currently subject to significant civil unrest (The East African, 2023).

It was purposefully decided to include both a completed case review (BHPP & BIP), as well as a case review which is in progress (LEAF II). By including a review of a case which is in progress with LEAF

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II, it is possible to approach stakeholders who are currently involved in the process, meaning that it is easier to find stakeholders for interviews, and the interviewees are also likely to be more actively engaged with the case. Furthermore, it allows for insights regarding the most current policies and practices surrounding the projects of the AfDB. The LEAF II case study is covered by secondary data through a full document review, supplemented by primary data in the form of qualitative research.

3.4: The Bujagali project

The IRM has reviewed and monitored the Bujagali project, with the monitoring process seeing closure in 2019 (AfDB, 2019). This case comprises two projects set in Uganda, both located on the Victoria Nile in Uganda, near the north bank of Lake Victoria in southeastern Uganda, approximately 60 kilometres east of the capital city of Uganda, Kampala. The two separate efforts comprising this project are referred to as the Bujagali Hydropower Project (BHPP) (See Figure 6), and the Bujagali Interconnection Project (BIP). They were developed simultaneously, approximately between 2007 and 2015 (AfDB, n.d.b; n.d.c).

Figure 6: Aerial view of the Bujagali hydropower plant (AKDN, 2012).

3.4.1: The Bujagali Hydropower Project

The BHPP comprised the building of a hydroelectric power station (See Figure 6). Its primary purpose was to address the growing demand for electricity in Uganda and contribute to the economic development of the country by providing a reliable source of power. The dam has a capacity of about 250 megawatts, making it a significant addition to Uganda's electricity generation capacity. The project was constructed through a public-private partnership (AfDB, n.d.b). The project initiator, leader and operator is Bujagali Energy Limited (BEL) and operates in agreement and with support from the Ugandan government. Further investors include private sector entities, and a consortium of IFIs, including the IFC, the AfDB, and numerous European IFIs (BEL, 2021). The area of influence of the BHPP mainly includes the direct vicinity of the dam, roughly highlighted in Figure 7.
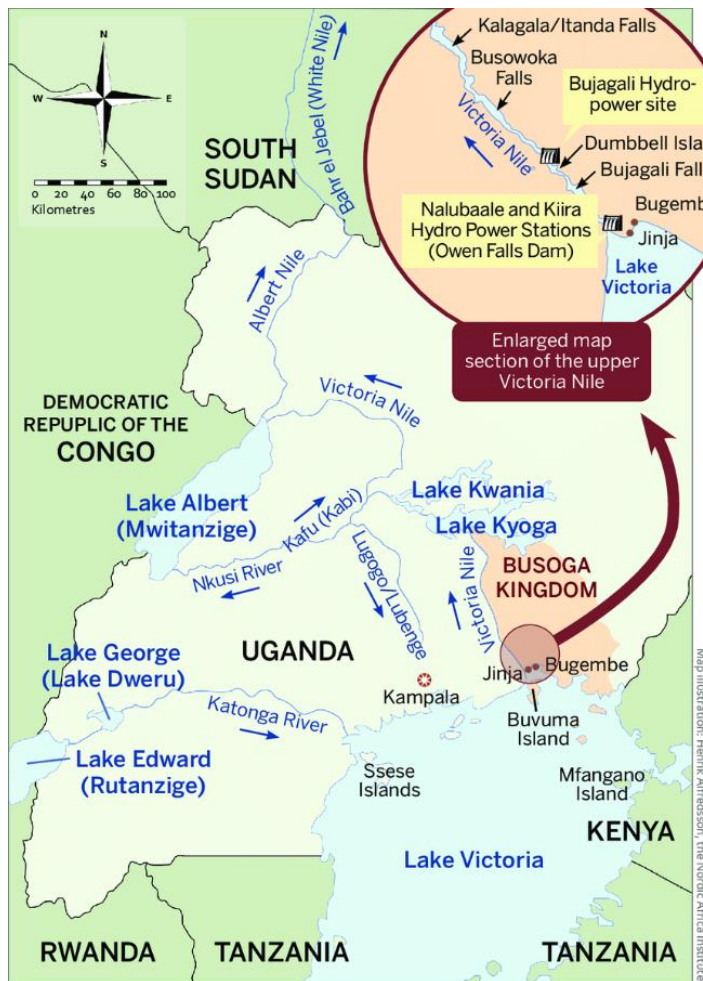
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Figure 7: Map of Uganda with the area around the Bujagali dam highlighted (Oestigaard et al., 2019).

3.4.2: The Bujagali Interconnection Project

The BIP is intrinsically connected with the BHPP project, providing the power station with the infrastructural needs to disperse the generated energy. The stakeholders for this project differ from the BHPP, with the line being built and owned by the Uganda Electricity Transmission Company Ltd (UETCL) and being financed by the AfDB and a Japanese IFI (JICA) (AfDB, n.d.c). BEL prepared the SIA, EIA, and a Resettlement and Community Development Action Plan (RCDAP) for BIP through an independent consultant (ibid.). Given the close connection to the BHPP, lenders insisted on adherence to the IFC's 2006 Performance Standards (PS), despite the IFC not financing the project (CAO, n.d.). This is in line with IFC PS 1, point 5 (point 8 in the 2012 version), which states that risks and impacts will be analysed in the context of the project's area of influence, which encompasses; "associated facilities that are not funded as part of the project (funding may be provided separately by the client or by third parties including the government), and whose viability and existence depend exclusively on the project and whose goods or services are essential for the successful operation of the project." (IFC, 2006, p.2). Furthermore, the IFC explicitly stated that "associated facilities may include railways, roads, captive power plants or transmission lines, pipelines, utilities, warehouses, and logistics terminals." (IFC, 2012, p.4). The area of influence of the BHPP reaches beyond the area of influence of the BIP, as shown in Figure 8.
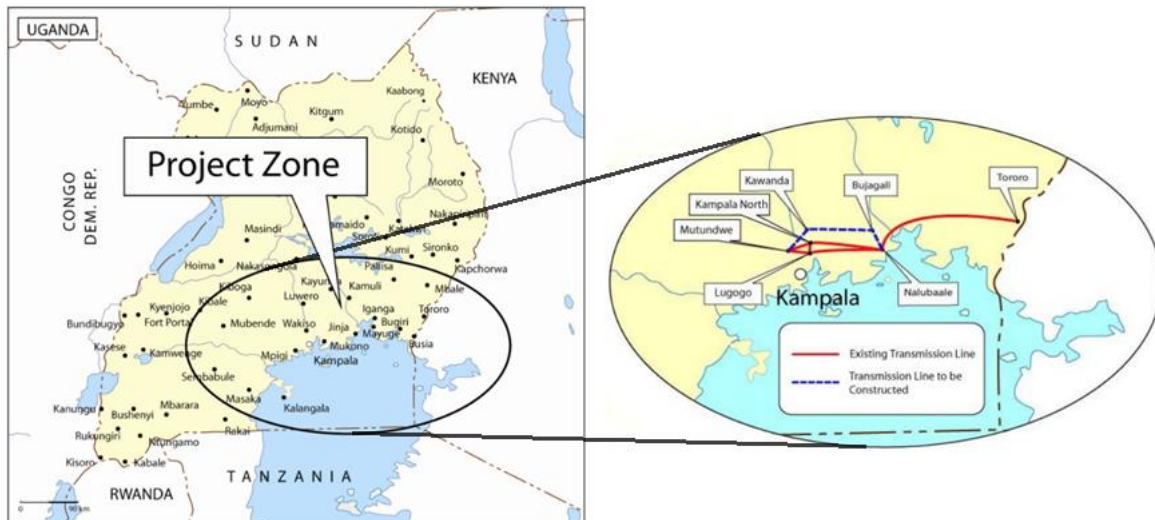
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Figure 8: Project location maps of the BIP (Modified from source: IRM, 2007b)

3.4.3: Bujagali project: issues and criticism

The BHPP, and in extension, the BIP, has faced criticism and scrutiny regarding its environmental and social impacts, particularly on the river ecosystem and surrounding communities. It is important to note that the project had already been attempted to be implemented in 2002, by AES Nile Power (AESNP). The failure of implementation at the time was caused by the difficulty of financing, possibly among other reasons (IRM, 2007b). This initial implementation attempt led to adverse social impacts at the time, such as poor resettlement procedures, which were not accompanied by any follow-up, as the involvement of AESNP in these procedures ceased with the failure of the project (ibid.). For a full timeline of the case review of the Bujagali project, see Figure 9. In the upcoming sections, numerous actions from different stakeholders are discussed, and the timeline is referred to, using letters in chronological order, that correspond to the mentioned actions and their place on the timeline.

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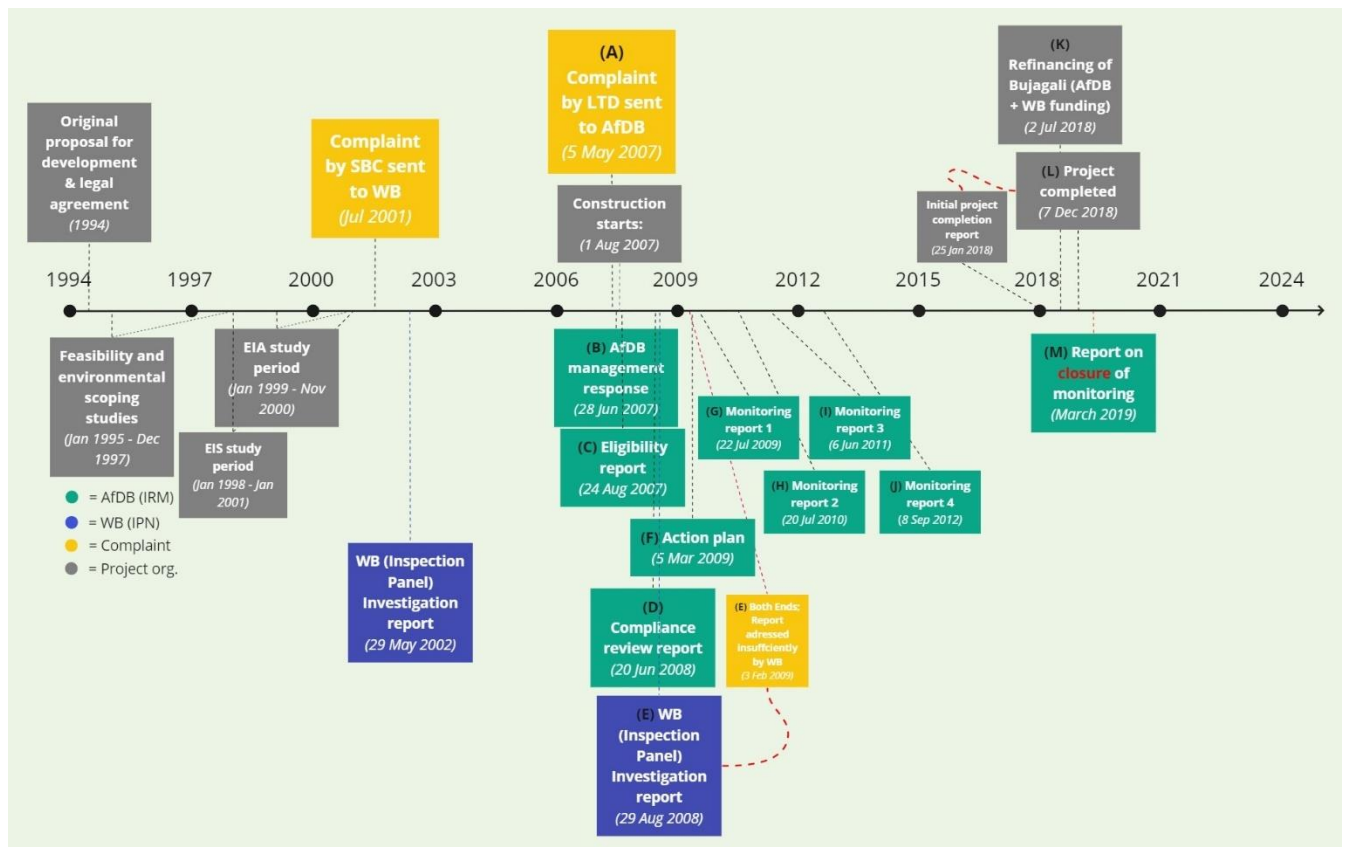*Rijksuniversiteit Groningen*

Figure 9: Timeline of the Bujagali dam project, with key moments indicated with capitalised letters; A to I (Own work, based on: AfDB, 2018; BEL, 2021; Both Ends, 2009; IPN, n.d.b, 2008; IRM, n.d.c, 2019; World Bank, 2001, 2002)

3.4.4: Compliance issues; the complaint by LTD

On the 5ᵗʰ of May 2007, the National Association of Professional Environmentalists (LTD) filed a complaint to the IRM regarding both aforementioned projects set near Bujagali *(See "(A)" in Figure 9)*, stating that they had already approached the project sponsor (Bujagali Energy Limited, BEL for short), the Government of Uganda, and the World Bank Group with their concerns, but to no avail. The complaint stresses the inadequacy of the SIA published by BEL, listing multiple flaws of the assessments which violated the AfDB's policies. Technical assumptions within the project include an overly optimistic attitude regarding the capabilities of Lake Victoria to sustain the project aims, which led to concerns about excessive drainage of the lake. Further concerns include the lack of a sufficient comprehensive economic analysis, a lack of sufficient wildlife impact studies in the EIA, and an overall lack of transparency (IRM, 2007c). Furthermore, the complainants expressed concern regarding the safety problems of a different dam, including large cracks in the corresponding bridge, with LTD arguing for a comprehensive plan for addressing the issues. They argue that this should include addressing similar issues for the nearby Nalubaale dam. (IRM, 2007c).

The complainants also call attention to issues regarding the living conditions of the resettled people by the first Bujagali project. The developer, AESNP, was responsible for implementing the resettlement procedures at the time (IRM, 2007b). The issues include dilapidation of provided housing, as well as a lack of received land titles. The complainants included a letter where resettled people expressed discontent, and that promises regarding the resettlement process were not kept. This led the complainants to call for reconsideration of outdated compensation and resettlement frameworks (IRM, 2007c). Finally, the complainants accused the project of an unjust disregard for Indigenous Peoples. This mainly

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targets the issue of the local Basoga people, who are the inhabitants of the kingdom of Busoga (as displayed in Figure 7, Chapter 3.4.1). These people are not considered to be Indigenous in the ESIA, even though the Constitution of the Republic of Uganda considers them to be Indigenous, as they are one of the five constitutional monarchies (IRM, 2007c, p 11). It is important to note that at this time, FPIC was not yet a requirement for projects by the IFC, as this requirement was first included in the 2012 edition of their performance standards (IFC, 2006, 2012).

3.4.5: The IRM's and the AfDB's reaction

On the 4th of June later that year, nearly a month later, the IRM published a notice of registration of the complaint. They note in this notice that they first ask for a statement of the Bank's management, before finally determining the eligibility of the case for a compliance review: *'In accordance with paragraph 31 of the IRM Operating Rules and Procedures, the Bank's Management must provide the (IRM) by no later than 3 July 2007 with written evidence that it has, or intends to comply with the Bank Group's relevant policies and procedures.'* (IRM, 2007d). Following this, the AfDB management responded on the 28th of June *(See "(B)" in Figure 9)*, with a document where they responded in an orderly fashion to all nine compliance issues that the LTD had brought up in their complaint. They express sympathy with the complainants and provide information regarding the studies on which certain decisions have been based. They point towards additional studies, not necessarily conducted by the AfDB themselves, which are in progress and might further alleviate some of the concerns. Overall, they mostly express faith in the policies that are in place, argue that they have complied with them, and express trust in the beneficial aspects of the projects for Uganda (IRM, 2007b). They agree with the complainants in terms of acknowledging social issues of resettlement of the first Bujagali project, for which AESNP and not the AfDB was the responsible authority. They demonstrate their intentions to rectify issues, and to follow up closely and fully comply with their policies (IRM, 2007b). This reaction is in line with the earlier mentioned statement of the AfDB, that the IRM needed to progress the process (IRM, 2007d).

Two months later, on the 24th of August 2007, the IRM published an eligibility report *(See "(C)" in Figure 9)*, where all nine compliance issues from the complaint are again shortly addressed and collected to provide a recommendation for a compliance review. Noting the significant disagreements between management and the complainants, the IRM recommends conducting a thorough review to assess compliance with the Bank Group's policies, considering the diverging views and allegations of policy violations. A review panel with specialists is suggested, including recommendations for specific individuals to be invited as part of the panel. Lastly, coordination with the World Bank's IPN is recommended to reduce costs and share information (IRM, 2007a).

3.4.6: Compliance review

Nearly 10 months later, on the 20th of June 2008, a full compliance review was conducted by the IRM, and this produced a compliance review report *(See "(D)" in Figure 9)*. In this compliance review, non-compliance on most issues that were raised by the LTD was recognised, meaning that they recognise that the AfDB indeed failed to adhere to their social policies regarding these issues. The review includes in-depth recommendations for addressing these compliance issues. The issues are ordered into four categories. The categories include social issues, environmental issues, hydrology, and lastly, economic issues.

In the "social issues" section, it is stated that BEL has agreed to resolve any issues of resettlement (IRM, 2008, p.22). In the same section, the complaint of the unjust disregard of the Indigenous rights of the Basoga peoples is countered. It is stated that, after consideration, the Basoga peoples are regarded as neither Indigenous nor disadvantaged, meaning they do not qualify for any special treatment (ibid, p.28). However, certain groups and individuals of the Basoga peoples may still be viewed as disadvantaged. Such a disadvantaged group includes Nabamba Bujagali and his followers, who form a group of Basoga

people who oppose the building of the dam due to spiritual reasons (ibid, p.30, p.32). The compliance review addresses this by stating that the appraisal report should require a section, including elaboration on the significance of the issue, the consultation that has taken place, and an explanation of why the issue has been deemed sufficiently addressed (ibid, p.33). In the "economic issues" section, it is relevant to note that the review highlights a lack of research on the monetary impact of the project on low-income households, indicating that this deviates from the Bank's policy, and thus, should be improved (ibid, pp.66-67).

As recommended in the eligibility report, the IRM and the IPN worked together on the investigations. The two IAMs shared and coordinated their field investigations, each adhering to their own bank's policies and each formulating their own findings and recommendations (IRM, 2008). The investigation report by IPN was published in August 2008 *(See "(E)" in Figure 9)* (IPN, 2008), and the implementation of this report was denounced by the Dutch NGO "Both Ends" in February 2009 to be insufficiently addressed by the World Bank management (Both Ends, 2009).

In March 2009, nearly a year after the compliance review report was published, the AfDB board of directors discussed and accepted the content of the CRR, and a management action plan was developed to address the recommendations from the compliance review report *(See "(F)" in Figure 9)*.

3.4.7: Monitoring process

Monitoring reports of the Bujagali project were published by the IRM between July 2009 and September 2012 *(See "(G, H, I, J)" in Figure 9)*. These yearly monitoring reports consistently identify the progress that has been made regarding the fields of complaint, identify issues that are still insufficiently addressed, and provide recommendations for action (IRM, 2009, 2010, 2011, 2012). The 2010 report is an outlier in the fact that it explicitly expresses disappointment in the lack of progress.

The final monitoring report notes progress, though several persisting issues are still mentioned, including the adhering actions considered necessary. Regarding resettlement, many issues are still raised, including additional issues which have arisen since then, such as rock blasting near the riverbed by BEL starting in 2009 which resulted in damages to the houses of neighbouring communities (ibid.) (see Figure 10). Regarding resettlement and compensation, the earlier mentioned issue of increased impacts for low-income households does not seem to make any appearance outside of the compliance review report, nor do any similar terms such as "disadvantaged" or "vulnerable" groups (ibid.). Regarding spiritual issues, it is noteworthy that any attempts at consultation with Nabamba Bujagali and his followers have still not been successful. Here, it is explicitly stated that formal commitment to resolving this issue has ended, though it is said that; *"the Team notes the value of keeping open the possibility of a conciliatory arrangement with Nabamba Bujagali for appeasement ceremonies at some time in the future, should all the relevant parties find it appropriate"* (IRM, 2012, p.8).

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Figure 10: Impacts on local housing by BEL-coordinated rock blasting (IRM, 2009, p.14)

Finally, the compliance review discusses the potential for a conclusion of the monitoring process the following year (2013) and formulates recommendations for reaching this goal. This includes the timely submission of completion reports on the Bujagali project to the IRM for assessment, specifically in the context of compensation and resettlement. Close cooperation between the project management, BEL and UETCL is also recommended (IRM, 2012).

3.4.8: Closure

As can be seen from the timeline in Figure 9, the conclusion for the monitoring reports was not published in 2013 as aimed for in the 2012 report (IRM, 2012). This is because the overall project completion report (PCR) was needed to provide closure for the IRM's monitoring. The initial project completion report made no mention of the IRM's involvement (IRM, 2019), which could be seen to signify a certain degree of faulty contact between the AfDB and its IRM. Several months after the proper PCR was published by the AfDB *(See "(L)" in Figure 9)*, the IRM also published the final report on the closure of the monitoring process of the Bujagali project in March 2019 *(See "(M)" in Figure 9)* (ibid.). Within the document, the IRM summarises the contents of the four monitoring reports from 2009 to 2012 and adds several recommendations. These recommendations include continuing to support UETCL and BEL in measuring the sustainability outcomes of the projects, benefiting from the lessons learned, and monitoring the compensation and relocation processes (IRM, 2019). The document does not provide any framework for setting up these processes or provide any other deeper information on the practicalities of the recommendations. It is notable that earlier in the same year of the PCR and the closure of the monitoring process, a new deal had been signed for refinancing of the Bujagali dam to reduce costs *(See "(K)" in Figure 9)*, which was also partly funded by the AfDB, along with the World Bank and several other IFIs (AfDB, 2018). No mention of this effort was made in the project completion report.

3.5: LEAF II project

The second case in Uganda is the LEAF II project, which is still in progress and under review by the IRM. The project is a comprehensive initiative which aims to address critical challenges such as

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deforestation, overfishing and other climate impacts, and strengthen legal, policy, institutional, and regulatory framework for sustainable management and development in the Lakes Edward and Albert basin, which comprises an area including a large part of western Uganda and the eastern Democratic Republic of the Congo (DRC) (IRM, 2022a). See Figure 11 for a map with the project location of LEAF II indicated. The project is built around three major components, being *Fisheries Resources Development and Management*, *Integrated Water Resources Management*, and *Project Management and Coordination* (Ministry of Water and Environment of the Republic of Uganda, n.d.).
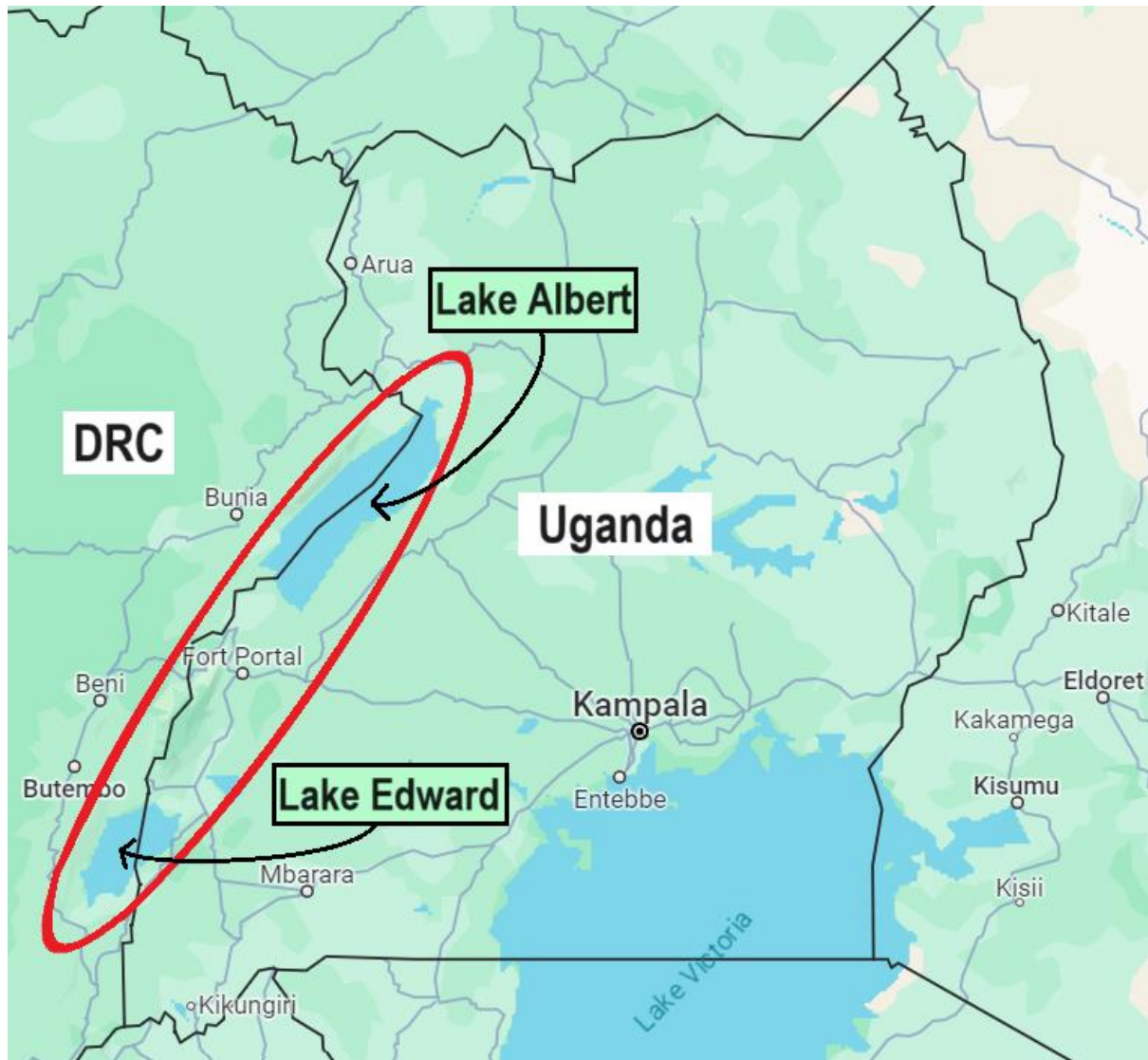
Figure 11: Lake Edward and Albert Basin; location of the LEAF II project (Modified from source: Google Maps, n.d.a)

3.5.1: Project components

Under *Fisheries Resources Development and Management*, LEAF II aims to enhance the monitoring, control, and surveillance of fisheries activities, which involves the deployment of patrol boats, surveillance stations, and joint operations to combat illegal practices. Additionally, the project endeavours to improve fishery management through regular surveys, the construction of research vessels, and the implementation of fisheries management plans for each lake (AfDB, 2015b). The *Integrated Water* Resources *Management* component centres on initiatives such as catchment and wetland management, water quality assessments, and the development of a water resources model for

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Lakes Edward and Albert. In practice, these efforts include mitigating soil erosion, enhancing basin vegetation cover, and restoring wetland and riverbank buffer areas, for example through improving coordination capacities between Uganda and DRC. Furthermore, the component includes the aim of reviewing and updating policies and practices and establishing community-based platforms as well as a Basin Management organisation (ibid.). The third component, *Project Management and Coordination*, emphasises the strengthening of regional and national coordination units. This involves the recruitment of key personnel, coordination of procurement activities, and support to national institutions in both Uganda and the DRC. Furthermore, the project includes a focus on community engagement and capacity-building, recognizing the importance of a participatory and conflict-sensitive approach (ibid.).

Overall, the intended benefits of the LEAF II project include enhanced sustainability that positively impacts communities in Uganda and the Democratic Republic of Congo, particularly focusing on benefiting fishermen, crew members, and women involved in value addition processes (AfDB, n.d.d). The project aims to spur economic growth, employing a participatory approach, with positive contributions highlighted in financial and economic assessments (ibid.). The economic analysis considers market conditions for tradable goods, and LEAF II intended to generate indirect benefits like infrastructure development, alternative livelihoods, improved social services access, and reduced household burdens for women (ibid.). A timeline of the case review of the LEAF II project is provided in Figure 12. Numerous actions from different stakeholders, which are all listed in the timeline, are discussed in the following sections.
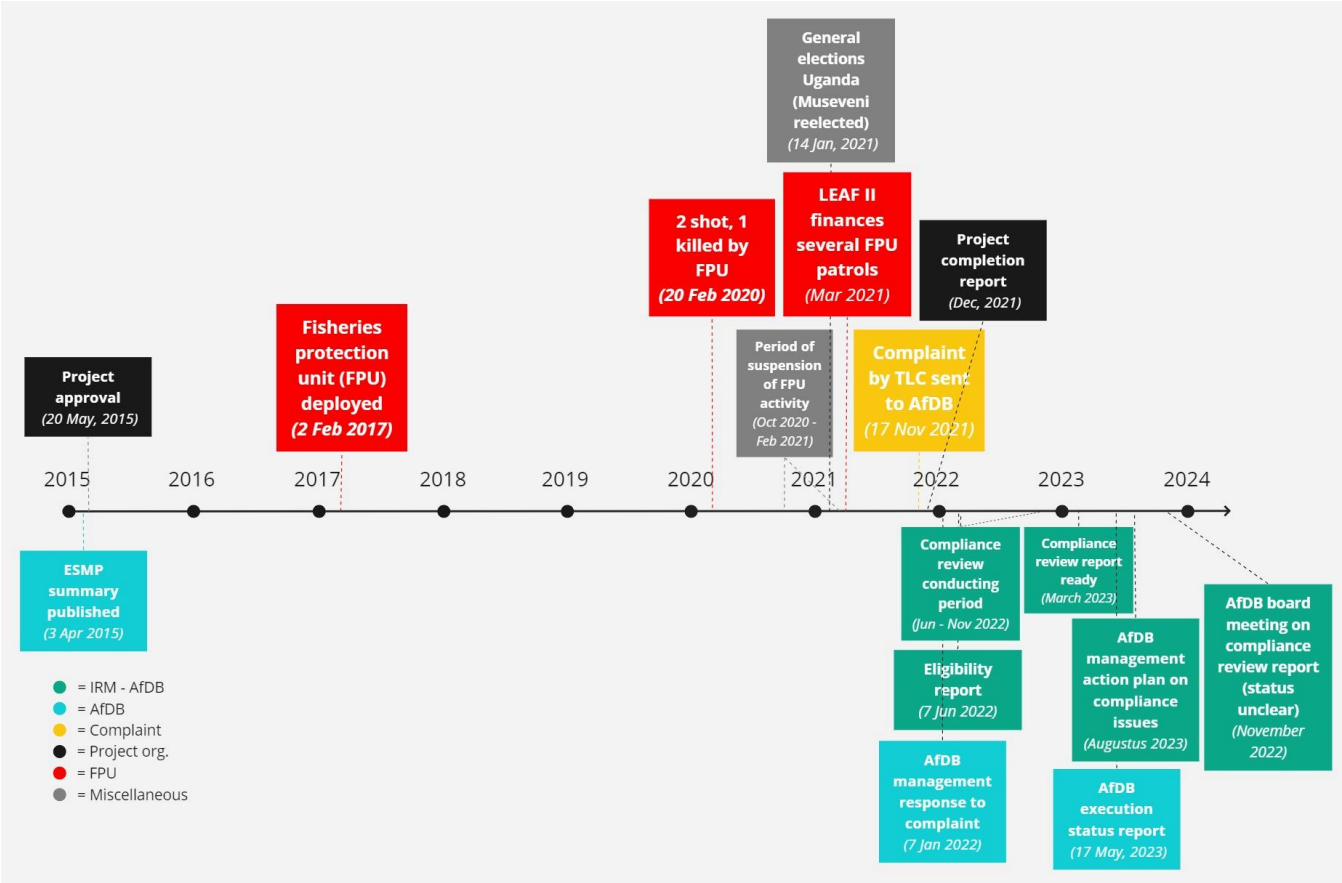

Figure 12: Timeline of the LEAF II project (Own work, based on: AfDB, 2015b, 2021, 2023c; BBC News Pidgin, 2021; IRM, n.d.d, 2022b; The electoral commission, 2021; Uganda Radio Network, 2021; supplemented by information from an interviewee - Gerald Kankya)

3.5.2: Start of the project

In April 2015, an Environmental and Social Management Plan (ESMP) was published, and the following month the project was approved. The ESMP discussed social and environmental issues present before the start of the project, including pollution, overfishing, and increasing unemployment and poverty in nearby fishing communities. It also outlines expected social and environmental impacts, such as alterations in hydrology, effects on livelihoods, and projected population growth. Proposed actions to alleviate adverse impacts are indicated, including the conduct of environmental impact assessments for any infrastructure to be built, exploration of viable alternative livelihoods for local residents, and the implementation of awareness and information campaigns, as well as participatory approaches.

3.5.3: Pressing impacts of the project

To coerce the locals into transitioning into more sustainable fishing methods, heavy enforcement measures were taken to implement the new quality standards. The Fisheries Protection Unit (FPU) was deployed in 2017 and brought unwarranted destruction of fishing gear and boats (see Figure 13), and nets being impounded. Furthermore, male adults are reported to have been harassed, arrested, and sometimes fatally injured (IRM, 2021c). It is interesting to note that the FPU has seen one period of suspension of activity, which was from October 2020 until February 2021 (Uganda Radio Network, 2021) (See Figure 12). This coincides with the election period in Uganda, with President Museveni being re-elected in January 2021 (BBC News Pidgin, 2021; The Electoral Commission, 2021). According to the IRM, the official involvement of the LEAF II project in the monitoring activities of the FPU started only in March 2021 and lasted only several weeks (IRM, 2022b, p.11).

Despite these apparent issues, the AfDB themselves (not the IRM) do not recognise any of these issues in their project documents. The AfDB reported in their project completion report in December 2021 that the project design is "highly satisfactory", and that "The engagement and implementation coordination with all key stakeholders […] properly positioned the project and helped in information exchange, feedback and sustainability of project results." (AfDB, 2021, pp.2-3). They go on to state that "Performance of the relevant Central Government actors […] and Local Government Entities […] was satisfactory. They remained supportive to the project." (AfDB, 2021, p.19).

Figure 13: Fishing boats being burned by the FPU on account of being illegal (The Independent, 2021)

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3.5.4: The Complaint

On the 17th of November 2021, the Twerwaheno Listeners Club (TLC) submitted a complaint letter regarding various negative social impacts. They feel that the goal of the project to start a smooth transition from dependency on water bodies to other forms of livelihood was not fulfilled, and many people are consequently left without livelihoods. This is accompanied and exacerbated by the earlier-mentioned deployment of the FPU. The lack of assistance in the intended transition left many people without livelihoods, which is one of the main concerns of the TLC (IRM, 2021c). According to the TLC representative, they recommend a remedy to 400.000 fisherfolks. The adverse social impacts disproportionately affect vulnerable populations, particularly Indigenous communities. Based only on geographical location, the major Indigenous groups that might be affected by the LEAF II project include the Basongora and the Batwa peoples, though with the Batwa peoples being mainly forest dwellers, and the Basongora peoples being lowland and lake dwellers (IWGIA, n.d.; Minority Rights Group International, n.d.), the Basongora are most likely to be impacted by the LEAF II project, which is affirmed by one of the interviewees. Furthermore, communities often face financial challenges and challenges of food security and malnutrition. Furthermore, forced relocation threatens the culture of Indigenous communities disproportionately as this is intricately linked to the location they have lived for centuries. These coercive measures which implement the aims of the LEAF II project led to a situation where the FPIC principle, aimed to protect these communities, is not adhered to. The following was said in the complaint by TLC regarding the implementation of FPIC in the LEAF II project (IRM, 2021c, p.4):

> "The process was not free, not voluntary and had elements of coercion as fishers were told to agree to the consultations resolutions without fully understanding the implication of what they were committing to."

Attempts to include community participation in the project have had adverse effects. The popular vote had been implemented to be used as a measure to elect committees that implement monitoring of illegal activities, which mainly include fishing activities, which make up the everyday livelihoods of many locals. However, candidates that condone these "illegal" activities have proven popular, as the majority of the people prefer poor monitoring over halting the illegal activities that form their livelihoods. This, in turn, has had an adverse effect where the government secretly placed undercover officials in these committees, leading to a situation of very poor representation of the public in these committees (ibid.). Furthermore, there have been many reprisals against people who criticised the approach; human rights activists have been deliberately targeted by attacks, leading to forced relocation and fear of speaking up about issues. The document reports continued registration of attacks on community members, and even fatalities (IRM, 2021c, p.7). The TLC stresses that although they do not consider AfDB as directly responsible for the impacts, they should incentivise, encourage, and require their business partners to minimise these impacts. The recommendations by the TLC are firm, including proposing to suspend the project, conduct an independent investigation, put a short-term emergency remediation plan in place and consider fresh consultations to understand the exact impacts (IRM, 2021c).

3.5.5: AfDB & IRM Response

Similarly, in the Bujagali dam case, the management response was first published, and the eligibility report followed several months later. Both the management response and the eligibility assessment for compliance review do not recognise the violation of the principles of FPIC, nor the necessity to enforce them, as Uganda does not recognise any groups within Uganda as "Indigenous", aside from the numerous constitutional monarchies (IRM, 2022b, 2022c). The eligibility assessment does mark several other issues as "plausible", including inadequate public consultations, impact on the livelihood of affected communities, use of force against communities, and lack of community involvement in the

Project (IRM, 2022b, pp.13-15). Thereafter, based on these plausible issues, the eligibility assessment goes on to advise starting a compliance review for the LEAF II project (IRM, 2022b, p.18)

The compliance review conducting period was from June to November 2022. Any further documents on the project are not readily available online, but they are available to the TLC representative, though he was not authorised to share them for the purpose of this paper. According to the TLC representative, a compliance review report was published in March 2023, which recognises the compliance issues of the LEAF II project with the AfDB's policies and recommends numerous actions. Furthermore, he said that a management action plan was ready in August 2023, and the AfDB board met in November 2023 to discuss said plan. The outcome of this discussion is still unclear.

The most recent document that has been made available by the AfDB, in December 2023, reports on the execution status and results of the LEAF II project. This document is at odds with the complaints, with it being largely positive. It considers the project performance as *"satisfactory"*, and the only challenges reported by the document include delays due to bureaucracy and external factors such as the COVID-19 pandemic, and the aforementioned state of conflict (AfDB, 2023c; The East African, 2023).

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Chapter 4: Findings

4.1: AfDB's social policies versus the implementation

Firstly, numerous general findings are highlighted that the qualitative data can add to the context which has been established in the theoretical framework.

4.1.1 African context

Firstly, it is important to reveal additional context acquired through the interviews, which might influence the capacity of the AfDB to implement its social policies. As mentioned in Chapter 2.1.2, Africa includes a broad number of transition states (Betey & Essel, 2013). These countries are more prone to conflict, which increases the difficulty of forcing alignment in social policies with the AfDB. An example of this is the militarised context in Uganda, which has, according to the TLC representative, led to increased reprisals against project-affected people and NGOs who speak out to report social impacts. WG-member 3 states the following regarding cases in authoritarian countries, and the danger and difficulty for project-affected people to speak up:

"And so what we have been telling not just the AfDB, but also the other banks is, you should put in place a framework that your client uses, especially in countries where civic space is closed, where there might be a dictatorship, where people are really scared to speak up. You should put out a framework that the client uses, instead of putting that entire responsibility on them."

The contrast between social guidelines in the African context and the European context is further illustrated through the following statement by Tom Ogwang:

"I know when they have a contract in the Netherlands, for instance, or in Germany, or anywhere in the European Union, they will do things according to internationally acceptable standards, when they are in Africa. They tend to do things differently. And that is partly attributed to the governance systems in place."

Dr. Ogwang goes on to exemplify this with the context of Uganda, where a surge of protest against a crude oil pipeline has heightened the alert of the government. This leads to them hindering SIA research, as they suspect that they have ulterior motives in mobilising communities to join the protests against the oil pipeline. As stated by Dr. Ogwang:

"There has been a lot of opposition as of late by some people from Western countries. [...] We have had a coalition of international NGOs, which oppose the oil pipeline in Uganda. So the government has been, of late, strict on the access to these communities, because they have the fear that they're trying to mobilise communities of all the oil and gas development projects. [...] they may not think we are just there to do research, but think we are there for other ulterior motives."

Jeroen de Zeeuw adds an example of the difficulty in SIA research from the context of DRC. His organisation maintains a zero-tolerance policy for corruption, meaning that he cannot pay for any services that should not cost any money when deployed in the DRC. This brings difficulty in many processes such as travelling, but bureaucratic processes are also allegedly significantly slower when officials are not paid to incentivise them to speed up the process. As stated by Jeroen de Zeeuw:

"... government officials who ask money to supply you with a certain permit, or only take your request into consideration if you pay for it. We will say, no we won't do it, but that means that our request will take two or three months extra." (author's translation)

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The processes of monitoring and evaluation can also bring wildly different challenges depending on the varied contexts in which the AfDB provides funding. Issues of the different countries include different sets of procedures. This is exemplified by Gisele Belem through a case in Cameroon, where the national guidelines for the RAP were being used, even though the AfDB's guidelines were stricter and should have been followed.

4.1.2 AfDB's policies in perspective

Dr. Ogwang compared the policies of the AfDB to Chinese investors who invest in infrastructure projects. Unlike the AfDB, the Chinese investors generally do not transfer money to the governments, but do most of the process themselves, including supplying workers and technology. He views Chinese investors as more reliable, as they largely cut out the Ugandan government and contractors in the process, which means that time and money are spent more efficiently:

> "... we want to see projects or infrastructure that they are ready to provide, which is not the same with the World Bank and is not the same with the African Development Bank. [...] if we were to pay money (to the Chinese investors), 20 years from now, it would be seen that the infrastructure has been built, as opposed to projects by the World Bank, where sometimes the money can get eaten up by government officials or the contractors doing the job along the way, or inability to complete a project on time because of various factors. That is not common with Chinese investors."

The matter of social impacts and social policies is a problem, as the organisational structure of the Chinese banks dictates that 15% of the funding for the project should be gathered by the government themselves, and they outsource the responsibility for the SIA processes entirely to the government. Furthermore, within their practices they also fail to adhere to some basic social policies, including a lack of fair treatment of workers, and a disregard for democracy. As stated by Dr. Ogwang:

> "They don't impose - the conditions are there but not political conditions issues of democracy, that is not part of the point of Chinese funding."

Two NGO employees with relevant experience in the African context, Jeroen de Zeeuw and Anne de Jonghe, both brought to the front that the implications of human rights are not thoroughly explored by either the AfDB or other IFIs. Gisele Belem mentioned that the regulations for reports for the AfDB dictated more frequent reports than the World Bank:

> "One thing that was different in the AfDB, was that for high-risk projects, we would even ask them to have monthly reports. We can still ask for that in the World Bank, if you think that the project is very sensitive, you want to have news more frequently, you can ask them to send you monthly reports, but in AfDB it was mandatory to have monthly reports for high risk."

However, she reveals that she experienced very high work pressure while working at the AfDB, because they possess little staff compared to the number of projects:

> " ... The World Bank has more staff. [...] In past years, it was really a nightmare in AfDB, because of the number of staff compared to the number of projects, but now they have more consultants to help them follow up on the project, so I think it's improving quite a lot."

The ISS which was in use by the AfDB before the revised ISS of April 2023, was of lesser quality than the policies that are being upheld by several other IFIs, exemplified by Gisele Belem through the absence of a requirement for a Labor Management Plan. This was fixed in the revised ISS, which will be effective for projects commencing from January 2024 onward. All AfDB-WG members, Gisele Belem and Jeroen de Zeeuw have commented on the strength of the policies embedded in the revised ISS.

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4.1.3 AfDB's tools and its challenges

The revised ISS, in addition to the other social policies such as SIA and RAP guidelines, are important tools for the AfDB to address social issues, but also the issue of reprisals against parties that speak out about the social issues (AfDB, 2003, 2015a, 2023a, 2023b). The interviewees have elaborated further upon additional tools that may be used by the AfDB if the aforementioned guidelines prove insufficient, but also on the challenges that the AfDB faces in using these tools.

WG-members 1 and 2 praised the strength of the AfDB's revised ISS, though with a connotation of the challenges that it may face in the implementation. WG-member 1 stated that in the 2019 summary report of the earlier ISS, issues were revealed with the capacity to adhere to these simpler operating standards. The revised ISS expanded upon the operating standards, but WG-member 1 speculated whether the AfDB is ready in terms of capacity to implement these standards in practice, and solve the issues:

> *"... it's going to require a lot of changes [...] to get the boss, the staff and the regional members ready. We have seen limited staff capacity in country offices, and we don't know how this is going to be resolved to ensure that there is enough capacity to implement the methods and that each regional member is able to depend on a country office to be able to support the borrowing government to implement that. But not only that, but to include partners such as civil society organisations to be able to support in the implementation or monitoring of the new ISS. So yeah, one of the concerns with the new ISS really is the bank's readiness to implement it. We have seen the challenges with the old ISS. We are really worried ... "*

WG-member 3 seconded this opinion and supplied it with the additional issue of reprisals. The revised ISS made a written commitment of a lack of tolerance towards reprisals, but she doubts the feasibility of this, saying that "the borrower", i.e. most often the government, is involved or directly responsible for reprisals. As the government is also responsible for enacting policies to combat reprisals, this seems like a difficult issue to address as it includes a heavy conflict of interests. As WG-member 3 has put it:

> *"... in the big majority of the cases, the client and the borrower itself, is actually either involved or directly responsible for those reprisals. So you're basically asking the person committing the human rights abuse to also be the person to address, mitigate and respond to them."*

The TLC representative backed this claim of a conflict of interests. According to him, the functionality of the ISS is limited by the fact that most shareholders of the AfDB are African governments. He also states that some of these governments have a conflict of interest, in that they frame complainants as "unlawful", and "anti-development", to downplay or justify the reprisals:

> *"People who support these (complaining) communities are generally regarded as anti-development. Because some of the people in power think you can compromise and violate rights for the sake of having a good road project, something like that. That is the biggest challenge. And the risk of reprisal is extremely high. The cost is extremely high."*

Gisele Belem elaborated on the fact that resettlement costs were handled "quite different(ly)" with the AfDB, with countries requiring the bank to finance them most of the time. According to her, this gave the AfDB a certain power, in that they could use the financing of the process as leverage for ensuring the quality of resettlement practices.

The TLC representative supplemented that the AfDB also has leverage over the governments of countries within which they support projects, as they are giving resources. He highlighted that through this leverage, the government can be directly engaged to discuss the issues of reprisals, but also that the leverage proves less effective when the project is already in a later stage of completion. Furthermore,

reprisals are more prone to happen, and thus difficult to address when complaints originate from a broad number of sources, instead of a single, more focused source, like an NGO. As he stated:

> *"Let's talk about large scale reprisals which is particularly difficult for the bank, [...] but if it's one person or two people, it's easier for the bank to engage directly with the government to ensure that there isn't an escalation. For example, with a big project that is still ongoing, and involves reprisals, the bank has some leverage over influencing the government because it's giving resources. So you can engage directly by talking to the government. And in very extreme circumstances, the bank can also decide to suspend the project, if it's still running. It becomes a little bit complicated, if the project is almost towards the end, to use power to influence positive reform."*

Overall, it is demonstrated that the AfDB policies are strong, but the tools to address challenges may be lacklustre. The issue of reprisals is very significant, as it instils fear and prevents people from seeking help when they are impacted, providing the AfDB with a false image of a lack of social impact. The AfDB has certain tools to address the issue of reprisals, but these are not applicable in all situations, making addressing this issue difficult for the bank (also see Chapter 2.1.2).

4.3: Findings case study; Bujagali dam and infrastructure

Regarding the Bujagali dam, no additional qualitative data has been gathered, due to a lack of response from relevant stakeholders. Thus, most findings regarding this project are already aptly demonstrated in Chapter 3.4. But in general, it can be concluded that a significant amount of compliance issues initially raised in the complaint, have been addressed at the time of the closure of the compliance monitoring process. However, some issues remain, such as a disregard for issues with groups explicitly considered disadvantaged and eligible for the principles of FPIC in the initial compliance review report. Regarding the persevering issues, the IRM provides recommendations, but these are not extensive, lack any framework for implementation, and lack intention of monitoring or evaluation. Lastly, it is notable that the closure of the compliance monitoring process was published a year after the refinancing of the Bujagali project, and this new process was not mentioned.

4.4: Findings case study; LEAF II

Regarding the LEAF II case study, the document review is supplemented by significant relevant qualitative data gained from interviews with a project-affected person and the complainant: the TLC representative.

4.4.1: Context LEAF II case

Hereafter, additional context which was not directly accessible from online sources is elaborated upon. The interview with the TLC representative elucidated the context of LEAF II. Both the project locations of LEAF II and the office of TLC are in Western Uganda, which, as the TLC representative revealed, is rich in minerals, and the government is currently putting infrastructure and systems in place to prepare for oil and gas exploration. According to Tom Ogwang, all the natural resources found in the country are supposed to be managed by the central government.

The Indigenous groups that are affected by LEAF II include, aside from the Basongora tribe, four other tribes of interest: the Banyabindi, the Bakonzo, the Batooro, and the Batuku. Furthermore, local decision-making systems and local government structures are at odds with each other, which alienates communities, as stated by the TLC's representative:

> *"The local government structures require public votes. But for resource management, and resource utilisation committees, like community management committees, it depends on community management structures and how they intend to manage themselves. So, communities dictate the*

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kind of participatory processes they want to be involved in. In this particular case, communities would then identify their own leadership. Under any circumstances, this was not the case. They (LEAF II project team) decided to have their own management practices, which in a way alienated communities from the management of the lakes."

4.4.2: Social impacts on local communities

A wide range of social impacts of the LEAF II project came forward in the interviews. According to the TLC's representative, 12 million people have potentially been affected by the project. The most significant impacts, and the most apparent impacts from the interviews, were actions committed by the FPU, as well as the UPDF (Uganda People's Defence Force). Some of these actions, allegedly aimed at safeguarding sustainable fisheries practices, such as banning certain fishing nets and boats, relied on excessive use of force. This resulted in severe impacts being reported by local fishermen, such as rape, assault, vandalism, and manslaughter and/or murder. As stated by the affected people's representative:

"LEAF II really - it did very bad things to us [...] people died. [...] women were pregnated (sic) [...] the ones who were selling fish, like women, their fish was thrown away. People were beaten. [...] fishing nets were banned. Their boats were banned. So, we don't really know exactly what the LEAF II means, because we are not really content with it."

This is backed up by the TLC's representative, who stated:

"We have a list of people who lost so many things like boats, fishing nets [...] but we also have people who lost out because of lost infrastructure or maybe displacement."

He goes on to say:

"They act, for example, harassment of women, rape, and defilement. They harass, issues like theft, and all these things also go under the guise of enforcement. [...] no one is going to let you go speak out openly that; You raped me, or maybe you stole my fish, or maybe you sold my boat to another fisherman."

4.4.3: Reprisals by project security forces

Aside from the social impacts of the LEAF II project itself, the act of speaking out against these impacts is dangerous in itself, as it can lead to reprisals by government officials and security forces. This is at odds with the revised ISS of the AfDB, which will be enacted starting January 2024 (AfDB, 2023b). Also, see Chapter 2.1.2. This is exemplified by the last sentence of the last quote of the previous paragraph, regarding the act of reporting officials who commit atrocious and illegal acts: *"No one is going to let you go speak out openly".* Both the affected people's representative and the TLC's representative spoke about having faced examples of reprisals. As stated by the affected people's representative:

" … [the FPU] harassed me, pushing me that I am so talkative. [...] I reported big people; reporting them that they are doing us badly. So they had to find ways of pushing me out of the work. I should be away, being that for me, I'm fighting for the people.".

Upon further questioning, the affected people's representative went on to say that not only him but also his family has also been greatly affected by the consequences of the reprisals. These accusations of reprisals, towards the FPU, are supported by the TLC's representative in both of his interviews:

"So the local communities have been specifically targeted, those they think were directly involved with the process."

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"I know civil society is sometimes targeted by state actors, to also portray that as much as you're talking about this, you're not coming here with clean hands. And these are the kinds of things that happen when you're speaking out about big investments such as this."

The TLC's representative goes on to state that he, and his colleagues at TLC, have also experienced reprisals themselves in the form of taxes:

"And now, on the part of people like us who are supporting such processes, it also gets costly, because you're targeted in different ways, for taxes, targeted for alignment – you're targeted in so many ways that, in a way, are intended to break you down and break the resilience and fight - and find it a little bit difficult to continue doing such kind of work. For example, you may not be attacked by people on the streets and beaten up - but if I have a private business, the private business will be targeted for specific taxes - now that you have a registration, registration will be subjected to things like taxes and penalties. Just make sure that it breaks you down and you are unable to engage in these kinds of processes."

In the second interview, he added:

"... governments have the monopoly to, to enforce certain standards, and human rights defenders and community activists who tried to speak out against harms are targeted [...] some of these processes attract extra public scrutiny."

Online sources suggest that the interviewee underwent heavier forms of reprisals that he kept quiet about in the interviews. To respect the fact that he was not willing to share this, the details and sources for this will be omitted.

Aside from the reprisals itself, the fear of reprisals also heavily impacts people, as well as people's actions. It mainly discourages people from speaking out against any social impacts that they have to endure. Furthermore, it discourages them from associating with the people who do speak out. As stated by the affected people's representative:

"... for me just to move around, people just fear me because I fought for the voiceless people."

The TLC's representative adds:

"... it's always a challenge for communities to bring complaints before such mechanisms against governments. It exposes community members, they calculate that risk. Because the risk for retaliation is quite high."

Overall, this section demonstrates how impactful reprisals can be, and how they may instil fear in numerous stakeholders that are essential in the process of safeguarding social processes of the AfDB (also see Chapter 2.1.2), including CSOs and project-affected people. Subsequently, this fear may disincentivise the involvement of these stakeholders in the processes altogether, reducing the effectiveness of the process greatly, and maintaining the existing adverse social impacts.

4.4.4: Militarised context and reprisals

Furthermore, in the specific case of the LEAF II project, a militarised context has been established due to attacks by allied democratic forces from the neighbouring DRC. According to the TLC's representative, this militarised context has led to an increased number of reprisals, in the form of the killing of dozens of community members. He stated:

"(The militarised context) gave space for the military - that had also been accused of having committed acts of retaliation against communities - to use this window of opportunity to continue

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committing acts of reprisals under the disguise of national security. And this makes it extremely complicated for the bank to make any comment, and all that the bank can say is: nothing to do, because the government is going to say this is a national security issue. And we are a sovereign state."

In the normal context, the bank has a certain degree of power in the form of (monetary) leverage to disincentive reprisals, but in the militarised context, the challenge for the AfDB to intervene against reprisals increases, as the government (or any other official) may say that the actions are done because of the national security issue.

4.4.5: Project implementation and hiccups

Before the project was implemented, social guidelines by the AfDB dictated that local people should have been consulted. The affected people's representative stated that he experienced no community meetings or any other effort to include him in the process up until the involvement of TLC and the IRM. The local communities were not given the tools to implement the proposed sustainability transition, leaving the boats and nets, deemed illegal by the new sustainability standards, as their sole method for preserving their livelihoods. After informing the locals about the new standards, they were given little to no time to implement them before forcefully removing or destroying their boats and nets. As stated by the affected people's representative regarding the initial contact:

"No, they never informed us [...] they never even gave us time to first give us some training to tell us what was the main issue that had brought them to begin with that project of LEAF II. See the main thing, it was forceful, being that by that time when it happened, they came within homes, they would find you when you are sleeping in your house. They just remove you forcefully [...] forcing the whole town where I come from - Katwe Kabatoro, they began from the east side, they entered the west side, they were forcing people to come in their meetings forcefully, even beating them, so people, they will not even get to hear what they were saying. Because the force was very, very bad. It was not how they were supposed to tell us how LEAF II has to work."

Immediately after, he goes on to paraphrase how the officials told them about the measures that were going to be implemented, the destroying of their boats and nets. This would happen one day after the initial contact. He expresses his anger and disbelief:

"They came in saying that we are going to burn your nets, we are going to burn your boats. Beginning with tomorrow we are going to burn your nets; you (should) buy other boats, you (should) buy other nets. We ask ourselves how can you come just in one day, tell the person that you want change? You have ideas, that you want to change the nets and the boats, and we just - for one day, the next day you begin dismantling people's things without informing them?"

Overall, this demonstrates that the perceived impacts of the actions by the FPU are extremely heavy. This does not necessarily directly lead to the conclusion that these impacts are directly caused through funding of the AfDB, as the AfDB has only officially funded two weeks of FPU activity, which was well after the timeframe in which the allegations by the project-affected person were set. However, as the motivation of the FPU for committing these actions was enforcing the sustainability guidelines which were set in LEAF II's project objective, which was partly funded by the AfDB, this can be linked to the AfDB.

4.4.6: Interference IRM

According to the affected people's representative, the aforementioned social impacts and poor implementation policies of the LEAF II project only changed when the TLC was contacted. Upon contact with the TLC, he, along with other affected people, was able to establish contact with African

Development Bank officials, including IRM officials. Upon being asked if the social impacts changed over the years, the affected people's representative stated:

> *"Since we began contact with Gerald. When he began meetings with the other officials, we would be getting meetings with the members of the African Development Bank, that's what he was telling us. [...] when we reported those issues, they came, slowly changing it. [...] When they catch you, they take you to court, but they don't beat you, but the last time the beating was very high."*

Sometime after having established contact with the TLC representative, the affected people's representative attended, and coordinated meetings with a team of five or six IRM officials, a translating team from Kampala, and a group from the TLC, including the TLC representative. The affected people's representative also joined IRM officials in conducting fieldwork, with the goal of meeting and interviewing all the "departments" that were affected. With "departments", the affected people's representative likely means the local major civil society groups, e.g. the inhabitants of the different villages around Lake Edward. The IRM investigation site visit started with an interview with the affected people's representative himself. The fieldwork included visiting numerous fishing settlements, all located around the Ugandan part of Lake Albert. The latter is the furthest location out of these and is located an estimated 83 kilometres from the base village of the meetings, the Katwe Kabatooro village, with an estimated travel time of 1 hour and 45 minutes (Google Maps, n.d.b). Any further settlements were considered too far and were consequently not visited. From the statements by the affected people's representative, it can be deduced that the goal of interacting with all affected departments was not reached. The affected people's representative stated:

> *"We met the ones who were affected, in the different departments, the ones who were beaten. We got five in the Katwe, others in Karanya, others in the Wenshama, some others in the Kazinga, like that. [...] It was done in one day. They had selected a few people, but others remained."*

Through the information gathered from the fieldwork, the IRM made their eligibility assessment, which has led to a decision to address the compliance issues of the AfDB with their policies for the LEAF II project. Aside from the aforementioned stakeholders, government officials and the bank management were also involved in this process, as the TLC representative stated:

> *"The IRM made the eligibility assessment. Of course, it's participatory, communities are involved. The complainants, okay, people like us, who are supporting communities are involved, the government is involved. The IRM and the bank management are involved."*

The TLC has been central in this process. According to the TLC representative, they have acted as an "interlink between communities and the IRM", and steered the IRM towards the most important issues to address, with him stating:

> *"We've been like representatives of communities and trying to direct the IRM where the harm was, which people to talk to, identify the kind of harm that he wants to bring to the attention of the IRM, and then providing the necessary documentation that reflects harm on the part of communities."*

From this section, the importance of the involvement of a CSO to bring complaints to the attention of the IRM is highlighted. This demonstrates that even though individuals can submit a complaint to the IRM, this is not perceived as possible or feasible by local people, even when the impacts are extremely heavy, with the aforementioned impacts of LEAF II persevering for five years before seeing any changes. This could be seen as an example of the problem mentioned earlier by the IRM's representative, who stated that a lack of awareness of the functionality of the IRM might lead to potential cases not being brought to the IRM.

4.4.7: Current state, and hopes for the future

The exact current state of the compliance process of LEAF II is still not certain, as elaborated upon in Chapter 3.5 and Figure 12. However, on the 23rd of January 2024, the TLC will hold a meeting with the AfDB's board, regarding the compliance process. This event has not happened yet as of the writing of this paper, meaning no information on this event can be elaborated upon. Upon being asked through online messages if the TLC representative was happy with the current progress, he added:

> *"I'm generally happy with the progress made and in particular with the IRM compliance review process. I also want to express my disappointment with the bank management for failure to consider compensation as an important aspect to remedy. The bank management team that develops a management action plan was never considerate of the fact that the project impacted persons need remedy in the form of compensation for the harms caused by the project."*

The affected people's representative, despite the situation seeing improvement since the involvement of Gerald and the TLC, is unhappy with the current state of affairs and its impacts on himself, his family and the affected people that he represents. He stated that "the report" (i.e., the eligibility report of the 7th of June 2022), dictated that they would be compensated in six to twelve months, which had been 18 months ago at the time of the interview. As they had seen no (sufficient) compensation at that time, the people were unhappy with the progress, and he received complaints from project-affected people around him. The following are numerous quotes from the affected people's representative regarding the current state of the project-affected people:

> *"Most of the people suffered up to now, and others are still suffering."*

> *"People are just waiting for when they (IRM/AfDB) will tell them the procedure, to see how we are going to be compensated [...] they are also telling us: be patient, everything will be okay."*

The affected people's representative stated that, to implement the LEAF II project correctly, all people should receive proper subsidies to be able to adhere to the sustainability guidelines:

> *"At least everybody who is a part in that business should get enough subsidisation so that we should not again get the same challenges."*

Overall, this demonstrates that the current state of affairs is still quite negative for some people in the project area of LEAF II, with the social impacts persevering. The involvement of the IRM inspires hope, and the path of improvement of the current situation is still unclear, with documentation not being widely available. The actual implementation and effects of the compliance review process, and the subsequent reaction and measures taken by the AfDB, will reveal the effectiveness of the IRM's involvement in the LEAF II project over time. Lastly, it seems like the AfDB does not openly admit any doubt of the positive effects of the LEAF II project. This can be deduced from the fact that the project completion report of December 2021, as well as an execution status report of December 2023, have both been overwhelmingly positive (AfDB, 2021, 2023c). Furthermore, no negative report can be found since the eligibility assessment of May 2022 (IRM, 2022b).

Chapter 5: Discussion

5.1: The dynamics of the IRM and NGOs

The IRM is a crucial external force which ensures compliance of the AfDB with their policies. Similar to the pressure that Gisele Belem experienced when working for the AfDB, Mr Bambara stated that the cases brought to the IRM have increased over the last several years, which has raised the pressure of

work within the IRM. However, as opposed to the experience of Gisele Belem, Frédéric Bambara stated that the IRM's employees are "able to cope with the pressure". He further states that, despite the increase in cases, the IRM receives a lower percentage of complaints compared to other IFIs, with the IRM receiving complaints on 1% of all AfDB projects, and other IAMs receiving complaints on 1.66% of the respective IFIs projects. He attributes this to several possible factors, including a lack of awareness, language barriers, or a lack of accessibility of the mechanism. Furthermore, Mr. Bambara states that any individual is free to file a complaint, but that this might be constrained by a lack of awareness.

5.1.1: How NGOs assist the IRM, and challenges

NGOs and CSOs play a large role in bringing issues of non-compliance from the AfDB to the attention of the IRM (also see Chapter 2.1.4) and are most often the complainants for cases that the IRM takes on for eligibility review. This can most aptly be exemplified by the fact that the person affected by the LEAF II project endured five years of heavy social impacts before receiving any help. It was only after he was put into contact with an NGO; the TLC, that involvement of the IRM started. The TLC representative himself also stated that the project-affected people need an NGO or CSO, like the TLC, to be able to voice their concerns. This is at odds with the IRM's claim that everyone can send in complaints regarding the noncompliance of the AfDB with their social policies.

To provide an approximation of the ratio of cases sent by NGOs that end up getting taken on for compliance review by the IRM, the TLC representative stated that the TLC had filed three complaints over the last five years, of which one case, the LEAF II project, had reached the point of a compliance review being conducted by the IRM.

5.1.2 The AfDB-WG and the AfDB

Some NGOs also directly address the AfDB on social issues, but individual NGOs reportedly lack the capacity to make significant progress in this aspect. The AfDB-WG overcomes this challenge through coordination. WG-member 1 also frames this as the first of the AfDB-WG's two priorities: capacity building for their partners and coordinating their work. The second priority regards advocacy. This priority mainly includes following review processes and engagement. An example of the AfDB-WG making numerous efforts to address social issues of the AfDB is through their assistance in reviewing the revised ISS of 2023 before this document got published. This effort was an important element in the activities of the AfDB-WG, with WG-member 1 stating that they met up more often during this process. Regarding this process of influencing the contents of the revised ISS, Anne de Jonghe revealed that the AfDB itself invited NGOs to get involved:

> *"All large IFIs do this when they are updating their safeguards, they send out a consultation, and anyone who wants can react to it. We also did that, with quite a large group (The AfDB-WG), addressing very specific things. Some specifically addressed children's rights [...], I worked on a joint input [...] from the working group, and I added some things myself. We signed it as a group. [...] It is unclear how much of it has been used. Normally banks show how they integrated the feedback, but we haven't seen it as far as I know." (author's translation)*

Still, even during this period, it was quite difficult for the AfDB-WG members to reach the AfDB. This effort, however, is reportedly even more difficult outside of this period, with all AfDB-WG members having expressed difficulty in communication with the AfDB. WG-member 3 feels that there is a principle of the AfDB about only choosing with whom they work and that they generally disregard contacts that differ from them in viewpoints. WG-member 4 had trouble contacting the AfDB and feels that during correspondence, contact always has to go through management, which brings a strong sense of hierarchy. Furthermore, this makes it difficult to establish contact, but upon having established contact

it is easy to figure out who to contact for correspondence, which makes the communication easier. As WG-member 2 has put it:

> "At the beginning [...] they would not even be responsive to our queries and requests. But over time through our pushing, we're starting to see some changes. [...] they're still not very responsive to some requests."

Overall, this demonstrates both the lack of effective communication between the AfDB and NGOs, despite the AfDB framing engagement with CSOs as a significant element of their strategies (AfDB, 2010). Still, an upward trend can be distinguished. A certain lack of capacity of the AfDB, as stated by Gisele Belem, could also play a role in the lacklustre communication.

5.2: Improving AfDB's social practice

All members of the AfDB-WG expressed positive opinions on the current direction of social practice by the AfDB. Regarding this, they mainly allude to the revised ISS, on which they have collaborated to provide input during feedback sessions organised by the AfDB themselves. They describe the revised ISS with numerous positive terms, including 'strong'. The actual implementation of this system is a concern of several of the AfDB-WG members, and true improvement of the AfDB's social practice should include the proper implementation of the policies outlined in the revised ISS.

To achieve this, WG-member 1 stresses the importance of the AfDB holding their member countries more accountable for the implementation of the safeguards. She suggests that monitoring of the projects should be more intensive. Furthermore, she feels that CSOs, as well as other relevant impacted stakeholders, should be incorporated more intensively into the project cycle, including project planning. Special attention should be paid to changes within the project which bring forth the need for a new engagement process, especially when a long period has passed between primary engagement and the commencing of the project. WG-member 4 added that it is important to take different national contexts into account, which WG-member 5 supplemented by highlighting the issue of reprisals in dictatorships. WG-member 3 supplemented this with a suggestion, stating that the AfDB, as well as other IFIs, should put a framework for clients in place to address reprisals, instead of placing full responsibility for the means of addressing reprisals on the clients:

> "And so what we have been telling not just the AfDB, but also the other banks is, you should put in place a framework that your client uses, especially in countries where civic space is closed, where there might be a dictatorship, where people are really scared to speak up. You should put out a framework that the client uses, instead of putting that entire responsibility on them."

Regarding the issue of communication, WG-member 3, stresses the importance of the AfDB taking on a more open stance towards correspondence with other stakeholders, such as CSOs, in general, especially when their opinions and viewpoints differ from that of the AfDB. Furthermore, she feels that communication still only occurs after heavy pressure has been applied, which should change so that the AfDB takes more initiative in correspondence and engagement with CSOs and NGOs without external pressure.

The TLC representative notes that many social impact issues are on a scale which is too small to be addressed by the IRM, which leads to the issue not being addressed at all. To address this, he suggested that institutions should be included on the country level, to receive and address complaints from local grievance mechanisms. Furthermore, he recommends that the AfDB be more intensely involved at the local level. He suggests including a "project management unit" at the local level, to address (social) issues of projects more accurately and effectively, and he explicitly states that the bank has a duty to implement functional local grievance redress mechanisms. This would lead to more cases of issues being

resolved at the local level without the need for the heavy bureaucratic process of the IRM. When this fails, the IRM should be the second option. He illustrated the situation:

> *"I think one of the key aspects is, the bank must be now quite serious about having the local grievance redress mechanisms. Because this is the starting point, a local person in the village should be able to walk into the small office and say, officials from the project are encroaching on my land, can you come and verify? And it should be addressed at that level. Without escalating to the higher level."*

To probe thoughts on improvement for the AfDB, the IRM representative, Frédéric Bambara, was asked what could be done to make sure that the IRM would receive fewer complaints overall. He stated that the environmental and social safeguards or policies should be properly implemented. Furthermore, he stated that the AfDB should work on improving what he frames as the "top three issues" (discussed in detail in Chapter 4.3.1), in the categories of issues of compensation, inadequate consultations, and livelihoods being affected.

5.3: Limitations

Several limitations must be acknowledged in the scope of this research. Firstly, the reliance on a single interviewee representing each stakeholder group, excluding NGOs, introduces a potential constraint on the diversity and comprehensiveness of perspectives. While efforts were made to select interviewees with varied experiences and roles within the stakeholder groups, the findings may not fully capture the diverse range of opinions and nuances within all categories but the "NGO" category.

Additionally, the research is conducted within the African context. As the author originates from Europe, there is a potential limitation in the depth of cultural and contextual understanding, which may impact the interpretation of data and findings. Cultural nuances and contextual intricacies unique to the various African settings might not be fully grasped, potentially influencing the overall depth and accuracy of the analysis.

Furthermore, findings from the two case studies from Uganda are limited in their generalisability to a broader African context. Different regions within Africa may have distinct socio-economic, cultural, and political dynamics that could influence the implementation and impact of social policies differently. Therefore, the case studies should be seen as standalone examples, through which information and findings can be extrapolated to second-hand information that other interviewees have supplied regarding cases in other countries, contexts, and settings throughout the African continent.

Chapter 6: Closing Thoughts and Suggestions

6.1: Recommendations

Overall, the current social policies and guidelines that the AfDB strives for are deemed strong in their written form by multiple stakeholders. This notably includes the most recent renewal of the social policies, and the revised ISS of 2023 (AfDB, 2023b), which will be put into practice starting January 2024. This means that it is not feasible for this paper to report on the performance of this document in practice, as it will be published in February 2024. However, recommendations can be made on the implementation of both this revised ISS, as well as social policies by the AfDB in general.

It is recommended that the AfDB strengthen the frameworks in place to ensure that the performance of the social standards in the revised ISS are upheld through additional statements regarding accountability, especially regarding key issues of compensation measures, inadequate consultations, and livelihoods being affected. These frameworks should ensure that social policies are integrated and implemented in the entire project lifecycle. Furthermore, the frameworks should prescribe follow-up processes in detail, which should include all relevant stakeholders, and provide them with accountability, as well as a clear account of their expected responsibilities. To bridge the gap between theory and practice, the AfDB should increase the efficient use of their (limited) resources and capacity, to successfully achieve the standards that are posited in these frameworks, while maintaining the necessary capacity to implement these policies in practice. This could be done by implementing pragmatic processes with short feedback cycles, to draw lessons and innovate in their monitoring and evaluation processes quickly and effectively.

Practical recommendations for such frameworks include the implementation of grievance mechanisms on a local level, so that noncompliance issues may be resolved by the project team without needing involvement by the IRM. Furthermore, more intensive monitoring and evaluation processes should be put in place to hold member countries accountable for breaking the social policies. These processes should be strong enough to take different spatial and political contexts into account. The most important endeavour related to this should be to monitor contexts with closed civic spaces, such as dictatorships or contexts dictated by war and conflict.

Most importantly, the robust social policies that state that stakeholders should be safe and free from reprisals should be closely monitored and evaluated, and the policies should evolve when they prove to be ineffective. This could mean that the policies may evolve only for certain contexts where they deem insufficient, i.e. contexts where reprisals occur. This is especially important as reprisals and fear of reprisals have proved in the past to be a factor which is prone to noncompliance with the AfDB's social policies. Furthermore, reprisals and fear of reprisals may lead to a lack of reports on other noncompliance issues, meaning that a disregard of policies regarding reprisals, may in turn lead to a lack of reports regarding other noncompliance issues. This stresses the importance of implementing strong frameworks, with particular attention to strong monitoring and evaluation processes, in contexts which are vulnerable to reprisals. Contexts of concern in this regard are those with restricted civic liberties, such as dictatorships, and areas with ongoing (militarised) conflicts.

6.2: Conclusion

Through the establishment of a comprehensive theoretical framework, we explored the general principles and processes governing IFIs social policies and subsequently applied this lens to the specific context of the African Development Bank. The different entities, institutions and AfDB departments that together work towards upholding and ensuring compliance with the AfDB's social policies have been analysed, explained, and explored through extensive document analysis and in-depth interviews with staff from the African Development Bank, the Independent Recourse Mechanism of the African

Development Bank, Non-Governmental Organisations and Civil Rights Organisations, and project-affected people themselves.

The case studies from Uganda demonstrated the challenges for the practical applications of the AfDB's social policies and the compliance framework that supplements it. The Bujagali project showed how IAMs of different IFIs might work simultaneously on the same project, as the IAMs of the World Bank and the AfDB both worked on compliance reviews of the project. The case showed what a finished compliance review process looks like, and what challenges arise throughout and after the process. These challenges include the spiritual meaning that Indigenous groups assign to certain places, which may be the cause of conflict with these local communities. This often happens due to poor stakeholder engagement and social impact assessment, consequentially leading to culturally inadequate project design or locational choices during project conception.

The LEAF II project showed how severe and impactful projects by IFIs can be, including vandalism, sexual and physical violence, and even the murdering of project-affected people. It also showed how little regard initial documentation and (social) research can have for these (potential) impacts. It also sheds light on how people who resist and fight against social impacts can be punished through reprisals, and how this can influence the willingness to continue their resistance, as well as that of other stakeholders.

Significantly, our findings revealed an overall gap between the strong social policies established by the AfDB and praised by NGOs and the IRM, and their actual implementation. In essence, while the AfDB has laid a solid foundation with its social policies, this thesis underscores the need for a stronger and more accountable implementation process. By addressing the identified shortcomings and embracing our recommendations, the AfDB can fortify its commitment to social responsibility and keep contributing positively to development in the African continent.

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Appendices:

Appendix A: Consent-related and security questions

- Introduction, thank you for your time.

- Introduction of my interest in the subject and the subject of my research

- Are all of you okay with me recording the audio of this interview?
- Are all of you okay with me using the data for research regarding my master thesis at the university of Groningen?

- I want you to know that participation is voluntary, whenever you want to stop you are free to do so, and after the interview, if you decide that you would prefer if parts or the entirety of the interview are scrapped from the record you are entitled to this.
- I want you to know that the data collected will be stored for the shortest time possible, and the audio will only be heard by the interviewer and possibly his supervisor, (while a transcription is made).

- Is it okay if I introduce you using your names in my research and under your roles at your respective NGOs and as a member of the AfDB working group?

- Do you have any questions before we start regarding my research or anything else?

Appendix B: Interview guides

AfDB working group:

- Introduction, thank you for your time.

- Introduction of my interest in the subject and the subject of my research

- Are all of you okay with me recording the audio of this interview?
- Are all of you okay with me using the data for research regarding my master thesis at the university of Groningen?

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- Is it okay if I introduce you using your names in my research and under your roles at your respective NGOs and as a member of the AfDB working group?

- Do you have any questions before we start regarding my research or anything else?

Interview – several members of the AfDB working group

General

I have found information on most of your organisations, I could not find anything on you, (name), could you tell me for what organisation you are active?

Working group

What are the most important goals that the AfDB working group aims to achieve?

How often do you meet and what are recurring important points of discussion?

Individual work

What would you say are the weakest and strongest points of AfDB social policies? (Compared to other IFIs?

- What about the policies' implementation?
- What are the biggest challenges?

For projects, are ESIAs and RAPs always provided?

- What are discrepancies between these documents and reality, and due to which challenges is this?
- Can you tell me a few cases where things have gone wrong? And why that happened?
- Can you tell me a few cases where things have gone right? And why that happened?

What is the general quality of monitoring and evaluation after projects? (In terms of compensation)

Have any of you ever experienced project impacts yourself, or have had people close to you experience impacts?

Stakeholders

Which different kinds of stakeholders do you have contact with when treating an AfDB case? What is their role in supporting your work?

- Gov
- NGO
- Civil right org
- Locals
- IRM
- AfDB

What are other important stakeholders regarding promoting the interests of civil society that you do not come into contact with?

Contact

How do you get into contact with local people?

- Who actually conducts stakeholder engagement activities? (Consultants?)
- Are they able to do it in line with the AfDB policy expectations/required quality?

What are examples of positive experiences, and challenges?

Changes

What do you think are currently feasible developments which could be made in order to improve social practice for the AfDB?

- SIA
- **Public participation**
- Compensation
- Resettlement
- Livelihood restoration?
- **Monitoring and evaluation?**

Further contacts interviews

Can you help me/ do you have tips for reaching out to representatives of local affected people to interview for my research?

Can you help me reach out to relevant governmental institutions for interviews?

Thank you so much for your time!

- Introduction, thank you for your time.
- When necessary, quick introduction of the subject of the interview
- Are you okay with me recording the audio of this interview?
- Are you okay with me using the data for research regarding my master thesis at the university of Groningen?
- Is it okay if I introduce you in my research under your name and under your role at TLC?

- I want you to know that participation is voluntary, whenever you want to stop you are free to do so, and after the interview, if you decide that you would prefer if parts or the entirety of the interview are scrapped from the record you are entitled to this.
- I want you to know that the data collected will be stored for the shortest time possible, and the audio will only be heard by the interviewer and possibly his supervisor, (while a transcription is made).

- Do you have any questions before we start regarding my research or anything else?

General

What kind of practices are you generally involved in on a day-to-day basis?

- SIA
- Public participation
- Compensation
- Resettlement
- Livelihood restoration?
- Monitoring and evaluation?

AfDB

How much do you work or have you worked together with the AfDB in the past?

What kind of projects / on what kind of scale are we talking about?

Are ESIAs and RAPs always provided?

What are discrepancies between these documents and reality, and due to which challenges is this?

Have you ever experienced impacts yourself?

Work

How do you get into contact with local people?

How often and how long are you generally on location?

What are examples of positive and negative experiences?

When bringing the local perceptions to the investors, what are challenges?

Are there any other kinds of stakeholders that you have contact with when treating an AfDB case?

What are other stakeholders regarding promoting the interests of civil society that you do not come into contact with?

Contacts

Do you maybe have tips on how to reach out to local affected people to interview for my research?

Do you maybe have tips on how to reach out to governmental institutions for interviews?

Thank you so much for your time!

TLC (nr 2) – Uganda employee, AfDB working group member:

Introduction, explain my research

- Are you okay with me recording the audio of this interview?
- If you want I can let some parts out of the recording, just say so.
- Are you okay with me using the data for research regarding my master thesis at the university of Groningen?

- I want you to know that participation is voluntary, whenever you want to stop you are free to do so, and after the interview, if you decide that you would prefer if parts or the entirety of the interview are scrapped from the record you are entitled to this.
- I want you to know that the data collected will be stored for the shortest time possible, and the audio will only be heard by the interviewer and possibly his supervisor, (while a transcription is made).

- Would you like to stay anonymous if I want to use information and quotes from our interview in my paper?

- Is it okay if I introduce you using your age / living area / profession?

- Do you have any questions before we start regarding my research or anything else?

I'm focusing on two case studies in Uganda, one of which is the LEAF II project

- The IRM site said in the eligibility assessment in June 2022 that the compliance review activity would continue until November 2022, do you know if a document has been published?

- What are your views on the state of business of the evaluations by the AfDB's IRM of the LEAF II case?

- Is the TLC currently still in action in order to improve the situation for the case?

- *What is the most recent concrete example of action?*

Livelihoods

- Regarding livelihoods; the projects goal was to improve livelihoods. It is clear that this has been the opposite for a lot of people, are there also examples of people or groups of people for whom livelihoods did improve?

- When did the enforcing of the rules, which resulted in fishing gear being destroyed, start to occur?

Reprisals

- When talking about reprisals last time, you said something about surrounding countries and politics that limit the full independent functionality of environmental and social safeguards policies, what did you mean by this?

- Regarding reprisals, you said that examples that you might experience would be taxes and penalties. Is there any recent concrete example of something like that at the TLC?

- (or any other form of reprisal?)

FPIC

- The complaint stated that the principles of FPIC have not be adhered to, do you know if any action has been done to compensate of mitigate this problem?

- There was a process of popular vote for committees to monitor illegal activity? Was this at odds with local political structures?

Bujagali

Are you familiar with Bujagali project?

Quote previous interview, ask for elaboration whenever appropriate

One of the fears was, if we raised this as a retaliation, there's a likelihood that these allies these countries around will start saying no, these are just unlawful people. And just adding it also puts a risk

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Rijksuniversiteit Groningen

to the recommendations that are made to the board of directors. So you can also see there is a lot of politics, that kind of, in a way limit the functionality, the full independent functionality of these policies.

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Rijksuniversiteit Groningen

Both Ends employee, AfDB working group member

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- Are you okay with me recording the audio of this interview?
- Are you okay with me using the data for research regarding my master thesis at the university of Groningen?
- Is it okay if I introduce you in my research under your name and under your role at the Both Ends organisation?

- I want you to know that participation is voluntary, whenever you want to stop you are free to do so, and after the interview, if you decide that you would prefer if parts or the entirety of the interview are scrapped from the record you are entitled to this.
- I want you to know that the data collected will be stored for the shortest time possible, and the audio will only be heard by the interviewer and possibly his supervisor, (while a transcription is made).

- Do you have any questions before we start regarding my research or anything else?

General

What kind of practices are you generally involved in on a day-to-day basis?

- SIA
- Public participation
- Compensation
- Resettlement
- Livelihood restoration?
- Monitoring and evaluation?

AfDB

How much do you work or have you worked together with the AfDB in the past?

What kind of projects / on what kind of scale are we talking about?

Are ESIAs and RAPs always provided?

What are discrepancies between these documents and reality, and due to which challenges is this?

Work

How do you get into contact with local people?

How often and how long are you generally on location?

What are examples of positive and negative experiences?

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Rijksuniversiteit Groningen

When bringing the local perceptions to the investors, what are challenges?

Are there any other kinds of stakeholders that you have contact with when treating an AfDB case?

What are other stakeholders regarding promoting the interests of civil society that you do not come into contact with?

Human rights?

Are there any major differences between the views within the countries on civil and human rights compared to for example NL?

And between African countries?

How about by the local people?

Contacts

Do you maybe have tips on how to reach out to local affected people to interview for my research?

Do you maybe have tips on how to reach out to governmental institutions for interviews?

Thank you so much for your time!

Krijn van Soeren (S351870)
Rijksuniversiteit Groningen

Dutch social performance practitioner

Algemeen

Ik heb uw linkedin bekeken dus heb een vrij goed beeld van wat u doet - Social safeguard specialist

Zou u toch kort willen samenvatten wat u doet?

Klopt het dat u nu bezig bent met het Congo River development project in DRC? (ESIA oversight)

Hoe werkt het als u bij een project in het buitenland betrokken bent.

-     Hoe vaak bent u op locatie?
-     Hoe lange periodes?
-     (Hoe lang bent u in DRC geweest?) (juni tot september 2021, maart 2022 tot nu)

Sociale impact

Hoe zou u de kijk op sociale en mensenrechten vergelijken tussen de landen waar u bent geweest?

Hou zou u binnen de context van Afrika vergelijken met de internationale context?

Europese context?

Hoe zou u de kijk op sociale rechten van DRC plaatsen binnen deze Afrikaanse context?

Ervaringen

Wat zijn uw ervaring met het werken als social safeguard specialist in DRC/Afrika?

-     Positieve/Negatieve voorbeelden?

Wat zijn voorbeelden van barrieres binnen de context DRC?

-     Taal
-     Vertrouwen

Komen plannen voor resettlement en livelihood restoration overeen met de werkelijkheid? (in DRC)

Wat zijn verschillen in focus-punten bij het maken en managen van grievance mechanisms tussen context DRC en bijvoorbeeld Europa?

Sociaal beleid banken

Ik zag dat u vooral heeft gewerkt met de IFC, WB, EBRD, UNGP.

Heeft u ook gewerkt met het sociale beleid van de AfDB?

Ja:

Wat zijn belangrijke verschillen AfDB en andere internationale banken?

Nee:

Wat zijn belangrijke verschillen tussen de andere banken?

Other contacts?

Miscellaneous evt (als het interview al uitloopt, niet doorgaan)

Hoe werkt peace-building en wie zijn de stakeholders/ met wie krijgt u te maken?

Bijv: Cambodia?

Bijv: Hoe kijkt u tegen de situatie in Sudan aan?

Ziet u direct al wat er fout is gegaan?

en wat eventueel het verloop van het in goede banen leiden zou kunnen zijn?

World Bank employee / former AfDB employee

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- When necessary, quick introduction of the subject of the interview
- Are you okay with me recording the audio of this interview?
- Are you okay with me using the data for research regarding my master thesis at the university of Groningen?
- Do you want to stay anonymous or can I use your name?
- (If anonymous) -> Would you like to choose your own pseudonym?
- Under what title do you want to be introduced? (Independent consultant, employee of certain company, etc.)

- I want you to know that participation is voluntary, whenever you want to stop you are free to do so, and after the interview, if you decide that you would prefer if parts or the entirety of the interview are scrapped from the record you are entitled to this.
- I want you to know that the data collected will be stored for the shortest time possible, and the audio will only be heard by the interviewer and possibly his supervisor, (while a transcription is made).

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General

What kind of practices are you, or have you been generally involved in?

- SIA
- Consultation
- Public participation
- Compensation
- Resettlement
- **Livelihood restoration**?
- Monitoring and evaluation?

Which role do you take during the practices?

What are **examples** of positive and negative experiences?

Comparison banks

What are **differences** between applying social safeguards for the **world bank and the African development bank**?

- For example livelihood restoration & other practices above

Do different **banks/ main financiers** have very **different results** regarding the **effectiveness** of social policies regarding projects in the African context?

- **Quality of implementation and follow up** (compensation, resettlement etc.?
- **Quality of evaluation?**

Comparison countries

What is the effect of the **context of country on the effectiveness** of social policies regarding projects?

- **How does DRC compare** to other African countries? **Why?**

Bridge

What were **differences** for conducting **ESIA in DRC and RC** with the **bridge** project?

- **Why** do you think these differences are there?

What were the results of the **ESIA in the RC**?

- Stakeholder mapping?
- Complications?
- Resettlement?

Do you know where to find the ESIA document?

How would the plans go from there

- What is the **next step for the bridge** project?
- **When** do you expect the bridge to come (2025 / 2035?)
- Do you have **faith in a fair process** for local stakeholders?

Do you know any contacts?

- **Anyone I can contact for the bridge? Stakeholders I can find myself etc.**
- **Maybe a tip on how to find stakeholders who are willing to talk in general (context Africa)**

- **Any other social safeguard specialist (in context Africa)?**

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Main research question

How are the social guidelines from the AfDB implemented in practice?

Secondary research questions

How do the social guidelines and practices regarding projects by AfDB compare to other IFIs?

What are monitoring and evaluation processes by the AfDB of the effectiveness of SIAs after projects like?

How can current practice be improved?

- Introduction, thank you for your time.

- Introduction of my interest in the subject and the subject of my research

- Are all of you okay with me recording the audio of this interview?
- Are all of you okay with me using the data for research regarding my master thesis at the university of Groningen?

- I want you to know that participation is voluntary, whenever you want to stop you are free to do so, and after the interview, if you decide that you would prefer if parts or the entirety of the interview are scrapped from the record you are entitled to this.
- I want you to know that the data collected will be stored for the shortest time possible, and the audio will only be heard by the interviewer and possibly his supervisor, (while a transcription is made).

- Is it okay if I use the results from this interviews within my thesis as statements by employees of the AfDB's IRM?

- Do you have any questions before we start regarding my research or anything else?

Interview –AfDB independent recourse mechanism

Which kind of clients often come towards you for help? (Civil Society Organisations, Non-Governmental Organisations, Governmental instances, Individuals?)

At what point do clients reach out to you? (What is the severity of the case?)

What kind of cases do you accept, and what kind of cases do you reject? (What is the severity of such cases?)

How many of the cases you receive, do you accept?

How many of the cases you take on, you handle satisfactorily?

What are important measures the AfDB could take to reduce the amount of cases you receive?

Other stakeholders

What are other kinds of stakeholders that you come into contact with? What is their role in supporting your work?

- Gov
- NGO
- Civil right org
- Locals
- IRM
- AfDB

How is the contact with these stakeholders?

- What are examples of positive experiences, and challenges?

(Question about important stakeholders that weren't named)

General

What would you say are the weakest and strongest points of AfDB social policies?

- What about the policies' implementation?
- What are the biggest challenges?

Changes

What do you think are currently feasible improvements of social practice for the AfDB?

- SIA
- **Public participation**
- Compensation
- Resettlement
- Livelihood restoration?
- **Monitoring and evaluation?**

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Rijksuniversiteit Groningen

Further contacts interviews

Can you help me/ do you have tips for reaching out to representatives of local affected people to interview for my research?

Can you help me reach out to relevant governmental institutions for interviews?

Thank you so much for your time!

SIA researcher Uganda

Main research question

How are the social guidelines from the AfDB implemented in practice?

Secondary research questions

How do the social guidelines and practices regarding projects by AfDB compare to other IFIs?

What are monitoring and evaluation processes by the AfDB of the effectiveness of SIAs after projects like?

How can current practice be improved?

- Introduction, thank you for your time.

- Introduction of my interest in the subject and the subject of my research

- Are all of you okay with me recording the audio of this interview?
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- Is it okay if I introduce you using your names in my research and under your roles at your respective NGOs and as a member of the AfDB working group?

- Do you have any questions before we start regarding my research or anything else?

Name	Organisation	Country	Function
Tom Ogwang	PhD for crude oil pipeline	Uganda	Researcher

General

Can you tell me a little bit about in what research you conduct now and what are your day to day activities?

What stakeholders do you come into contact with?

Bank?

Have you also encountered the AfDB within research in the past?

Difference conducting research from a Dutch University and a Ugandan University?

- How people look at certain practices and issues?

AfDB

What kind of stakeholders are involved in the pipeline project?

Financing stakeholders?

Have you done research on, or worked with the AfDB?

For projects, are ESIAs and RAPs always provided?

- What are discrepancies between these documents and reality, and due to which challenges is this?
- Can you tell me a few cases where things have gone wrong? And why that happened?
- Can you tell me a few cases where things have gone right? And why that happened?

What is the general quality of monitoring and evaluation after projects? (In terms of compensation)

Have any of you ever experienced project impacts yourself, or have had people close to you experience impacts?

Stakeholders

Which different kinds of stakeholders do you have contact with when treating an AfDB case? What is their role in supporting your work?

- Gov
- NGO
- Civil right org

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- Locals
- IRM
- AfDB

What are other important stakeholders regarding promoting the interests of civil society that you do not come into contact with?

Contact

How do you get into contact with local people?

- Who actually conducts stakeholder engagement activities? (Consultants?)
- Are they able to do it in line with the AfDB policy expectations/required quality?

What are examples of positive experiences, and challenges?

Changes

What do you think are currently feasible developments which could be made in order to improve social practice for the AfDB?

- SIA
- **Public participation**
- Compensation
- Resettlement
- Livelihood restoration?
- **Monitoring and evaluation?**

Further contacts interviews

Can you help me/ do you have tips for reaching out to representatives of local affected people to interview for my research?

Can you help me reach out to relevant governmental institutions for interviews?

Thank you so much for your time!

Introduction, explain my research

Ask about the interviewee's background, including residence, occupation, and community involvement.

- Are you okay with me recording the audio of this interview?
- If you want I can let some parts out of the recording, just say so.
- Are you okay with me using the data for research regarding my master thesis at the university of Groningen?

- I want you to know that participation is voluntary, whenever you want to stop you are free to do so, and after the interview, if you decide that you would prefer if parts or the entirety of the interview are scrapped from the record you are entitled to this.
- I want you to know that the data collected will be stored for the shortest time possible, and the audio will only be heard by the interviewer and possibly his supervisor, (while a transcription is made).

- Would you like to stay anonymous if I want to use information and quotes from our interview in my paper?

- Is it okay if I introduce you using your age / living area / profession?

- Do you have any questions before we start regarding my research or anything else?

General:

- How do you view the LEAF II project?
- Do you know the goals of the project?
- Were you properly informed on the project before it started?

Impacts:

- What impacts have you felt from the project?
- *Surroundings, environment?*
- *Changes daily life?*
- When did these impacts start?
- Has there been any compensation?
- Satisfied *with compensation?*

- Have the impacts changed since they started?
- Changed over the past year?
- How do you think it will change over the next year or several years?
- What would you like to see changed?
- How could this be feasible?

Community Involvement:

- How much involvement did you experience?
- Have there been community meetings?

Complaints

- Mechanism for complaints?

TLC

- How do you view the contact with Gerald and the TLC?

AfDB

- Have you had contact with anyone of the AfDB?

Reprisals

- Have you experienced any actions which were meant to limit your active participation against the negative impacts?

Thank you for your time and insights.

Contact me for follow-up questions or concerns.