



**BANQUE OUEST AFRICAINE
DE DEVELOPPEMENT**

**OPERATIONAL POLICIES AND PROCEDURES OF WEST AFRICAN DEVELOPMENT
BANK INTERVENTION FOR ENVIRONMENTAL AND SOCIAL MANAGEMENT IN THE
FINANCING OF PROJECTS**

May 2015

SOMMARY

LIST OF TABLES	iii
APPENDIX LIST	iv
ACRONYMS AND ABBREVIATIONS	v
INTRODUCTION	1
1. OP_01 WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT OF PROJECTS	5
2. BP_01 : PROCEDURES OF THE WEST AFRICAN DEVELOPMENT BANK ON ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT OF PROJECTS	33
3. OP_02 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON NATURAL HABITAT	64
4. BP_02 : WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON NATURAL HABITATS	71
5. OP_03 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON FOREST MANAGEMENT	74
6. BP_03 : WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON FORESTS MANAGEMENT	86
7. OP_04 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON SECURITY OF DAMS.....	90
8. BP_04 : WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON SECURITY OF DAMS.....	95
9. OP_05 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON INTERNATIONAL WATERWAYS.....	99
10. BP_05 : WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PROJECTS RELATED INTERNATIONAL WATERWAYS	103
11. OP_06 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON DISPUTED AREAS.....	109
12. BP_06 : WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PROJECTS IN DISPUTE AREAS	111
13. OP_07 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON INVOLUNTARY RESETTLEMENT	114
14. BP_07 : WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON INVOLUNTARY RESETTLEMENT	144

15. OP_08 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON INDIGENOUS POEPLS	152
16. BP_08 : WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON INDIGENOUS POEPLS.....	172
17. OP_09 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON PHYSICAL CULTURAL RESOURCES	181
18. BP_09 : WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PHYSICAL CULTURAL RESOURCES	195
19. OP_10 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON PEST MANAGEMENT	201
20. BP_10 : WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PEST MANAGEMENT	204
21. OP_11 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON CONSIDERATION OF CUMULATIVE EFFECTS IN ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT	207
22. OP_12 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON RESOLUTION OF GLOBAL AND TRANSBOUNDARY PROBLEMS IN ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT	217
23. OP_13 : WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON PUBLIC PARTICIPATION IN ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT PROCESS	232
24. Manual_01 : WEST AFRICAN DEVELOPMENT BANK MANUAL FOR SCREENING	251
BIBLIOGRAPHIE	268
TABLE OF CONTENTS	271

LIST OF TABLES

Table 2.2	Summary of ESIA procedures in BOAD project cycle	52
Table 23.1	Public participation in ESIA process.....	234
Table 24.3.1A	Classification of road projects.....	255
Table 24.3.1B	Classification other infrastructure projects in transport sector.....	256
Table 24.3.2A	Classification of projects in Agriculture sector.....	257
Table 24.3.2B	Classification of livestock projects	258
Table 24.3.2C	Classification forestry/fish farming projects.....	258
Table 24.3.3A	Classification of water projects	259
Table 24.3.3B	Classification of sanitation projects	260
Table 24.3.3C	Classification of Energy or power plant projects	261
Table 24.3.3D	Classification of Telecommunication projects	261
Table 24.3.3E	Classification Urban, Housing planning projects	262
Table 24.3.4A	Classification mining and extractive Industry projects.....	262
Table 24.3.4B	Classification of Agro-food industry projects.....	263
Table 24.3.4C	Classification textile and clothing industry projects.....	264
Table 24.3.4D	Classification of projects of other production units.....	264
Table 24.3.5	Classification of services projects and other.....	266

Note: the numbering of tables and appendices (next page) is relative to the numbers of the chapters to which they belong.

APPENDIX LIST

Appendix 1.A	Definition on Environmental and social assessment.....	20
Appendix 1.B	ESIA content report for project of category A	24
Appendix 1.C	Environmental and social management plan (ESMP).....	28
Appendix 1.D	ESIA content report for project of category B	32
Appendix 2.A	Exclusion list of projects of BOAD.....	50
Appendix 2.B	Summary of ESIA procedures of BOAD.....	51
Appendix 2.C	ESIA of dams and reservoirs projects	58
Appendix 2.D	Pest control ESIA	60
Appendix 3.	Definition on natural habitats	68
Appendix 5.	Definition on forests	83
Appendix 13.	Involuntary resettlement instruments.....	121
Appendix 15.A	Social assessment (SA).....	167
Appendix 15.B	Indigenous people plan (IPP)... ..	168
Appendix 15.C	Indigenous people plan framework.....	171
Appendix 17.A	Current example of cultural resources.....	186
Appendix 17.B	Procedures for fortuitous discoveries	188
Appendix 17.C	International convention on cultural resource	193
Appendix 22	Air pollution definition	231
Appendix 25	BOAD operational guidelines on ESIA of projects.....	266

ACRONYMS AND ABBREVIATIONS

AR	Appraisal Report
BOAD	Banque Ouest Africaine de Développement
BP	Bank Procedures
CE	Comité des engagements
COP	Conference of the parties
CSOs	Civil Society Organization
DD	Due Diligence
DD E&S	Due diligence environmental and social (environmental and social review)
DUC	Dam Under Construction
EHS	Environment, Health & Safety
E&S	Environmental & Social
ESIA	Environmental and social impact assessment
ESMP	Environmental and Social Management Plan
ICR	Implementation Completion Report
IMP	Integrated pest management
IPOs	Indigenous People Organizations
IPP	Indigenous People Plan
IPPC	Intergovernmental Panel on Climate Change
IPPF	Indigenous People Plan Framework
NGOs	Nongovernmental Organization
OU	Organizational Unit
OP	Operational policy
PCP	Pest Control Plan
PPS	Project preparation sheet
PT	Project team
RAS	Resettlement Action Plan
SA	Social Assessment
SEP	Sheet of entry into portfolio

ToR Terms of reference
TPL Team Project Leader
UEMOA West African Economic and Monetary Union
UNFCCC United Nation Framework Convention on Climate Change

INTRODUCTION

The West African Development Bank (BOAD), in the context of the mandate entrusted to him since 1973, has progressively increased its volume of intervention in the promotion of integrated development of eight (08) States of the West African Economic and Monetary Union (BOAD).¹

In order to ensure a better consideration of environmental and social issues in the funded-operations, the Bank adopted in 2003, a document of policies and procedures for environmental and social management intervention in the financing of projects, an environmental and social procedures manual and a manual of environmental classification of projects. This allowed BOAD to participate effectively alongside its borrowers to the protection of populations, their ecosystems and their living environment.

Such policies and procedures adopted in 2003 by BOAD recommend revising periodically the content of the documents based upon international evolution. Also, in order to comply with current international standards for environmental and social management, BOAD undertook an update of its safeguards, like sister institutions such as the World Bank, the African Development Bank... with which BOAD cooperates closely in its operations.

This document of policies and procedures for the Bank intervention in environmental and social management in the financing of projects has been developed in this context. This document of policies and procedures has the

¹ The BOAD member states are: Benin, Burkina Faso, Ivory Coast, Bissau-Guinea, Mali, Niger, Senegal, and Togo.

advantage of containing all policies² and procedures³ of BOAD's intervention in environmental and social management in project financing, based on the World Bank's Safeguards.

BOAD has also completed its texts of environmental and social management with:

- (i) Environmental and social guidelines⁴ (see the list in annex 24) ;
- (ii) Policies and procedures manuals relating to international fiduciary and environmental standards, including: Policy and procedures

² BOAD operational policies have been adapted from those of the World Bank including: OP 4.01 : Environmental Assessment ; OP 4.01 Annex A : Definitions ; OP 4.01 Annex B : Content of an Environmental Assessment Report for a Category A Project; OP 4.01 Annex C : Environmental Management Plan; OP 4.04: Natural Habitats ; OP 4.04: Annexe A : Definitions ; OP 4.09: Pest Management ; OP 4.10: Indigenous Peoples ; OP 4.10 Annex A: Social Assessment ; OP 4.10 Annex B: Indigenous Peoples Plan ; OP 4.10 Annex C: Indigenous Peoples Planning Framework; OP 4.11: Physical Cultural Resources ; OP 4.12: Involuntary Resettlement ; OP 4.12 Annex A: Involuntary Resettlement Instruments ; OP 4.36: Forest ; OP 4.36 Annex A: Definitions ; OP 4.37: Safety of Dams ; OP 7.50: Projects on International Waterways ; OP 7.60: Projects in Disputed Area.

³ BOAD Procedures have been adapted from those of the World Bank including: BP 4.01 : Environmental Assessment ; BP 4.01 Annex B : Application of EA to Dam and Reservoir ; BP 4.01 Annex C : Application of EA to Projects Involving Pest Management ; BP 4.04 : Natural Habitats ; BP 4.09: Pest Management ; BP 4.10: Indigenous Peoples ; BP 4.11: Physical Cultural Resources ; BP 4.12: Involuntary Resettlement ; BP 4.36 : Forest ; BP 4.37: Safety of Dams ; BP 7.50: Projects on International Waterways ; BP 7.60: Projects in Disputed Area.

⁴ BOAD Operational Guidelines (DO) have been adapted from the World Bank Environmental Assessment Sourcebook including: DO-01: Financial Intermediary Lending; DO-02: Wildlands; DO-03: Natural Forest Management ; DO-04 : Dams and Reservoirs; DO-05 : Land and Water Resource Management; DO-06: Watershed Development; DO-07: Population Resettlement; DO-08: Indigenous Peoples; DO-09 : Cultural Property; DO-10 : Integrated Pest Management and Use of Agrochemicals ; DO-11 : Biological Diversity; DO-12 : Plantation Development/Reforestation; DO-13 : Wetlands; DO-14 : Coastal Zone Management; DO-15 : Natural Hazards; DO-16 : Flood Protection; DO-17 : Irrigation and Drainage; DO-18 : Fisheries ; DO-19 : Management of Agriculture Production; DO-20 : Livestock and Rangeland Management; DO-21 : Arid and Semi-Arid Lands; DO-22 : Social Issues in Ecologically Sensitive Areas; DO-23 : Tourism Development; DO-24 : Port and Harbor Facilities; DO-25 : Oil and Gas Development--Onshore; DO-26 : Oil and Gas Pipelines; DO-27 : Hydroelectric Projects; DO-28 : Electric Power Transmission Systems; DO-29 : Thermoelectric Projects; DO-30 : Large-Scale Housing Projects; DO-31 : Wastewater Collection, Treatment, Reuse, and Disposal Systems; DO-32 : Hazardous Materials Management; DO-33 : Agroindustry; DO-34 : Food Processing; DO-35 : Fertilizer; DO-36 : Chemical and Petrochemical; DO-37 : Cement; DO-38 : Nonferrous Metals; DO-39 : Iron and Steel Manufacturing; DO-40 : Industrial Hazard Management; DO-41 : Public Health and Safety; DO-42 : Core Concerns in Social Analysis; DO-43 : Induced Development; DO-44 : Strengthening Local Capabilities and Institutions.

manual for the prevention and fighting corruption and fraud in the operations of BOAD; Manual of procedures of investigations and sanctions in the fight against corruption and fraud; Manual of policy on protection of whistleblower; Manual of policy and procedures on verification of conformity; Manual of policy and procedures on grievance; Manual of policy on information disclosure⁵.

This document contains policies and procedures followings:

1. [Operational policy on environmental and social impact assessment](#)
2. [Procedures on environmental and social impact assessment](#)
3. [Operational policy on Natural Habitats](#)
4. [Procedures on Natural Habitats](#)
5. [Operational policy on forests management](#)
6. [Procedures on forests management](#)
7. [Operational policy on security of dams](#)
8. [Procedures on security of dams](#)
9. [Operational policy on projects related international waterways](#)
10. [Procedures on projects related international waterways](#)
11. [Operational policy on projects in dispute areas](#)
12. [Procedures on Projects in dispute areas](#)
13. [Operational policy on Involuntary resettlement](#)
14. [Procedures on Involuntary resettlement](#)
15. [Operational policy on Indigenous people](#)
16. [Procedures on Indigenous people](#)
17. [Operational policy on Cultural resource](#)
18. [Procedures on Cultural resource](#)
19. [Operational policy on Pest control](#)

⁵ International Fiduciary and environmental standards related-procedures and policy manuals were prepared from similar documents of the World Bank, the African Development Bank, the Asian Development Bank, the Canadian International Development Agency, the European Investment Bank, the European Bank for reconstruction and development, and the International Monetary Fund.

20. [Pest control plan](#)
21. [Operational policy on consideration of cumulative effects in environmental and social impact assessment](#)
22. [Operational policy on resolution of global and transboundary issues in environmental and social impact assessment](#)
23. [Operational policy on Public participation in environmental and social impact assessment](#)
24. [Bank Manual of environmental and social classification projects](#)

1. **OP_01** WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT OF PROJECTS

1.1. Introduction

1. BOAD⁶ requires that projects that are submitted for funding are subject to environmental and social impact assessment (ESIA), which helps to ensure that the projects are environmentally sound and socially viable to facilitate decision making.
2. ESIA is a process whose breadth, depth, and type of analysis depend on the nature, scale, and potential environmental impact of the proposed project. ESIA evaluates a project's potential environmental risks and impacts in its area of influence;⁷ examines project alternatives; identifies ways of improving project selection, siting, planning, design, and implementation by preventing, minimizing, mitigating, or compensating for adverse environmental impacts and enhancing positive impacts.
3. The client⁸ or promoter, by mutual agreement with the responsible government agencies and other relevant stakeholders⁹, will lead an environmental and social

⁶ "BOAD" means West Africa Development Bank; "loans" means credits; "borrower" includes, for guarantee operations, a private or public project sponsor receiving from another financial institution a loan guaranteed by the Bank; and "project" covers all operations financed by Investment Project Financing or Bank guarantees. This policy applies to all components of the project, regardless of the source of financing.

⁷ For definitions, see Annex A. The area of influence for any project is determined with the advice of environmental specialists and set out in the ESIA terms of reference

⁸ The term "client" is used broadly in all environmental and social safeguard standards to designate the party responsible for the implementation and operation of the project funded, or the funding recipient, depending on the project structure and type of funding.

⁹ These are required and who are responsible parties under the law, to assess and manage the risks and impacts identified (eg relocation of activities organized by the state).

impact assessment process, will establish and maintain an Environmental and Social Management System (ESMS) suitable for the nature and scale of the project and proportional to the risks and environmental and social impacts. SEMS includes the following: (i) Policy Statement; (ii) identification of risks and impacts; (iii) management program; (iv) organizational capacity and skills; (v) preparation and response to emergency situations; (vi) stakeholder engagement; and (vii) monitoring and evaluation.

4. ESIA also includes the process of mitigating and managing adverse environmental impacts throughout project implementation. BOAD favors preventive measures over mitigatory or compensatory measures, whenever feasible.

5. ESIA takes into account the natural environment (air, water, and land); human health and safety; social aspects (involuntary resettlement, indigenous peoples, and physical cultural resources);¹⁰ and transboundary and global environmental aspects.¹¹ ESIA considers natural and social aspects in an integrated way. It also takes into account the variations in project and country conditions; the findings of country environmental studies; national environmental action plans; the country's overall policy framework, national legislation, and institutional capabilities related to the environment and social aspects; and obligations of the country, pertaining to project activities, under relevant international environmental treaties and agreements. BOAD does not finance project activities that would contravene such country obligations, as identified during the ESIA. ESIA is initiated as early as possible in project processing and is integrated closely

¹⁰ See BOAD policies on *Involuntary Resettlement; Indigenous Peoples; and Physical Cultural Resources*.

¹¹ Global environmental issues include climate change, ozone-depleting substances, pollution of international waters, and adverse impacts on biodiversity.

with the economic, financial, institutional, social, and technical analyses of a proposed project.

6. The conduct of an ESIA requires stakeholder engagement. It is essential for the proper management of environmental and social impacts of a project. This commitment is a process that may involve the following: the stakeholders analysis and planning of their participation, disclosure and dissemination of information, consultation and participation, redress mechanisms and systematic presentation of reports to affected communities.

It should be noted that the nature, frequency and level of effort of the commitment of these stakeholders may vary and will be proportional to the risks and negative impacts of the project and the stage of its implementation.

Analysis and planning of stakeholder engagement

7. Project leaders will need to identify the variety of stakeholders who may be interested in their actions and consider communications channels that facilitate dialogue with all those stakeholders. When a project involves elements likely to have adverse environmental impacts and affected communities, the leader (of the project) identifies them and complies with the relevant requirements described in this document.
8. In all cases, the leader shall develop and implement a stakeholder engagement plan, tailored to the risks and impacts of the project and its stage of development. This plan must take into account the characteristics and interests of affected communities. If necessary, the stakeholder engagement plan includes differentiated measures to ensure the effective participation of persons or disadvantaged or vulnerable groups. If the

process of stakeholder participation depends on community representatives, the leader (of the project) will endeavor, where possible, to ensure that those representatives duly express the views of the affected communities.

9. When the exact location of the project is not known, but one can reasonably believe that will have a significant impact on local communities, the leader must prepare a framework of engagement of stakeholders, which will be included in its management program. This framework will outline the guiding principles and a strategy to identify affected Communities and other relevant stakeholders, and will provide an engagement process to be implemented once the location of the project is known.

Responsibilities of the private sector under the government's commitment as a stakeholder

10. In cases where the stakeholder engagement is the responsibility of the government, the promoter will work with relevant public authorities, within the limits permitted by them, to achieve results consistent with the objectives of this operational policy. When the capacity of the State has are limited the promoter will be involved in the planning, implementation and monitoring of stakeholder engagement. If the process implemented by public authorities does not comply with the requirements of this operational policy, the promoter will implement a complementary process and additional measures.
11. ESIA allows classifying projects into four categories A, B, C, D, which will be developed in the following paragraphs.

12. The borrower is responsible for carrying out the ESIA. For Category A projects,¹² the borrower retains independent ESIA experts not affiliated with the project to carry out the ESIA.¹³ For Category A projects that are highly risky or contentious or that involve serious and multidimensional environmental concerns, the borrower should normally also engage an advisory panel of independent, internationally recognized environmental specialists to advise on all aspects of the project relevant to the ESIA.¹⁴ The role of the advisory panel depends on the degree to which project preparation has progressed, and on the extent and quality of any ESIA work completed, at the time BOAD begins to consider the project.

13. BOAD advises the borrower on the Bank's ESIA requirements. The Bank reviews the findings and recommendations of the ESIA to determine whether they provide an adequate basis for processing the project for BOAD financing. When the borrower has completed or partially completed ESIA work prior to BOAD's involvement in a project, the Bank reviews the ESIA to ensure its consistency with this policy. BOAD may, if appropriate, require additional ESIA work, including public consultation and disclosure.

14. Taking into account borrower country legislation and local conditions, the ESIA may recommend the emission levels and approaches to pollution prevention and abatement for the project. The ESIA report must provide full

¹² For screening, see paragraph. 15.

¹³ ESIA is closely integrated with the project's economic, financial, institutional, social, and technical analyses to ensure that (a) environmental considerations are given adequate weight in project selection, siting, and design decisions; and (b) ESIA does not delay project processing. However, the borrower ensures that when individuals or entities are engaged to carry out ESIA activities, any conflict of interest is avoided. For example, when an independent ESIA is required, it is not carried out by the consultants hired to prepare the engineering design.

¹⁴ The panel (which is different from the dam safety panel) advises the borrower specifically on the following aspects: (a) the terms of reference for the ESIA, (b) key issues and methods for preparing the ESIA, (c) recommendations and findings of the ESIA, (d) implementation of the ESIA's recommendations, and (e) development of environmental management capacity.

and detailed justification for the levels and approaches chosen for a given project.

1.2. Environmental and social Screening and definition of the ESIA Scope

15. For each proposed project, BOAD shall classify the project on the base of the screening. The screening will be based on the analysis of the impacts mentioned in the environmental and social preliminary study. The screening will determine the triggering of a particular E&S safeguard and gender mainstreaming with appropriate justification for their triggering for every project. The screening process tool for ESIA will help for triggering. The list of classification which is at page 247 will be used as an illustrative list as a general guide and not as a screening process. The Bank may classify the project into one of the four existing categories in function of the various peculiarities of the project - type, location, level of sensitivity, scale, nature and extent of its potential environmental impacts¹⁵. After the screening, the Bank forwards the generic TORs to the promoter for the purposes of its adaptation to the context of the project.

(a) *Category A*: A proposed project is classified as Category A if it is likely to have significant adverse environmental impacts that are sensitive,¹⁶ diverse, or unprecedented. These impacts may affect an area broader than the sites or facilities subject to physical works. ESIA for a Category A project examines the project's potential negative and positive environmental and social impacts, compares them with those of feasible alternatives (including the "without project" situation), and recommends any measures needed to prevent, minimize, mitigate, or compensate for

¹⁵ Manual classification of the BOAD proposed can be used for illustrative purposes in the analysis leading to the categorization of the project

¹⁶ A potential impact is considered "sensitive" if it may be irreversible (e.g., lead to loss of a major natural habitat) or raise issues covered by BOAD policies on *Natural Habitats; Indigenous Peoples; Physical Cultural Resources* or , *Involuntary Resettlement*.

adverse impacts and improve environmental performance. For a Category A project, the borrower is responsible for preparing a report, normally an ESIA.

(b) *Category B*: A proposed project is classified as Category B if its potential adverse environmental impacts on human populations or environmentally important areas—including wetlands, forests, grasslands, and other natural habitats—are less adverse than those of Category A projects. These impacts are site-specific; few if any of them are irreversible; and in most cases mitigatory measures can be designed more readily than for Category A projects. The scope of ESIA for a Category B project may vary from project to project, but it is narrower than that of Category A ESIA. Like Category A ESIA, it examines the project's potential negative and positive environmental impacts and recommends any measures needed to prevent, minimize, mitigate, or compensate for adverse impacts and improve environmental performance. The findings and results of Category B, ESIA are described in the project documentation (Project Appraisal Report and Project Information Document).¹⁷

(c) *Category C*: A proposed project is classified as Category C if it is likely to have minimal or no adverse environmental impacts. Beyond screening, no further ESIA action is required for a Category C project.

¹⁷ When the screening process determines, or national legislation requires, that any of the environmental issues identified warrant special attention, the findings and results of Category B ESIA may be set out in a separate report. Depending on the type of project and the nature and magnitude of the impacts, this report may include, for example, a limited environmental impact assessment, an environmental mitigation or management plan, an environmental audit, or a hazard assessment. For Category B projects that are not in environmentally sensitive areas and that present well-defined and well-understood issues of narrow scope, the Bank may accept alternative approaches for meeting ESIA requirements: for example, environmentally sound design criteria, siting criteria, or pollution standards for small-scale industrial plants or rural works; environmentally sound siting criteria, construction standards, or inspection procedures for housing projects; or environmentally sound operating procedures for road rehabilitation projects.

(d) *Category D*: A proposed project is classified as Category D if it's a project to improve the environment.

(e) *Category IF*: A proposed project is classified as Category IF¹⁸, if it involves investment of BOAD funds through a financial intermediary, in subprojects that may result in adverse environmental impacts (gives loans to financial intermediaries).

If a project is classified in category A, the Bank will proceed with the definition of the scope of the ESIA¹⁹ to ensure, open and interactive manner with the proponent, stakeholders, and the public concerned, to: (i) information to the public on the project proposal; (ii) the identification of key stakeholders and their concerns and values; (iii) the search for reasonable and practical alternatives to the proposed project; (iv) targeting issues and the major effects that ESIA must address; (v) the delimitation of the scope of ESIA in terms spatial, temporal and subject; (vi) the guidelines on searching for information and reference situations. The definition of the scope of the study requires the presence on the site of the project, the environmental and/or social Agent of BOAD which can be supported by an independent consultant. It ends with the finalization of the terms of References of ESIA that BOAD approves in order to allow the proponent to initiate the preparation of the report of ESIA.

1.3. Assessment of cumulative effects in ESIA of projects and issues global and transboundary

16. Assessment of cumulative effects in ESIA of projects financing by the bank

The significance of cumulative environmental effects of development projects is undeniable, but the current assessment and management techniques do not

¹⁸ Financial intermediaries

¹⁹ In principle, the definition of the scope of the study starts at the end of the phase of the preliminary study. These two phases may overlap partially.

always allow them to predict or control them appropriately. Given that the cumulative environmental effects arise at individual projects, BOAD is logical to integrate the concept of cumulative environmental effects in the environmental and social impact assessment.

However, environmental and social impact assessments in the Member States of the Bank reflect a lesser degree of cumulative environmental effects. Seen the effects of increasingly growing development activities on natural resources and populations, BOAD asked to take into account in the projects it finances, the cumulative environmental effects resulting from interactions between the environmental effects of project, those projects execution in a region or sector and those activities and future projects. For more information refer to the operational policy of BOAD on taking into account cumulative effects in environmental and social assessments for projects of the Bank. The policy on taking account of the cumulative effects in environmental and social impact assessment of projects of the Bank is presented in Chap. 21 of this document.

17. Global and transboundary issues in environmental and social impact assessment

Bank educated and finance projects in several sectors. These proposals may, as appropriate, have an influence on resources and issues are managed within the framework of international conventions and agreement, including issues related to climate change, international waterways, biodiversity, to restoration of degraded soils, forests, etc. Also, the Bank will she ensure that these projects include issues related to global and cross-border issues with recommendations for the implementation of national development strategies and sector borrowing countries . In this sense, will be encouraged projects that give purpose to apply the international conventions to which they are parties and the policies , procedures and environmental and social guidelines of the Bank, including those related to global issues and transboundary. The Bank policy on

resolution of global and transboundary issues in environmental and social impact assessment is presented in Chapter 22 of this document.

1.4. Environmental and Social Impact Assessment for Special Project Types

1.4.1. Projects Involving Subprojects

18. For projects involving the preparation and implementation of annual investment plans or subprojects, identified and developed over the course of the project period during the preparation of each proposed subproject, the project coordinating entity or implementing institution carries out appropriate ESIA according to country requirements and the requirements of this policy.²⁰ BOAD appraises and, if necessary, includes in the project proposal components to strengthen, the capabilities of the coordinating entity or the implementing institution to (a) screen subprojects, (b) obtain the necessary expertise to carry out ESIA, (c) review all findings and results of ESIA for individual subprojects, (d) ensure implementation of mitigation measures (including, where applicable, an ESMP), and (e) monitor environmental conditions during project implementation.²¹

19. If BOAD is not satisfied that adequate capacity exists for carrying out ESIA, all Category A subprojects and, as appropriate, Category B subprojects--

²⁰ In addition, if there are sector wide issues that cannot be addressed through individual subproject ESIA (and particularly if the project is likely to include Category A subprojects), the borrower may be required to carry out sectoral ESIA before the Bank appraises the project.

²¹ Where, pursuant to regulatory requirements or contractual arrangements acceptable to the Bank, any of these review functions are carried out by an entity other than the coordinating entity or implementing institution, the Bank appraises such alternative arrangements; however, the borrower/coordinating entity/implementing institution remains ultimately responsible for ensuring that subprojects meet Bank requirements.

including any ESIA reports--are subject to prior review and approval by the Bank.

1.4.2. Projects Involving Financial Intermediaries

20. For a project involving a financial intermediary (IF), BOAD requires that each IF screen proposed subprojects and ensures that subborrowers carry out appropriate ESIA for each subproject. Before approving a subproject, the IF verifies (through its own staff, outside experts, or existing environmental institutions) that the subproject meets the environmental requirements of appropriate national and local authorities and is consistent with this Operational Policy (OP) and other applicable environmental policies of BOAD.²²

21. In appraising a proposed IF operation, BOAD reviews the adequacy of country environmental requirements relevant to the project and the proposed ESIA arrangements for subprojects, including the mechanisms and responsibilities for environmental screening and review of ESIA results. When necessary, BOAD ensures that the project includes components to strengthen such ESIA arrangements. For IF operations expected to have Category A subprojects, prior to BOAD's appraisal each identified participating FI provides to BOAD a written assessment of the institutional mechanisms (including, as necessary, identification of measures to strengthen capacity) for its subproject ESIA work.²³ If BOAD is not satisfied that adequate capacity exists for carrying out ESIA, all Categories A

²² The requirements for projects involving FI are derived from the ESIA process and are consistent with the provisions of this policy. The ESIA process takes into account the type of finance being considered, the nature and scale of anticipated subprojects, and the environmental requirements of the jurisdiction in which subprojects will be located.

²³ Any FI included in the project after appraisal complies with the same requirement as a condition of its participation.

subprojects and, as appropriate, Category B subprojects--including ESIA reports--are subject to prior review and approval by BOAD.²⁴

1.4.3. Institutional Capacity

22. When the borrower has inadequate legal or technical capacity to carry out key ESIA-related functions (such as review of ESIA, environmental monitoring, inspections, or management of mitigatory measures) for a proposed project, the project includes components to strengthen that capacity.

1.4.4. Public Consultation

23. For all Category A and B projects proposed for BOAD financing, during the ESIA process, the borrower consults project-affected groups and local non-governmental organizations (NGOs) about the project's environmental aspects and takes their views into account. The borrower initiates such consultations as early as possible. For Category A projects, the borrower consults these groups at least twice: (a) shortly after environmental screening and before the terms of reference for the ESIA are finalized; and (b) once a draft ESIA report is prepared. In addition, the borrower consults with such groups throughout project implementation as necessary to address ESIA-related issues that affect them.²⁵

24. For meaningful consultations between the borrower and project-affected groups and local NGOs on all Category A and B projects proposed for BOAD

²⁴ The criteria for prior review of Category B subprojects, which are based on such factors as type or size of the subproject and the ESIA capacity of the financial intermediary, are set out in the legal agreements for the project.

²⁵ For projects with major social components, consultations are also required by other Bank policies--for example, policies on *Indigenous Peoples*, and, *Involuntary Resettlement*.

financing, the borrower provides relevant material in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted.

25. For a Category A project, the borrower provides for the initial consultation a summary of the proposed project's objectives, description, and potential impacts; for consultation after the draft ESIA report is prepared, the borrower provides a summary of the ESIA's conclusions. In addition, for a Category A project, the borrower makes the draft ESIA report available at a public place accessible to project-affected groups and local NGOs. For projects involving subprojects as described above, the borrower/FI ensures that ESIA reports for Category A subprojects are made available in a public place accessible to affected groups and local NGOs.

26. Any separate Category B report for a project proposed for BOAD financing is made available to project-affected groups and local NGOs. Public availability in the borrowing country and official receipt by BOAD of Category A reports for projects proposed for BOAD financing, and of any Category B ESIA report for projects proposed for BOAD funding, are prerequisites to BOAD appraisal of these projects.

27. Once the borrower officially transmits the Category A ESIA report to BOAD, the Bank distributes the summary to the Executive Directors (EDs) and makes the report available through its Website and library. Once the borrower officially transmits any separate Category B ESIA report to the Bank, the Bank makes it available through its Website and library.²⁶ If the borrower objects to the Bank's releasing an ESIA report through its Website and library, BOAD staff submit the issue of further processing to the President CEO of the Bank.

²⁶ For a further discussion of the Bank's disclosure procedures, see *BOAD Policy on Access to Information*. Specific requirements for disclosure of resettlement plans and indigenous peoples development plans are set out in Operational policies and procedures on *Indigenous Peoples*, and *Involuntary Resettlement*.

Informed consultation and participation

28. When a project is likely to have significant adverse impacts on affected communities, the promoter will continue a process of informed consultation and participation (CPE), with the purpose of obtaining informed participation of the Communities. This process of consultation and participation gives rise to exchanges of views and more detailed information, leading to the consideration by the promoter, the views of the affected communities on matters that directly affect them (mitigation proposed measures, sharing of benefits and opportunities generated, implementation issues, in particular).
29. This consultation process will take into account (i) the opinions of men and women, as required, in the case of forums or separate meetings, and differing concerns and priorities from the point of view of gender, regarding the impacts, mitigation mechanisms and benefits.
30. The Promoter will document the process, in particular measures taken to prevent or minimize the risks and adverse impacts on affected communities and inform those concerned about how their concerns have been taken into account.
31. *Indigenous Peoples:* when a project has negative impacts on Indigenous Peoples, the client will be obliged to involve indigenous people in a CPE process and, in some cases, to get their Free, Prior, and Informed consent.

Continuous Disclosure of information to affected communities

32. The promoter shall submit periodic reports to the affected communities, which describe the progress made in the context of the implementation of project action plans covering the areas where such communities are exposed to risks or impacts and which are proved to be a source of concern for these communities as part of the consultation process or appeal mechanism.
33. If the management program results in substantial changes to the mitigation measures described in the action plans covering the areas of concern of affected communities or the adoption of additional measures and actions, the new measures or applicable mitigation actions are communicated to the said Communities. The frequency of these reports will be proportionate to the concerns of affected communities, but they will be published at intervals not exceeding one year.

1.5. Execution

34. During project implementation, the borrower reports on: (a) compliance with measures agreed with BOAD on the basis of the findings and results of the ESIA, including implementation of any ESMP, as set out in the project documents; (b) the status of mitigatory measures; and (c) the findings of monitoring programs. BOAD bases supervision of the project's environmental aspects on the findings and recommendations of the ESIA, including measures set out in the legal agreements, any ESMP, and other project documents.²⁷

²⁷ See Projects Supervision Manual

Appendix 1.A: Definitions on environmental and social assessment

1. *Environmental audit*: An instrument to determine the nature and extent of all environmental areas of concern at an existing facility. The audit identifies and justifies appropriate measures to mitigate the areas of concern, estimates the cost of the measures, and recommends a schedule for implementing them.
2. *Environmental and social impact assessment (ESIA)*: An instrument to identify and assess the potential environmental and social impacts of a proposed project, evaluates alternatives, and design appropriate mitigation, management, and monitoring measures.
3. *Environmental and social management plan (ESMP)*: An instrument that details
 - (a) the measures to be taken during the implementation and operation of a project to eliminate or offset adverse environmental impacts, or to reduce them to acceptable levels; and
 - (b) the actions needed to implement these measures.

The ESMP is an integral part of Category A, ESIA (irrespective of other instruments used). ESIA for Category B projects may also result in an ESMP.

4. *Hazard assessment*: An instrument for identifying, analyzing, and controlling hazards associated with the presence of dangerous materials and conditions at a project site. The Bank requires a hazard assessment for projects involving certain inflammable, explosive, reactive, and toxic

materials when they are present at a site in quantities above a specified threshold level. For certain projects, the ESIA report may consist of the hazard assessment alone; in other cases, the hazard assessment is part of the ESIA documentation.

5. *Project area of influence*: The area likely to be affected by the project, including all its ancillary aspects, such as power transmission corridors, pipelines, canals, tunnels, relocation and access roads, borrow and disposal areas, and construction camps, as well as unplanned developments induced by the project (e.g., spontaneous settlement, logging, or shifting agriculture along access roads). The area of influence may include, for example,

(a) the watershed within which the project is located;

(b) any affected estuary and coastal zone;

(c) off-site areas required for resettlement or compensatory tracts;

(d) the airshed (e.g., where airborne pollution such as smoke or dust may enter or leave the area of influence;

(e) migratory routes of humans, wildlife, or fish, particularly where they relate to public health, economic activities, or environmental conservation; and

(f) areas used for livelihood activities (hunting, fishing, grazing, gathering, agriculture, etc.) or religious or ceremonial purposes of a customary nature.

6. *Regional Environment and Social Assessment*: An instrument that examines environmental issues and impacts associated with a particular strategy, policy, plan, or program, or with a series of projects for a particular region (e.g., an urban area, a watershed, or a coastal zone); evaluates and compares the impacts against those of alternative options; assesses legal and institutional aspects relevant to the issues and impacts; and recommends broad measures to strengthen environmental management in the region. *Regional Environment and Social Assessment* pays particular attention to potential cumulative impacts of multiple activities.

7. *Risk assessment*: An instrument for estimating the probability of harm occurring from the presence of dangerous conditions or materials at a project site. Risk represents the likelihood and significance of a potential hazard being realized; therefore, a hazard assessment often precedes a risk assessment, or the two are conducted as one exercise. Risk assessment is a flexible method of analysis, a systematic approach to organizing and analyzing scientific information about potentially hazardous activities or about substances that might pose risks under specified conditions. The Bank routinely requires risk assessment for projects involving handling, storage, or disposal of hazardous materials and waste, the construction of dams, or major construction works in locations vulnerable to seismic activity or other potentially damaging natural events. For certain projects, the *Environment and Social Assessment* report may consist of the risk assessment alone; in other cases, the risk assessment is part of the ESIA or other Environment and Social Assessment documentation.

8. *Sectoral Environment and Social Assessment*: An instrument that examines environmental issues and impacts associated with a particular strategy, policy, plan, or program, or with a series of projects for a specific sector (e.g., power, transport, or agriculture); evaluates and compares the impacts against those of alternative options; assesses legal and institutional aspects

relevant to the issues and impacts; and recommends broad measures to strengthen environmental management in the sector. Sectorial Environment and Social Assessment pays particular attention to potential cumulative impacts of multiple activities.

Appendix 1.B: Content of an Environmental and Social Impact Assessment Report for a Category A Project

1. An environmental and social impact assessment (ESIA) report for a Category A project¹ focuses on the significant environmental issues of a project. The report's scope and level of detail should be commensurate with the project's potential impacts. The report submitted to BOAD is prepared and the executive summary.

2. The ESIA report should include the following items (not necessarily in the order shown):
 - (a) *Executive summary.* Concisely discusses significant findings and recommended actions

 - (b) *Policy, legal, and administrative framework.* Discusses the policy, legal, and administrative framework within which the ESIA is carried out. Explains the environmental requirements of any cofinanciers. Identifies relevant international environmental agreements to which the country is a party

 - (c) *Project description.* Concisely describes the proposed project and its geographic, ecological, social, and temporal context, including any

¹ The ESIA report for a Category A project is normally an environmental and social impact assessment, with elements of other instruments included as appropriate. Any report for a Category A operation uses the components described in this annex, but Category A sectoral and regional Environment and Social Impact Assessment require a different perspective and emphasis among the components.

offsite investments that may be required (e.g., dedicated pipelines, access roads, power plants, water supply, housing, and raw material and product storage facilities). Indicates the need for any resettlement plan or indigenous peoples development plan² (see also subparagraph. (h)(v) below). Normally includes a map showing the project site and the project's area of influence.

(d) *Baseline data*. Assesses the dimensions of the study area and describes relevant physical, biological, and socioeconomic conditions, including any changes anticipated before the project commences. Also takes into account current and proposed development activities within the project area but not directly connected to the project. Data should be relevant to decisions about project location, design, operation, or mitigatory measures. The section indicates the accuracy, reliability, and sources of the data.

(e) *Environmental and social impacts*. Predicts and assesses the project's likely positive and negative impacts, in quantitative terms to the extent possible. Identifies mitigation measures and any residual negative impacts that cannot be mitigated. Explores opportunities for environmental enhancement. Identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions, and specifies topics that do not require further attention, identifies and analyzes the cumulative impacts caused by the project as well as global and cross-border problems caused by the project.

² See BOAD policies and procedures on *Involuntary Resettlement*, and *Indigenous Peoples*.

(f) *Analysis of alternatives.*³ Systematically compares feasible alternatives to the proposed project site, technology, design, and operation--including the "without project" situation--in terms of their potential environmental impacts; the feasibility of mitigating these impacts; their capital and recurrent costs; their suitability under local conditions; and their institutional, training, and monitoring requirements. For each of the alternatives, quantifies the environmental impacts to the extent possible, and attaches economic values where feasible. States the basis for selecting the particular project design proposed and justifies recommended emission levels and approaches to pollution prevention and abatement.

(g) *Environmental and social management plan (ESMP).* Covers mitigation measures, monitoring, and institutional strengthening; see outline in [Appendix C](#) of this policy.

(h) *Appendixes*

(i) List of ESIA report preparers--individuals and organizations.

³ Environmental implications of broad development options for a sector (e.g., alternative ways of meeting projected electric power demand) are best analyzed in least-cost planning or sectoral Environment and Social Assessment. Environmental implications of broad development options for a region (e.g., alternative strategies for improving standards of living in a rural area) are best addressed through a regional development plan or a regional Environment and Social Assessment. ESIA is normally best suited to the analysis of alternatives within a given project concept (e.g., a geothermal power plant, or a project aimed at meeting local energy demand), including detailed site, technology, design, and operational alternatives.

- (ii) References--written materials both published and unpublished, used in study preparation.

- (iii) Record of interagency and consultation meetings, including consultations for obtaining the informed views of the affected people and local nongovernmental organizations (NGOs). The record specifies any means other than consultations (e.g., surveys) that were used to obtain the views of affected groups and local NGOs.

- (iv) Tables presenting the relevant data referred to or summarized in the main text.

- (v) List of associated reports (e.g., resettlement plan or indigenous peoples development plan).

For the ESIA report content of Category B project, see appendix 1.D of this policy.

Appendix 1.C: Environmental and Social Management Plan

1. A project's environmental and social management plan (ESMP) consists of the set of mitigation, monitoring, and institutional measures to be taken during implementation and operation to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels. The plan also includes the actions needed to implement these measures.³¹ Management plans are essential elements of ESIA reports for Category A projects; for many Category B projects, the ESIA may result in a management plan only. To prepare a management plan, the borrower and its ESIA design team (a) identify the set of responses to potentially adverse impacts; (b) determine requirements for ensuring that those responses are made effectively and in a timely manner; and (c) describe the means for meeting those requirements.³² More specifically, the ESMP includes the following components.

Mitigation

2. The ESMP identifies feasible and cost-effective measures that may reduce potentially significant adverse environmental and social impacts to acceptable levels. The plan includes compensatory measures if mitigation measures are not feasible, cost-effective, or sufficient. Specifically, the ESMP

³¹ The management plan is sometimes known as an "action plan." The ESMP may be presented as two or three separate plans covering mitigation, monitoring, and institutional aspects, depending on borrowing country requirements.

³² For projects involving rehabilitation, upgrading, expansion, or privatization of existing facilities, remediation of existing environmental problems may be more important than mitigation and monitoring of expected impacts. For such projects, the management plan focuses on cost-effective measures to remediate and manage these problems.

- (a) identifies and summarizes all anticipated significant adverse environmental impacts (including those involving indigenous people or involuntary resettlement);

- (b) describes--with technical details--each mitigation measure, including the type of impact to which it relates and the conditions under which it is required (e.g., continuously or in the event of contingencies), together with designs, equipment descriptions, and operating procedures, as appropriate;

- (c) estimates any potential environmental and social impacts of these measures; and

- (d) provides linkage with any other mitigation plans (e.g., for involuntary resettlement, indigenous peoples, or cultural resources) required for the project.

Environmental and social monitoring

3. Environmental and social impact assessment monitoring during project implementation provides information about key environmental aspects of the project, particularly the environmental and social impacts of the project and the effectiveness of mitigation measures. Such information enables the borrower and BOAD to evaluate the success of mitigation as part of project supervision, and allows corrective action to be taken when needed. Therefore, the ESMP identifies monitoring objectives and specifies the type of monitoring, with linkages to the impacts assessed in the ESIA

report and the mitigation measures described in the ESMP. Specifically, the monitoring section of the ESMP provides (a) a specific description, and technical details, of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions; and (b) monitoring and reporting procedures to (i) ensure early detection of conditions that necessitate particular mitigation measures, and (ii) furnish information on the progress and results of mitigation.

Capacity Development and Training

4. To support timely and effective implementation of environmental project components and mitigation measures, the ESMP draws on the ESIA's assessment of the existence, role, and capability of environmental units on site or at the agency and ministry level.³³ If necessary, the ESMP recommends the establishment or expansion of such units, and the training of staff, to allow implementation of ESIA recommendations. Specifically, the ESMP provides a specific description of institutional arrangements--which is responsible for carrying out the mitigatory and monitoring measures (e.g., for operation, supervision, enforcement, monitoring of implementation, remedial action, financing, reporting, and staff training). To strengthen environmental management capability in the agencies responsible for implementation, most ESMPs cover one or more of the following additional topics: (a) technical assistance programs, (b) procurement of equipment and supplies, and (c) organizational changes.

³³ For projects having significant environmental implications, it is particularly important that there be in the implementing ministry or agency an in-house environmental unit with adequate budget and professional staffing strong in expertise relevant to the project (for projects involving dams and reservoirs, see [BOAD Procedure on Environmental and Social Impact Assessment, Annex 2.B](#)).

Implementation Schedule and Cost Estimates

5. For all three aspects (mitigation, monitoring, and capacity development), the ESMP provides (a) an implementation schedule for measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans; and (b) the capital and recurrent cost estimates and sources of funds for implementing the ESMP. These figures are also integrated into the total project cost tables.

Integration of ESMP with Project

6. The borrower's decision to proceed with a project, and the BOAD's decision to support it, are predicated in part on the expectation that the ESMP will be executed effectively. Consequently, BOAD expects the plan to be specific in its description of the individual mitigation and monitoring measures and its assignment of institutional responsibilities, and it must be integrated into the project's overall planning, design, budget, and implementation. Such integration is achieved by establishing the ESMP within the project so that the plan will receive funding and supervision along with the other components.
7. The monitoring of the implementation of Environmental and social management Plan by the proponent is a condition to any loan or grant given by BOAD. The disbursement of funds during the execution of the project may be suspended by the Bank if the monitoring of the implementation of the ESMP has not been judged satisfactory and the corrective measures requested by the Bank have not been applied within the limit time.

Annex 1.D: Elements of the ESIA report for a Category B project

1. The Report of Environmental and Social Impact Assessment (ESIA) of a Category B project will be presented summarily.
2. The ESIA summary report should include the following items (not necessarily in that order):
 - a) *Analytical Summary: Concisely exposes key findings and recommended actions.*
 - b) *Directive, legal and administrative framework related to the project*
 - c) *Project description: describes the proposed project and its geographic, ecological, social and temporal context, including off-site investments that it may engender. Normally includes a map of the site and the project area.*
 - d) Summary analysis of options based on the technology used.
 - e) Prediction of positive and negative impacts on the environment and the social environment
 - f) Environmental and Social Management Plan. Present the mitigation measures, monitoring arrangements and institutional strengthening.
 - g) *Annexes*
 - i. List of individuals and organizations that have established the ESIA report.
 - ii. References: documents, published or unpublished, which was used for the analysis.
 - iii. Minutes of the public consultation meetings during the preparation of the ESIA report.
 - iv. Tables presenting the relevant data of which it is reported, in full or abbreviated in the text.
 - v. List of supporting reports

2. **BP_01**: PROCEDURES OF THE WEST AFRICAN DEVELOPMENT BANK ON ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT OF PROJECTS

2.1. Introduction

This procedure describes the internal process of BOAD for managing environmental and social impacts and risks.

They aim to:

- Identify and assess the social and environmental impacts, both positive and negative, in the zone of influence of the project as well as the associated risks;
- Avoid, minimize, mitigate or compensate for negative impacts and risks on workers, affected communities and the environment
- Ensure that affected communities are appropriately engaged in the resolution of issues that may affect them;
- Promote improved social and environmental performance of customers, through the effective use of management systems.

These objectives contribute to the systematic identification of projects with particular relevance in the environmental and social (E&S) field, and an adequate treatment of these projects in the due diligence process, contract negotiations and monitoring.

The application of the procedures presented guarantees therefore the objectives of the ESIA policy and environmental guidelines of BOAD.

Compliance with ESIA policy through ESIA procedures allows BOAD on one hand, to ensure transparency and accountability for their actions and decisions and secondly, to support its promoters of projects in the management of social and environmental risks and improve performance and positive results in terms of development in members countries of the BOAD.

It is important to note those risks and social and environmental impacts management in accordance with the standards of BOAD is the responsibility of the customer, while BOAD ensures the coherence of the projects financed with the provisions of the standards. Procedures are integrated into the overall project evaluation, risks financing and reputation, led by BOAD.

2.2. Description of BOAD E&S Procedures

The following sections describe BOAD E&S in the three key stages of BOAD funding procedures, namely portfolio entry, project evaluation (due diligence committee, "comité des engagements CE", contract negotiation) and management (supervision and monitoring) of projects.

These procedures apply imperatively to all project financed by the BOAD.

Table 2.1 in Appendix 2.B presents a complete overview of the responsibilities and activities in each step of the process. Details are presented in the following chapters:

2.2.1. Entry into portfolio

In the framework of the project appraisal, the potential E&S risks of projects must be analyzed and managed responsibly. ESIA procedures apply to according to the following steps:

2.2.1.1. Step 1 - Checking the exclusion list

The primary responsibility of the project team is verification against test if the proposed project is on the exclusion list of BOAD. The projects on the exclusion list will not be funded by BOAD.

The Exclusion List of BOAD is in Appendix 2.A. It is based on the exclusion list of IFC.

2.2.1.2. Step 2 – Project Categorization

All projects funded by the BOAD will be categorized according to their potential E&S risks. The two dimensions - environmental/social risks - are relevant E&S of each project and determine the processing of each project in the project cycle of BOAD.

The definition of dimensions (environmental dimension and social dimension) is as follows:

Category A: A proposed project is classified as Category A, if it presents potentially negative social or environmental significant, diverse, irreversible or unprecedented impacts.

Category B: A proposed project is classified as Category B if the negative impacts it may have on human populations or areas important from the point of view of the environment - wetlands, forests, grasslands and other natural habitats, etc. - are less severe than those of a proposed Category A project. These impacts are very local in nature and few of them are irreversible.

Category C: A proposed project is classified as Category C if the probability of its negative impacts on the environment is considered minimal.

Category D: A proposed project is classified as Category D if it is an environment and/or society improvement project.

Category IF: A proposed project is classified as Category IF, if BOAD invests funds through a financial intermediary, in subprojects that may have effects on the environment (giving loans to financial intermediaries).

In some cases of categorization of projects, the result on a dimension (environmental or social) may be different from the other dimension. For further processing of the project in the project cycle of BOAD, the highest score will be applied. For example if a project is categorized as B following the environmental dimension and A following the social dimension, the project as a whole will emerge in category A.

2.2.1.3. Step 3 - Preliminary information for the client

To ensure that the customer is - at appraisal - aware of the E&S requirements of BOAD, it is necessary to send him the respective information in the form of standard clauses, and this under the dimensions E&S respective of project . Standard clauses are as follows for the various categories:

Category IF Projects: "The customer must comply with the exclusion list of BOAD"

Category D, C and B Projects: "The customer must be in accordance with E&S national legislation and respect a ESMP, which sets out measures to prevent, minimize, mitigate or compensate for negative impacts and improve environmental and social performance, if BOAD considers it necessary.»

Category A Projects:

"The client must:

- comply with national legislation;

- comply with the standards of BOAD;
- respect a PGES that defines measures to prevent, minimize, mitigate or
- compensate for negative impacts and improve environmental performance and social;
- prepare an annual progress report of the ESMP. "

For Category A projects, the project team (PT) must give the client the sectoral directives of BOAD. These Guidelines provide technical guidance on aspects relating to environmental, health and safety. They indicate measures and performance levels that are generally considered to be achievable in the context of new facilities by existing technology at reasonable cost and are normally considered acceptable by BOAD.

BOAD, considering the complexity of a project, reserves the right to offer the projects leader, directives of other international financial institutions such as the World Bank and SFI.

For all Category A projects and for those of Category B the project team leader notifies the borrower in writing: a) that BOAD will undertake an evaluation of the project once the ESIA report is available to the affected groups and NGOs in a accessible public place and officially submitted to BOAD, and b) after officially the report received, BOAD will make it available to the public through its information system to public.

2.2.1.4. Step 4 - "Comité des engagements"/project entry into portfolio

In order to inform decision makers of BOAD on potential E&S impacts of a project at the stage of appraisal, the project team must add the category (A, B, C, D or IF) and a formula standard ("the project has low/medium/high

environmental risks and low/medium/high social risks") in the report to address the "comité des engagements (CE)".

For Category A projects, the environmentalist must add a brief sentence about the nature of the E&S risks ("In projects of this sector we can typically expect ..."). The evaluator must ensure that the Environmentalist has a first look on the project at the right time for him to give his contribution.

2.2.2. Analysis and evaluation of projects

2.2.2.1. Step 1 - Environmental and Social Due Diligence (DD E&S)

The DD E&S (Environmental and Social review) conducted by BOAD on each proposed project is a key factor in the financing decision and defines the scope of social and environmental conditions of the funding.

This review is adapted to the nature and scale of the project and commensurate with the level of risks and social and environmental impacts:

Category IF projects

For projects of category IF, the DD E & S focuses on a thorough analysis of the client portfolio (portfolio of categorization). Further consideration will be given to the performance of the FI in environmental and social issues, policies, procedures and environmental and social capacities, the nature of the loans and investments to be financed by the funds of the Bank, as well as needs technical cooperation and capacity building to facilitate the adoption of environmental and social procedures to meet the requirements of the Bank.

Category D projects

Category D projects require no environmental assessment. These projects should not cause negative environmental or social impact. Beyond categorization, no DD E & S is required for this project category.

Category C projects

For Category C projects, an in depth DD E&S is not necessary. However, some specific analysis on critical social issues such as gender analysis, institutional or summary analysis of the environment may be conducted to ensure proper project design category C. Where appropriate, the environmentalist will nevertheless always be able to categorize the project A or B.

Category B projects

DD E&S project categorized B has a different scope almost identical to that of Category A. The support of the environmentalist is required to identify the environmental and social aspects that deserve special attention in order to determine the scope of the Environmental and Social Impact Assessment (ESIA) required.

Category A projects

The DD E&S of a Category A project is to examine the positive and negative environmental and social impacts that the project may have, to compare them to the impacts of feasible alternatives (including, if applicable, the scenario "without project"), and to recommend any measures needed to prevent, minimize, mitigate or compensate for negative impacts of the project and to improve its environmental performance (ESMP). If necessary, an environmental specialist and / or sociologist of the Bank shall conduct a field mission

The appraisal documents of environmental and social impact assessment will deal with the following aspects³⁴:

- a) The evaluation of existing social and environmental conditions
- b) The examination of feasible alternatives, preferable from a social and environmental point of view

³⁴ This list is indicative only. The process of environmental and social impact assessment of each project may not cover all the above questions, some of which are not relevant to a particular project.

- c) Legal and regulatory requirements of the country of the project, conventions and international treaties
- d) The protection of human rights and public health, community safety (including the risks and impacts associated with the use of security agents in the context of the project, and their management)
- e) The protection of cultural heritage and resource
- f) The protection and conservation of biodiversity, including endangered species and sensitive ecosystems in modified, natural and critical habitats and identification of areas protected by legislation
- g) Sustainable management and use of renewable natural resources (including sustainable natural resource management through appropriate independent certification systems)
- h) The use and management of hazardous substances
- i) Assessment and management of major risks
- j) Issues relating to employment (including fundamental conventions on child labor, discrimination, freedom of association and forced labor), health, safety and work
- k) Fire prevention and safety of people
- l) The socio-economic consequences
- m) Land acquisition and forced displacement
- n) Impacts on affected communities, disadvantaged or vulnerable groups including women
- o) The consequences for indigenous people, their culture, their traditions, and values
- p) The combined effects of existing projects, the proposed project and future projects planned
- q) The consultation and participation of affected communities in the design, review and implementation of the project
- r) The production, supply and rational use of energy
- s) Pollution prevention and reduction of waste, pollution control (liquid effluents and air emissions) and the management of solid and chemical waste.

In all cases, the promoter must at least comply with the operational policies, procedures and guidelines of BOAD that have a direct or indirect relationship with the project. It may contact the Organizational Unit of the Bank for a better understanding and implementation of the said manuals.

Moreover, during the design phase of the project, the evaluator helps with advice the borrower to make the ESIA in accordance with the provisions of the Operational Policy of BOAD on ESIA. The project team and the Organizational Unit (OU) for Legal Affairs of the Bank analyze all issues that the project complies with national legislation or international treaties and environmental agreements (referred to in the Operational Policy of BOAD on ESIA).

For projects of Category A and B, the project team and the Organizational Unit of the Bank for the Environment provide to the project owner an ESIA generic terms of reference for the project, support the promoter in preparation of the final ToR, and examine the results of the ESIA, ensuring that any ESIA report is consistent with the terms provided in reference agreed with the borrower.

For Category A projects and for those of Category B the examination pays particular attention, among others, the nature of consultations with affected groups and local NGOs, in particular to determine how the views of these groups or organizations have been taken into account, and the measures and environmental management plan that it provides for mitigating and monitoring the impacts on environment and society and, where appropriate, strengthen institutional capacity.

If it is not satisfied, the Organizational Unit of the environment may recommend that: a) the assessment mission is postponed b) it is considered a pre-appraisal mission, or c) issues are reviewed in the framework of the evaluation mission.

For all Category A and B projects, the project team makes an update on the ESIA in the project presentation sheet (PPS) / sheet of entry into portfolio (SEP), describing how the main environmental issues have been addressed or will be

addressed, and indicating any condition relating to the ESIA that it intends to set for the project.

Projects Evaluation

For Category A projects and for Category B projects, the evaluation mission normally starts only after BOAD has received an official communication of ESIA report and has reviewed³⁵ it.

For Category A projects, the team of the evaluation mission has at least one environmental specialist with the appropriate skills³⁶. Whatever the project, the evaluation mission a) reviews with the client the procedural aspects as well as the content of the ESIA, b) solves any problems, c) evaluates the adequacy of institutions responsible for the management environmental in light of the conclusions of the ESIA, d) ensures that financing arrangements of environmental and Social management plan are adequate, and e) determines whether the project design and economic analysis correctly take into account the recommendations in the ESIA. For projects of category A and B, the project team obtains the consent of the Organizational Unit for the Environment to any changes during the evaluation and negotiation to an environmental condition approved in the intake decision stage.

Sector investment loans and loans to financial intermediaries

The assessment mission with the client develops specific provisions for enforcement of agencies to be able to run or supervise the ESIA of sub-projects

³⁵ Exceptionally, the President of BOAD may, with the prior consent of the organizational unit responsible for the environment, authorize the departure of the pre appraisal mission before receiving the report of a project ESIA Category A. In such cases, the approval of the project by the unit in charge of environmental management is subject to receipt by the BOAD, before the end of the assessment and the opening of negotiations, an ESIA report can truly serve as the basis for further appraisal.

³⁶ It may also be desirable to add the environmental specialists to the team of the evaluation mission projects of Category B.

envisaged³⁷ and should more precisely, check who will provide the skills and if responsibilities are distributed appropriately among the final borrower, the financial intermediary or sectoral organization and management agencies and environmental regulations. Where appropriate, the PT examines ESIA reports of subprojects of Category A and B in accordance with the ESIA Operational Policy.

Guarantee operations

An environmental assessment of a guarantee operation is performed in accordance with the Operational Policy. Any ESIA of a guarantee operation of BOAD must be made early enough to ensure that: a) An Organizational Unit for Environment examines the results of the ESIA, and b) the PT can take into account the findings of the ESIA in the project evaluation.

The evaluator ensures that the ESIA report ranked to Category A operation in which BOAD plans to give a guarantee to be made available to the public through its appropriate information system 60 days before the date of presentation to the Council, and, with respect to any ESIA report required for a classified in Category B, at least 30 days before that date operation.

For disclosure of ESIA reports, guarantee operations by BOAD are governed by the same rules as the credits.

Finally, in case of extensive expertise, the environmentalist may engage an outside expert to assist the completion of the DD E& S.

Phase 1 ends with the publication of the summary report of the ESIA Project at the Library of BOAD and on the official website of BOAD and / or the Internet

³⁷ The project team provides institutions responsible for implementation, to assist, as needed, to prepare and evaluate subprojects copies of the following documents: "Elements of the environmental assessment report projects Category A (Operational Policy ESIA Appendix 1.B), "environmental and Social Management Plan (Operational Policy ESIA Appendix 1.C)

at least 30 days prior to its submission the “Comité des engagements” (CE) to be accessible to all.

Documentation

The PT examines the implementation program submitted by the customer to ensure that it incorporates the findings and recommendations of the ESIA, including any development plan of any environment.

In preparing the loan file for submission to the Council, the PT summarizes the Appraisal Report (AR) the reasons for the classification of the project in a particular category, the conclusions and recommendations of the ESIA, including the rationale emission and methods of prevention and reduction of pollution levels recommended, and all issues related to the obligations of the country under international environmental agreements and treaties to which it is a party (see ESIA Operational Policy). For Category A projects, the PT summarizes in the annex to the Project³⁸ Appraisal Document, the key elements of the ESIA Report: procedures to establish environmental conditions baseline, variants planned, anticipated environmental impacts of the option, summary of the Environmental and Social Management Plan, covering the areas listed in Annex 1.C of the ESIA Operational Policy and consultations by the borrower with affected groups and local NGOs (in particular specifying the issues raised and how they have been taken into account), etc.. The annex also describes the conditions and clauses relating to the environment that have been negotiated: if necessary, documentary evidence that the relevant government intends to grant the appropriate permits, and the arrangements for monitoring environment.

For sectoral investment loans and those to financial intermediaries, the documents indicate the measures and conditions provided to enable

³⁸ ESIA Category A Report A is summarized in the annex to the project Appraisal Report and the said Annex is available to the public.

appropriate ESIA subprojects. The project team (PT) and the Organizational Unit of the Bank for Legal Affairs shall ensure that the loan makes obligation to the client to implement the Environmental and Social Management Plan and is accompanied by other clauses under the ESMP specific measures to facilitate an adequate supervision and monitoring of the implementation of the ESMP.

2.2.2.2. Step 2 - "Comité des engagements" - Consideration of proposed loan

In order to inform decision makers of BOAD systematically on E&S impacts and risks of each project, the memo for the "Comité des engagements" (CE) shall contain data on the DD E&S.

Category IF projects

Refer to category A, B, C or D of the IF project for standard form to include in the memo of CE

Category D projects

Standard formula for inclusion in the memo of CE ("The project does not have E & S impact and risk.")

Category C projects

Standard formula for inclusion in the memo of CE ("The project has low E&S impacts and risks.")

Category B projects

Standard formula for inclusion in the memo of CE ("The project has medium E&S impacts and risks.") Review Summary E&S (based on DD E&S report) to be included in the memo CE and DD E&S report summary in Annex.

Category A projects

Resume of E&S (based on DD E&S report) to include in the memo of CE and complete DD E&S report in Annex.

2.2.2.3. Step 3 - Loan Agreement

The project appraisal process leading to the signing of an agreement/loan agreement whose provisions must include the results of the DD E&S as follows:

Category IF projects

The customer must sign the exclusion list of BOAD and declare annually that he does not fund or has not financed projects excluded by this list. He must also sign that each sub-project with a high E&S risks (according to the categorization of BOAD) will follow the E&S standards of BOAD.

Category D, C and B projects

E&S standard clause to include in the contract ("compliance with national legislation").

Category A projects

Under the responsibility of the Environmentalist and the PT: Clauses on specific E&S risks to formulate and include in the contract, based on standard modules. ("Compliance with local legislation and standards of the Bank" + ESMP + annual monitoring report of +ESMP + required Project Management + other facts, if deemed necessary).

2.2.3. Supervision

During project implementation, the project team oversees the environmental and social aspects on the basis of the provisions relating to the environment and provisions for reporting by the customer agreed in legal documents and other documents described in the project.

The project team shall ensure that the provisions of procurement meet environmental obligations in the legal agreements for the project. It also ensures that supervision missions have the necessary environmental specialists.

The team ensures that the monitoring of the environment includes the clauses relating to the environment. It also ensures that the reports provided by the client on the progress of the project adequately address its compliance with agreed environmental measures, in particular the implementation of mitigation measures of impacts on environment, monitoring and management of the area. The project team, in consultation with the Organizational Unit (OU) for the Environment and the responsible of legal affairs, examines the information and determines whether the borrower has complied with environmental and social clauses agreed satisfactorily.

Otherwise, it studied the line of action to adopt with OU for environment and the responsible of legal affairs. It discusses with the client the steps to take to remedy this situation of non-compliance, and then proceeds to the said measures.

The project team shall notify the management the measures taken and possibly recommend other measures. During implementation, the project team obtains the consent of the OU for Environment to any modification of aspects of the project related to environment, including environmental clauses approved by the OU responsible for legal affairs.

The project team ensures that the operating plan for the project provided by the borrower has the necessary consideration of environmental aspects of the project, including a clause stipulating the retention of any environmental advisory panel agreed with BOAD.

The extent of supervision and monitoring should be relative to the risks and impacts and compliance with the provisions of the project.

Category IF projects

Review of the annual statement of compliance of the customer. "I confirm that the bank has not financed projects on the exclusion list of BOAD and each sub-project with a high E&S risks follows the E&S standards of BOAD."

Category D and C projects

There is no need for monitoring of Category D and C Projects.

Category B projects

Under the responsibility of the PT: Review of the Annual Statement of Compliance of the customer. ("I confirm that the company / project meet E&S local guidelines.") and revision of the ESMP (if applicable and if necessary with the assistance of the Environmentalist. A little information on the outcome of the review should be found in the annual internal documentation of this project. The monitoring should also account for the implementation of the ESMP.

Category A projects

Under the responsibility of the Environmentalist: Annual review of the monitoring E&S report and ESMP client, if necessary. The Environmentalist prepares a summary of that assessment. The summary must be annexed to the annual internal documentation of this project. The Environmentalist will also make a site visit if deemed necessary.

Report of completion of project evaluates: a) the impacts on the environment, indicating they had been included in the ESIA report b) the effectiveness of any mitigation measures.

Funding for environmental and social impact assessments

Potential clients who ask BOAD to contribute to ESIA financing may receive advances under the Mechanism for the preparation of projects and trust fund resources.

Special cases

Procedures for environmental and social impact assessment of projects related to dams and reservoirs and pest management are described respectively in Annexes 2C and 2D.

Annex A : Exclusion list of BOAD for projects

BOAD does not fund the following projects:

- Production or trade of a product or activity deemed illegal under host country laws, regulations, international conventions and agreements, or subject to prohibitions, as some pharmaceuticals, pesticides / herbicides, substances depleting the ozone layer, the PCBs, fauna or products regulated under the Convention on International trade of Endangered Species of Fauna and flora (CITES).
- Production or trade of weapons and ammunition
- Production or trade of alcoholic beverages (excluding beer and wine)
- Production or trade of tobacco
- Gambling, casinos and equivalent companies
- Production or trade of products with an asbestos plug (non-asbestos). This does not apply to the purchase and use of bonded labor, where asbestos cement sheeting asbestos is less than 20%.
- Net drifting from fishing in the marine environment using nets in excess of 2.5 km in length.
- Production or activities involving harmful effects or exploitation of forms of forced labor / harmful or child labor
- Production or trade in timber or other forest products from sustainably managed forests.

2.2.4. Appendix 2.B - Summary of E&S procedures of BOAD

Who does what, when and how?

The main idea of the summary of E&S procedures is to systematically identify projects that have E&S relevance (Category A projects), and to then apply adequately to trial of due diligence, contract negotiations, and trial monitoring.

The summary of E&S procedures of BOAD is mentioned in the following table.

NB: In the case of GEF Project, this flow chart should be used as a road map by the BOAD GEF Unit and by the project proponent (third party applicant) for GEF financing.

Table 2.1: Summary of ESIA procedures in BOAD project cycle

PHASE	Step	Objective	Action	Responsibility	Instrument	Time of The action	Duration of the action	
Portfolio Entry	Exclusion List	Avoid unauthorized projects	Check by counter-test if the project is on the exclusion list.	Project Team	Exclusion List of BOAD	At first Contact with The client	5 days	
	Screening	On the basis of the client's notice of proposal , determine the E&S relevance and the requirements DD	Collect the initial data needed and suggest the two dimensions E&S (environmental and social). Verify and determine the E&S category and inform the customer	Project Team Environmentalist And Social Agent	Project Screening Tool ³⁹	After obtained from the promoter the preliminary environmental and social impact study	10 days	
	Clients Information	On the basis of the screening, inform promoter on E&S requirements	Depending on the E&S category, add a clause relating to E&S safeguard standards and the gender mainstreaming policy of the BOAD. Provide to the promoter with the operational policies, procedures, guidelines, generic ToR and other required textbooks according to the category	Project Team	Operational policies , procedures, guidelines, generic ToR and other manuals according to the category	After the screening process	2 days	
	Scoping	Proceed with the definition of the scope of the ESIA Finalize with the promoter of the ToR for the ESIA	If the project is classified in category D, the scoping is not required					
			If the project is classified in category C, the scoping is not required					
			If the project is classified in category B, the scoping is not required	Project team Environmentalist And Social Agent	Operational policies , procedures, guidelines and other manuals triggered	After the screening process	1 day	
			The Bank have to be sure that the main concerns of OP are not triggered and that the project is effectively the Category B project					
			If the project is classified an category A project Visit of the site by environmental and/or social agent of the Bank. They can be supported by an independent consultant	Project team Environmentalist	Scoping Tool Operational policies , procedures,	After the categorization	20 - 30 days	

³⁹ Manual classification of the BOAD proposed can be used for illustrative purposes

PHASE	Step	Objective	Action	Responsibility	Instrument	Time of The action	Duration of the action
			Report of scooping	And Social Agent	guidelines and other manuals triggered		
	Entry Sheet in portfolio	Inform decision makers of the BOAD on the impacts and potential E&S risks of the project	Specify the category (A, B, C or D) in the report for the "Comité des engagements"(CE) plus a standard formula ("the project has a low / medium / high impacts / environmental risks and low / medium / high social risk ") Submit the report to the CE for a decision to be taken with respect to the entry in the portfolio of the project.	Project Team	Formula Standard According to the Category	Before First CE	5-15 days
Project appraisal	ESIA report review	Category D project	N/a	N/a	N/a	N/a	N/a
		Identify potential risks E & S of category C project	Estimate potential E & S risks and impacts. Prepare and submit to the CE a summary evaluation of the SEIA report in accordance with the requirements of the backup E & S standards and the policy of the kind required by the project	Environmental and Social Agent	Guidelines to prepare an environmental Analysis of a category C project	After the transmission of the environmental Analysis report to the Bank by the promoter Before the project appraisal by the bank	2-5 days
		Assess the admissibility of the category B project ESIA report	Verify compliance with the contents of the environmental and social impact assessment report submitted to the Bank with the requirements of environmental and social safeguards as well as the policy of gender mainstreaming of BOAD	Environmental and Social Agent	Methodology of ESIA report review of category B project	After the transmission of the ESIA report to the Bank by the promoter Before the project appraisal by the bank	5-15 days
		Assess the admissibility of the category A project ESIA report	Verify compliance with the contents of the environmental and social impact assessment report submitted to the Bank with the requirements of environmental and social safeguards as well as the policy of gender mainstreaming of BOAD	Environmental and Social Agent External Experts if required	Methodology of ESIA report review of category A	After the transmission of the ESIA report to the Bank by the promoter Before the project appraisal by the bank	5-25 days
	Due diligence						

PHASE	Step	Objective	Action	Responsibility	Instrument	Time of The action	Duration of the action
	Projects of category D	N/a	N/a	N/a	N/a	N/a	N/a
	Projects of Category C	Summarizes potential E&S impacts and risks	Estimate the potential E&S impacts and risks. Prepare and submit to the CE, a summary evaluation of the ESIA report in accordance with the requirements of the E&S safeguard standards and the policy of the genre required by the project	Environmental and Social Agent	Guidelines for preparing an environmental analysis of a project of category C	1 st Week before the 2 th Meeting of the CE	3 days
	Projects of Category B	Identify the impacts and potential E&S risks	Estimate the potential E&S impacts and risks. Prepare and submit to the CE, a summary evaluation of the ESIA report in accordance with the requirements of the E&S safeguard and the policy of the gender mainstreaming required by the project	Environmental and/or Social Agent	Methodology of ESIA report review of category B If necessary: External Expert/ Database Of experts	1 st Week Before the 2 th Meeting of the CE	5 days
	Projects of Category A	Identify the impacts and risks E&S potential and, if necessary, Mediation measures	<ul style="list-style-type: none"> o Assess the potential E&S impacts and risks in accordance with the canvas in force at BOAD. o Evaluate the scheduling pages and other E&S management documents proposed by the project promoter in accordance with the canvas in force at the BOAD. o Discuss with the client the scope, procedures, timing, and content of the ESIA o Evaluate the performance of the client on the basis of the standards of the bank o Collect and review the ESIA document original or other important documents (audit reports etc.). o Search on the internet for impacts and potential risks o Search on the internet the potential interest of NGOS o Visit the site o Prepare a memo of E&S due diligence in a predefined format. o Prepare and publish a summary of the ESIA on the web site by complying with the 	Environmental and /or Social Agent	Methodology of ESIA report review of category A If necessary: External Expert/ Database Of experts	Allow Sufficient time Before the 2 nd meeting of the CE	5-10 days

PHASE	Step	Objective	Action	Responsibility	Instrument	Time of The action	Duration of the action
			<p>requirements of the E&S standards of the BOAD and the national policy of the host country.</p> <ul style="list-style-type: none"> ○ If required, hire an external expert to assist in the finalization of the assessment of the impacts and risks. 				
	Folder Assessment (CE)						
	Projects of Category D	Brief notice to the committee	<p>Standard formula to be included in the CE memo ("The project does not present any negative E&S impacts and risks. . ")</p> <p>Give an opinion and report to the President for decision to submit the project to the Board of Directors of the Bank</p>	Evaluator		CE Meeting	1 days
	Projects of Category C	Brief notice to the committee	<p>Standard formula to be included in the CE memo ("the project presents low negative E&S impacts and risks... ")</p> <p>Give an opinion and report to the President for decision to submit the project to the Board of Directors of the Bank</p>	Evaluator		CE Meeting	1 days
	Projects of Category B	Brief notice to the committee	<p>Standard formula to be included in the CE memo ("the project presents medium negative E&S impacts and risks... ").</p> <p>Give an opinion and report to the President for decision to submit the project to the Board of Directors of the Bank</p>	Evaluator		CE Meeting	1 days
	Projects of Category A	Present the E&S impacts and risks To CE	<p>Summary of E&S revision (based on the E&S report and the assessment of the consideration of the environmental and social safeguard standards and policy on the genre of the BOAD and of national policies) to be included in the CE memo.</p> <p>Give an opinion and report to the President for decision to submit the project to the Board of Directors of the Bank</p>	Environmental or Social Agent With the visa of the Director responsible for the environment	Format Memo E&S	CE Meeting	1 days
	Formulation of Contract	Minimize the risks					
	Projects of Category B, C and D		Standard Clause E&S to be included in the contract ("compliance with local legislation" and the E&S	Evaluator of project	Standardized Sentence	During the Formulation The contract	10 days

PHASE	Step	Objective	Action	Responsibility	Instrument	Time of The action	Duration of the action
			<p>safeguard standards and the policy on the genre of the BOAD)</p> <p>To be submitted by the Legal Affairs to the President of the Bank for agreement before signature of the contract</p>	And agent of the organizational unit responsible for legal affairs			
	Projects of Category A		<p>Clauses relating to the specific E&S risks to be formulated and included in the contract, based on the standard modules. ("Compliance with the local legislation standards of environmental and social safeguarding and the policy on the genre of the BOAD " + PGES + annual report + need for project management + other facts, if considered necessary)</p> <p>To be submitted by the Legal Affairs to the President of the Bank for agreement before signature of the contract</p>	Environmentalism and /or social agent and agent of the organizational unit responsible for legal affairs	System of Modules Standardized	During the Formulation The contract	15 days
	Monitoring	Ensure Compliance					
	Projects of Category D		N/a	N/a	N/a	N/a	
	Projects of Category C		N/a	N/a	N/a	N/a	
	Projects of Category B		<p>Revision of the annual declaration of conformity of the client. "I confirmed that the company is compliant with E&S local Guidelines and to the E&S standards of safeguarding and policy on the genre of the BOAD"</p> <p>Report on E&S monitoring to be prepared by the UO responsible for environmental and social issues in collaboration with the Direction of Legal Affairs, the UO responsible for the monitoring and evaluation of projects and the project team and to submit to the CE and then the President</p>	<p>'Environmentalism and/or social agent and agent of the organization al units responsible for the compliance, monitoring and evaluation, and the implementation of the project</p> <p>External Expert, if necessary</p>	<p>Format Monitoring report for the clients,</p> <p>Format of monitoring report standardized consistent with those required for the implementation of the E&S standards of safeguarding of the BOAD</p>	Annually, by declaration Of Conformity	Annually

PHASE	Step	Objective	Action	Responsibility	Instrument	Time of The action	Duration of the action
	Projects of Category A		Annual Revision of the E&S monitoring report to and PGES and other documents required for the implementation of the E&S safeguard standards of the BOAD if necessary: site visits occasionally. Report on E&S monitoring to be prepared by the UO responsible for environmental and social issues in collaboration with the Direction of Legal Affairs, the UO responsible for the monitoring and evaluation of projects and the project team and to submit to the CE and then the President	'Environmentalist and/or social agent and agent of the organizational units responsible for the compliance, monitoring and evaluation, and the implementation of the project External Expert, if necessary	Format of Monitoring report for customers, Standardized monitoring report format consistent with those required for the implementation of E&S standards of safeguarding of the BOAD	Annually, by declaration Of Conformity	Annually

2.2.5. Appendix 2.C: Environmental and Social Impact Assessment (ESIA) of dams and reservoirs projects

1. During project identification, before classifying it in a particular environmental category, the project team ensures that the borrower selects and hires known companies or independent experts, whose qualifications and terms of reference are satisfactory by BOAD, to conduct a reconnaissance of the environment that is:
 - a) Identify the potential impacts of the project on the environment;
 - b) Define the scope of the environmental and social impact assessment (ESIA), including all issues related to indigenous peoples or resettlement needs;
 - c) Assess whether the borrower has the capacity to lead the ESIA process, and
 - d) Issue an opinion as to the possible need for an independent environmental advisory panel.

2. The project team (PT) obtains from the borrower a copy of the results of this recognition and ensures that these are taken into account in the prior environmental screening and in preparing the terms of reference for the ESIA. With regard to dams and reservoirs projects whose preparation is already well advanced when their funding by BOAD is requested, the PT, in consultation with the unit responsible for environmental management establishes if necessary to perform an additional environmental and social impact assessment and whether there is need of an independent environmental advisory panel. This decision usually requires a site visit.

3. During project preparation, the PT assesses whether macroeconomic and sectoral policies of the country are respectful of the environment in the areas that affect the project. If the PT detects a problem, it examines with the authorities adequate measures to improve policy at issue.
4. If the borrower uses an environmental advisory panel, the PT reviews the terms of reference and the short list of potential panel members and tells the borrower whether they are acceptable.
5. When reviewing the ESIA, the project team and organizational Unit for of Environment ensure that the ESIA examines the demand management opportunities. During the project evaluation, they shall ensure that the project design properly takes into account the issue of demand management and supply options (eg, water and energy savings, efficiency improvement, integration systems, cogeneration and alternative fuels).
6. The PT ensures that the borrower creates within the department or agency implementing an internal environmental service, with adequate budget and frames with solid skills in areas relevant to the project, to manage environmental aspects of the project.

2.2.6. Annex 2.D: Environmental and Social Impact Assessment of projects involving pest management activities

Sectoral reviews

The project team (PT) ensures that any environmental and social impact assessment (ESIA) of the Agriculture and of Health sector estimates if the country is able to manage the purchase, handling, application and elimination of products to fight against pests, to monitor the accuracy of this fight and the impact of pesticide use, and to design and implement ecological pest management programs.

Environmental and social impact assessment of the projects

During project identification, the PT considers whether the proposed project may raise pest problems. Projects that foresee the manufacture, use, or disposal of significant⁴⁰ quantities of pesticides regarding the environment are classified as Category A. Depending on the degree of risk to the environment, other projects involving pest problems are classified B, C, or D. When large quantities of highly toxic pesticide products to be used in the project are transported or stored, it may be necessary to conduct a hazard assessment.

The project team sets in the project presentation sheet (PPS) and the sheet of entry into portfolio (SEP) any problem of fight against pests that the ESIA will

⁴⁰ For the purposes of this Directive, the term "significant from the point of view of the environment" includes the effects on human health (including benefits).

examine. For Category A projects, the project team indicates the PPS and the SEP if the project: a) will directly finance the purchase of pesticides or provide credit that can be used to purchase such products (and the funding of a particular product is excluded), b) will finance the supplies or services that will significantly change modes of pesticide use, or c) has components - including support for the design and implementation of programs for integrated pest management (IPM-integrated Pest Management) - to reduce the dangers to the health and environment that represents the fight against pests and pesticide use.

The project team ensures that the ESIA covers problems that may arise from fighting Pest and examines other project designs or mitigation measures. Depending on the problems identified, the environmental⁴¹ management plan includes a pest management plan (see Chapter 20 of this document).

Evaluation

The project team indicates in the project presentation Sheet (PPS), sheet of entry into portfolio (SEP) and the project Appraisal Report (AR) problems of fighting against pest raised by the ESIA and any proposed activity in relation to pest management, as:

- a) a list of pesticides approved by the WHO, for example, whose purchase is authorized, or an indication of the date and manner in which this list will be established and accepted;
- b) control practices against pests in force, the policy, economic, institutional, legal framework of regulation, procurement and management of pesticides, and the degree of coherence of the framework with a view to integrated fight against pest ;

⁴¹ See. ESIA Operational Policy, Annex 1.C.

- c) the activities envisaged in the project (or are already undertaken in parallel, including in the framework of other projects supported by BOAD or other donors) to i) address the identified deficiencies, and ii) remove any obstacles to the adoption of integrated pest management.
- d) mechanisms for financing, implementation, monitoring and supervision provided for components related to pest management or pesticide use, including the possible association of local NGOs;
- e) the ability of entities responsible to carry out the activities described and
- f) the sectoral context and other issues that are not directly addressed in the project but must be solved in the long term.

The main elements of measures of pest control are reflected in the legal agreements between the borrower and BOAD⁴².

Supervision and post-evaluation

Supervision missions may need to add technical experts required depending on the nature and complexity of the problems associated with pest control and pesticides found during the assessment.

The Report of Implementation Completion assess the environmental impact of pest management practices supported or encouraged by the project, as well as institutional to monitoring capacity of the borrower. It also analyzes whether

⁴² It may be that the loan should include clauses to ensure the proper execution of the project components which include: a) establishment or strengthening of a regulatory framework and monitoring of the use of pesticides, and capacities to do this, b) judicious use and / or construction of facilities for storage or disposal of pesticides c) agreement on a program with a timetable for the removal of harmful pesticide and judicious removal any existing stock, or d) Initiation of research programs and extension to find alternatives to the use of harmful pesticides.

the project has led to improved practices of pest management consistent with the criteria that define the context of integrated pest management.

3. **OP_02:** WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON NATURAL HABITAT

3.1. Applying Precautionary Approach

1. The conservation of natural habitats⁴³, like other measures that protect and enhance the environment, is essential for long-term sustainable development. BOAD therefore supports the protection, maintenance, and rehabilitation of natural habitats and their functions in its economic and sector work, project financing, and policy dialogue. BOAD supports, and expects borrowers to apply, a precautionary approach⁴⁴ to natural resource management to ensure opportunities for environmentally sustainable development.

3.2. Economic and Sector Work

2. BOAD's economic and sector work includes identification of (i) natural habitat issues and special needs for natural habitat conservation, including the degree of threat to identified natural habitats (particularly critical natural habitats), and (ii) measures for protecting such areas in the context of the country's development strategy.

⁴³ See definitions in Annex.

⁴⁴ Principle 15 of the Rio Declaration: If the risk of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing the adoption of effective measures to prevent the degradation environment

3.3. Project Design and Implementation

3. BOAD promotes and supports natural habitat conservation and improved land use by financing projects designed to integrate into national and regional development the conservation of natural habitats and their rehabilitation in case of degradation, in order to maintain their different functions.
4. BOAD does not support projects that, in the Bank's opinion, involve the significant conversion or degradation⁴⁵ of critical natural habitats.
5. Wherever feasible, BOAD-financed projects are sited on lands already converted (excluding any lands that in the Bank's opinion were converted in anticipation of the project). BOAD does not support projects involving the significant conversion of natural habitats unless there are no feasible alternatives for the project and its siting, and comprehensive analysis demonstrates that overall benefits from the project substantially outweigh the environmental costs. If environmental and social impact assessment⁴⁶ (ESIA) indicates that a project would significantly convert or degrade natural habitats, the project includes mitigation measures acceptable to BOAD. Such mitigation measures include, as appropriate, minimizing habitat loss (e.g., strategic habitat retention and post-development restoration) and establishing and maintaining an ecologically similar protected area. BOAD accepts other forms of mitigation measures only when they are technically justified.

⁴⁵ For definitions, see Annex A of the policy

⁴⁶ See Operational policy and procedure for Environmental and social Assessment.

6. In deciding whether to support a project with potential adverse impacts on a natural habitat, BOAD takes into account the borrower's ability to implement the appropriate conservation and mitigation measures for the conservation of nature and mitigation of adverse effects on the environment and society. If there are potential problems of institutional capacity, the project includes components that develop the capacity of national and local institutions for effective environmental & social planning and management. The mitigation measures specified for the project may be used to enhance the practical field capacity of national and local institutions.

7. In projects with natural habitat components, project preparation, appraisal, and supervision arrangements include appropriate environmental expertise to ensure adequate design and implementation of mitigation measures.

8. This policy also applies to the sub-projects carried out in the context of sectoral loans or loans to financial intermediaries. In addition to the organizational unit responsible for the appraisal of the project, the resident mission of the BOAD in the country of the borrower shall ensure compliance with this requirement.

9. BOAD encourages borrowers to incorporate into their development and environmental strategies analyses of any major natural habitat issues, including identification of important natural habitat sites, the ecological functions they perform, the degree of threat to the sites, priorities for conservation, and associated recurrent-funding and capacity-building needs.

10. BOAD expects borrowers to take into account the views, roles and rights of different groups, including non-governmental organizations and local communities affected by projects involving natural habitats and BOAD finance, and that they involve or engage these stakeholders in the planning, implementation, monitoring and evaluation of such projects. The involvement of those parts involved in the project will include the identification of appropriate conservation measures, management of natural habitats as well as monitoring and evaluation. BOAD encourages Member States to provide to the parties involved, and the information necessary to provide appropriate incentives for habitat protection, this in mind principle 10 of the Rio Declaration⁴⁷.

⁴⁷ The best way to deal with environmental issues is to ensure the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making. States shall facilitate and encourage public awareness and public participation by making information available to it. An effective judicial and administrative proceedings, including redress and remedy access must be ensured.

3.3.1. Appendix 3. Definitions of natural habitat

1. *Natural habitats*⁴⁸ are land and water areas where:
 - (i) the ecosystems' bio-logical communities are formed largely by native plant and animal species, and
 - (ii) human activity has not essentially modified the area's primary ecological functions.

Taking into account factors such as the geographic space, environmental factors (climate, soil, etc.) And time, natural or semi natural habitats meet the physical and biological conditions for the existence of species or plant.

All natural habitats have an important biological, social and economic value. Natural habitats are found in : the humid forest , dry, altitude and plain, arid and semi-arid mangrove swamps , coastal marshes and other wetlands , estuaries , seabed plants , coral reefs , inland water areas of temperate and boreal forest zones of the Mediterranean scrubland kind; mountain environments , foothills and caves, including grasslands, meadows and wet savannas altitude Ecuador , tropical and temperate grasslands , etc.

⁴⁸ Biodiversity outside of natural habitats (such as within agricultural landscapes) is not covered under this policy. It is good practice to take such biodiversity into consideration in project design and implementation.

2. *Critical natural habitats* are:

- (i) existing protected areas and areas officially proposed by governments as protected areas, areas initially recognized as protected by traditional local communities (e.g., sacred forests and groves), and sites that maintain conditions vital for the viability of these protected areas (as determined by the environmental assessment process); or
- (ii) sites identified on supplementary lists prepared by BOAD or an authoritative source determined by the Bank's organizational unit responsible for the environment. Such sites may include areas recognized by traditional local communities (e.g., forests and sacred groves); areas with known high suitability for bio-diversity conservation; and sites that are critical for rare, vulnerable, migratory, or endangered species. Listings are based on systematic evaluations of such factors as species richness; the⁴⁹ degree of endemism, rarity, and vulnerability of component species; representativeness; integrity of ecosystem processes and socioeconomic factors.

3. *Significant conversion* is the elimination or severe diminution of the integrity of a critical or other natural habitat caused by a major, long-term change in land or water use. Significant conversion may include, for example, land clearing; replacement of natural vegetation (e.g., by crops or tree plantations); permanent flooding (e.g., by a reservoir); drainage, dredging, filling, or channelization of wetlands; or surface mining. In both terrestrial and aquatic ecosystems, conversion of natural habitats can occur as the result of severe pollution. Conversion can result

⁴⁹ Rare, vulnerable, endangered, or similarly threatened, as indicated in the IUCN Red List of Threatened Animals, BirdLife World List of Threatened Birds, IUCN Red List of Threatened Plants, or other credible international or national lists accepted by BOAD.

directly from the action of a project or through an indirect mechanism (e.g., through induced settlement along a road).

4. *Degradation* is modification of a critical or other natural habitat that substantially reduces the habitat's ability to maintain viable populations of its native species.

5. *Appropriate conservation and mitigation measures* remove or reduce adverse impacts on natural habitats or their functions, keeping such impacts within socially defined limits of acceptable environmental change. Specific measures depend on the ecological characteristics of the given site. They may include full site protection through project redesign; strategic habitat retention; restricted conversion or modification; reintroduction of species; mitigation measures to minimize the ecological damage; post development restoration works; restoration of degraded habitats; and establishment and maintenance of an ecologically similar protected area of suitable size and contiguity. Such measures should always include provision for monitoring and evaluation to provide feedback on conservation outcomes and to provide guidance for developing or refining appropriate corrective actions.

4. **BP_02:** WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON NATURALS HABITATS

4.1. Procedures applicability

BOAD environmental and social procedures on natural habitats apply to three key stages of BOAD funding, namely portfolio entry, evaluation, and project management.

4.2. Procedures on natural habitats in project cycle

These procedures relate to the following elements in the project cycle: preparation of project, documentation, Environmental and Social Impact Assessment Report, and the role of the Bank staff.

4.2.1. Project Preparation

1. At the initial stage of the preparation of a draft submitted to the West African Development Bank for funding, the organizational unit responsible for project instruction consults the organizational unit responsible for the environment and, as necessary, organization unit responsible for legal issues to identify problems related to natural habitats is likely to arise in the project.
2. If, as part of the environmental and social impact assessment process, environmental and social assessment indicates the potential for significant conversion or degradation of critical or other natural habitats, the project is classified as Category A; projects otherwise involving natural habitats are

classified as Category A or B, depending on the degree of their ecological impacts.⁵⁰

3. Other types of mitigation measures that are mentioned in the last sentence of paragraph 5 of the BOAD operational policy on natural habitats are accepted only after consultation with the Unit organization responsible for the environment and, as necessary, responsible for corporate legal matters, and after approval of the President of the Bank.
4. Natural habitat components of a project are linked as appropriate to the schedule of implementation for the project. The costs of conservation of any compensatory natural habitats are included in the project's financing. Mechanisms to ensure adequate recurrent cost financing are incorporated into project design.

4.2.2. Documentation

5. The project Team (PT) identify problems of any kind, relating to natural habitats (including any amendments or significant degradation can be induced by the project, as well as any other type of mitigation measures, as mentioned in the last sentence of paragraph 5 of operational policy of the BOAD on natural habitats), on the occasion of the production, from the project presentation sheet (PPS) and fact Sheet of entry into portfolio (SEP). Updates of PPS reflect changes in the treatment of issues relating to natural habitats. The evaluation report of the project indicates the nature and an estimate of the area (in hectares) of natural habitats affected, the extent of potential impacts; project consistency with the measures taken at national and regional development in terms of planning, environmental planning initiatives, conservation strategies and legislation , and the mitigation measures planned.

⁵⁰ See BOAD Operational policy and procedure for *Environmental and Social Impact Assessment*.

6. The Implementation Completion Report assesses the extent to which the project achieved its environmental and social objectives, including natural habitat conservation.

4.2.3. Appraisal Reports

7. Bank staff identifies relevant natural habitat issues for regional and sectoral environmental and social assessment reports. Such reports indicate the present location of natural habitats in the region or sector involved, analyze the ecological functions and relative importance of such natural habitats, and describe the associated management issues. These analyses are used in subsequent project-specific environmental screening and other ESIA work.

4.2.4. Role of Bank Staff

8. Organizational Unit in charge of environment coordinates the preparation and uses of additional critical habitats lists and lend themselves to demand their assistance in preparing (including ESIA) and project supervision. The Organizational Unit in charge of environment, project team (PT), resident missions, and organizational units involved in the development of the project, in implementation of BOAD environmental and social policy on natural habitats through the dissemination of information on "best practices" and training, analysis, recommendations and operational support (including supervision).

5. **OP_03:** WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON FOREST MANAGEMENT

5.1. Generality

The West African Development Bank (BOAD) as an economic institution sub regional gives to promote cooperation and integration to increase the standard of living of its peoples, maintain and believe the economic stability, to strengthen relations between the Member States and contribute to the progress and development of West Africa. Also, BOAD recognizes - it the need to harmonize and coordinate national policies and to promote programs, projects and activities in the field of the preservation of the environment. On the environment, indeed, several challenges must be addressed for sustainable development; among these, forest governance. While it is true that the economy of the West African States is supported, to a large extent, by the natural resources which, essentially, forests, it is no less true that the magnitude of the degradation of the latter is simply mind blowing. In the countries covered by the BOAD, the management of forests is far from rational and equitable. The forest is subject to predation by those who have the means to dispose of it for their benefit at the expense of the vast majority. This creates conflicts of interest that sometimes extend beyond the borders of a single State, and thus, produce effects that negatively affect the living conditions of the populations, and by extension, threaten social peace and the economic viability of the sub region. These reasons, without being exclusive, are indicators that have encouraged BOAD to integrate the issue of forest governance at the heart of its concerns, by defining, through the present document, its operational policy on forest management.

Time of a qualitative in the planning and governance of forest resources is all the more topical, that the lack of policy in the field of forests on the liabilities side of BOAD did not to the institution to make its contribution on this theme in its objectives.

Initiatives to this effect have been many but they unfortunately were the result of isolated and opportunistic decisions not listed in a common policy with unifying strategic objectives promoting, guiding and facilitating joint major sub-regional actions. The current policy addresses this challenge.

The operational policy of the BOAD on forest management balances ecological, economic and social requirements posed to the forest. It guarantees a sustainable management of forests and creates conditions favourable to a forestry and wood economy. This policy takes into account several factors including the potential exploitation of wood, climate change, the protective function of the forest, biodiversity, forest area, the production capacity of forestry, soils foresters (including drinking water and the vitality of the trees), protection against pests, forest-game balance, the leisure activities and relaxation in the forest as well as training and research (including the transfer of knowledge). Although measures obligations in first line to the client, he returned to BOAD to ensure the application thereof.

5.2. Policy objectives

1. The management, conservation, and sustainable development of forest ecosystems and their associated resources are essential for lasting poverty reduction and sustainable development, whether located in countries with abundant forests or in those with depleted or naturally limited forest resources. The objective of this policy is to assist borrowers to harness the

potential of forests⁵¹ to reduce poverty in a sustainable manner, integrate forests effectively into sustainable economic development, and protect the vital local and global environmental services and values of forests.

2. Where forest restoration and plantation development are necessary to meet these objectives, BOAD assists borrowers with forest restoration activities that maintain or enhance biodiversity and ecosystem functionality. BOAD also assists borrowers with the establishment and sustainable management of environmentally appropriate, socially beneficial, and economically viable forest plantations to help meet growing demands for forest goods and services.

5.3. Scope of Policy

3. This policy applies to the following types of BOAD-financed investment projects:
 - (i) projects that have or may have impacts on the health and quality of forests;
 - (ii) projects that affect the rights and welfare⁵² of people and their level of dependence upon or interaction with forests; and
 - (iii) projects that aim to bring about changes in the management, protection, or utilization of natural forests or plantations, whether they are publicly, privately, or communally owned.

⁵¹ Definitions are provided in Annex A.

⁵² The rights and welfare of people affected by projects should be assessed in relation to the requirements and procedures of BOAD Operation Policies for *Indigenous Peoples, Physical Cultural Resources, and Involuntary Resettlement*.

5.4. Bank Financing

4. BOAD does not finance projects that, in its opinion, would involve significant conversion or degradation⁵³ of critical forest areas⁵⁴ or related critical natural habitats.⁵⁵ If a project involves the significant conversion or degradation of natural forests or related natural habitats that BOAD determines are not critical, and the Bank determines that there are no feasible alternatives to the project and its siting, and comprehensive analysis demonstrates that overall benefits from the project substantially outweigh the environmental costs, BOAD may finance the project provided that it incorporates appropriate mitigation measures.⁵⁶
5. BOAD does not finance projects that contravene applicable international environmental agreements.⁵⁷

5.4.1. Plantations

6. BOAD does not finance plantations that involve any conversion or degradation of critical natural habitats, including adjacent or downstream critical natural habitats. When BOAD finances plantations, it gives

⁵³ See BOAD Operational Policy for *Natural Habitats*, Annex 3, Definitions. (In determining the significance of any conversion or degradation, BOAD applies a precautionary approach; see BOAD Operational Policy on *Natural Habitats*, paragraph 1).

⁵⁴ See Definitions, item c.

⁵⁵ See BOAD Operational Policy for *Natural Habitats*, Annex 3, Definitions, item b.

⁵⁶ For provisions on designing and implementing mitigation measures for projects that may have an impact upon forests and natural habitats, see OP 01, *Environmental and social Impact Assessment*, and OP 02, *Natural Habitats*.

⁵⁷ See BOAD Operational Policy on *Environmental and Social Impact Assessment*,

preference to siting such projects on unforested sites or lands already converted (excluding any lands that have been converted in anticipation of the project). In view of the potential for plantation projects to introduce invasive species and threaten biodiversity, such projects must be designed to prevent and mitigate these potential threats to natural habitats.

5.4.2. Commercial Harvesting

7. BOAD may finance commercial harvesting operations⁵⁸ only when the Bank has determined, on the basis of the applicable environmental and social impact assessment or other relevant information, that the areas affected by the harvesting are not critical forests or related critical natural habitats.⁵⁹
8. However, the Bank may finance community harvesting occurring in protected areas with management resources in place and managed primarily in the context of sustainable use of natural ecosystems. In these areas, the financial support of the Bank is limited to cases where such activities are permitted by the legislation governing the establishment of the area and where activities are an integral part of the development of the area plan. This type of financial support must be in accordance with this policy.
9. To be eligible for BOAD financing, industrial-scale commercial harvesting operations must also:

⁵⁸ Commercial harvesting operations are conducted by entities other than those described in items d and e in the Definitions.

⁵⁹ However, BOAD may finance community-based harvesting activities that take place within Category VI Protected Areas, Managed Resource Protected Areas, which are established and managed mainly for the sustainable use of natural ecosystems (see Definitions). In these areas, BOAD financial support is restricted to situations where such activities are permitted under the legislation governing the establishment of the area and where the activities form an integral part of the management plan for the area. Any such financial support must comply with this Operational Policy.

- (i) be certified under an independent forest certification system acceptable to BOAD⁶⁰ as meeting standards of responsible forest management and use; or
- (ii) where a pre-assessment under such an independent forest certification system determines that the operation does not yet meet the requirements of subparagraph , adhere to a time-bound phased action plan acceptable to BOAD for achieving certification to such standards.

10. To be acceptable to BOAD, a forest certification system must require:

- (i) compliance with relevant laws;
- (ii) recognition of and respect for any legally documented or customary land tenure and use rights as well as the rights of indigenous peoples and workers;
- (iii) measures to maintain or enhance sound and effective community relations;
- (iv) conservation of biological diversity and ecological functions;
- (v) measures to maintain or enhance environmentally sound multiple benefits accruing from the forest;
- (vi) prevention or minimization of the adverse environmental and social impacts from forest use;
- (vii) effective forest management planning;

⁶⁰ A forest certification system puts in place a process where a forest area is inspected by an independent certification body to determine whether its management meets clearly defined criteria and performance standards. The requirements for a certification system to be acceptable to BOAD are outlined in this OP.

(viii) active monitoring and assessment of relevant forest management areas; and

(ix) the maintenance of critical forest areas and other critical natural habitats affected by the operation.

11. In addition to the requirements in paragraph 10, a forest certification system must be independent, cost-effective, and based on objective and measurable performance standards that are defined at the national level and are compatible with internationally accepted principles and criteria of sustainable forest management. The system must require independent, third-party assessment of forest management performance. In addition, the system's standards must be developed with the meaningful participation of local people and communities; indigenous peoples; non-governmental organizations representing consumer, producer, and conservation interests; and other members of civil society, including the private sector. The decision-making procedures of the certification system must be fair, transparent, independent, and designed to avoid conflicts of interest.

12. BOAD may finance harvesting operations conducted by small-scale landholders⁶¹, by local communities under community forest management, or by such entities under joint forest management arrangements, if these operations:

a) have achieved a standard of forest management developed with the meaningful participation of locally affected communities, consistent with the principles and criteria of responsible forest management outlined into paragraph 10 ; or

⁶¹ "Small-scale" is determined by the national context of a given country and is generally relative to the average size of household forest landholdings. In some situations, small-scale landholders may control less than a hectare of forests; in others they may control 50 hectares or more.

b) adhere to a time-bound phased action plan to achieve such a standard. The action plan must be developed with the meaningful participation of locally-affected communities and be acceptable to BOAD.

The borrower monitors all such operations with the meaningful participation of locally-affected communities.

5.5. Project Design

13. In accordance with BOAD Operational policy and procedure for *Environmental and Social Impact Assessment*, the environmental and social impact assessment (ESIA) for an investment project addresses the potential impact of the project on forests and/or the rights and welfare of local communities.⁶²

14. For projects involving the management of forests proposed for BOAD financing, the borrower furnishes the Bank with relevant information on the forest sector concerning the borrower's overall policy framework, national legislation, institutional capabilities, and the poverty, social, economic, or environmental issues related to forests. This information should include information on the country's national forest programs or other relevant country-driven processes. On the basis of this information and the project's ESIA, the borrower, as appropriate, incorporates measures in the project to strengthen the fiscal, legal, and institutional framework to meet the project's economic, environmental, and social objectives. These measures address, among other issues, the respective roles and legal rights of the government, the private sector, and local people. Preference is given to small-scale,

⁶² See Definitions, item d.

community-level management approaches where they best harness the potential of forests to reduce poverty in a sustainable manner⁶³.

15. As appropriate, the design of projects that use forest resources or provide environmental services includes an evaluation of the prospects for the development of new markets and marketing arrangements for non-timber forest products and related forest goods and services, taking into account the full range of goods and environmental services from well-managed forests.

⁶³ An independent forest certification system establishes a process whereby a forest area is inspected by an entity of independent certification for the purposes of determining whether or not its management meets clearly defined criteria and performance indicators. The requirements that a certification system would be acceptable by the Bank are set out in this policy

5.5.1. Appendix 5: Definitions of forests

The following definitions apply in this policy:

1. Forest is as an area of land of not less than 1.0 hectare with tree crown cover (or equivalent stocking level) of more than 10 percent that have trees with the potential to reach a minimum height of 2 meters at maturity in situ. A forest may consist of either closed forest formations, where trees of various stories and undergrowth cover a high proportion of the ground, or open forest. Young natural stands and all plantations that have yet to reach a crown density of 10 per cent or tree height of 2 meters are included under forest, as are areas normally forming part of the forest area that are temporarily unstocked as a result of human intervention such as harvesting or natural causes but that are expected to revert to forest. The definition includes forests dedicated to forest production, protection, multiple uses, or conservation, whether formally recognized or not. The definition excludes areas where other land uses not dependent on tree cover predominate, such as agriculture, grazing or settlements. In countries with low forest cover, the definition may be expanded to include areas covered by trees that fall below the 10 percent threshold for canopy density, but are considered forest under local conditions.
2. Natural forests are forest lands and associated waterways where the ecosystem's biological communities are formed largely by native plant and animal species and where human activity has not essentially modified the area's primary ecological functions.

3. Critical forest areas are the forest areas that qualify as critical natural habitats under BOAD Operational Policy on Natural Habitats. Critical forest areas are the subset of natural forest lands that cover:
- (i) existing protected areas and areas officially proposed by governments as protected areas (e.g., reserves that meet the criteria of The World Conservation Union (IUCN) classifications⁶⁴), areas initially recognized as protected by traditional local communities (e.g., sacred groves), and sites that maintain conditions vital for the viability of these protected areas (as determined by the environmental and social impact assessment process⁶⁵ of the BOAD); or
 - (ii) sites identified on supplementary lists prepared by BOAD or an authoritative source determined by the organizational unit responsible for environment. Such sites may include areas recognized by traditional local communities (e.g., sacred groves); areas with known high suitability for biodiversity conservation; and sites that are critical for rare, vulnerable, migratory, or endangered species⁶⁶. Listings are based on systematic evaluations of such factors as species richness; the degree of endemism, rarity, and vulnerability of component species; representativeness; and integrity of ecosystem processes.

⁶⁴ IUCN categories are as follows: I - Strict Nature Reserve/Wilderness Area: protected area managed for science or wilderness protection; II - National Park: protected area managed mainly for ecosystem protection and recreation; III - Natural Monument: protected area managed mainly for conservation of specific natural features; IV - Habitat/Species Management Area: protected area managed mainly for conservation through management intervention; V - Protected Landscape/Seascape: protected area managed mainly for landscape/seascape conservation and recreation; and VI - Managed Resource Protected Area: protected area managed mainly for the sustainable use of natural ecosystems.

⁶⁵ See BOAD Operational Policy for *Environmental and Social Impact Assessment*.

⁶⁶ Rare, vulnerable, endangered, or similarly threatened, as indicated in the IUCN Red List of Threatened Animals, BirdLife World List of Threatened Birds, IUCN Red List of Threatened Plants, or other credible international or national lists accepted by the environmental sector units of the borrowing countries..

4. Local community describes the group of people living in or near a forest, who are considered to have some significant level of dependence upon or interaction with the forest.

5. Forests operating under joint forest or community management are those where local communities are the principal participants in production and other activities in these forests, and the major beneficiaries in the proceeds.

6. **BP_03:** WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON FORESTS MANAGEMENT

1. When the bank states that some elements of its projects financing strategy is likely to have a significant potential impact on forests, the organizational unit of the project appraisal and the resident beneficiary country mission do ensure that the forest concerns are properly taken into account in the draft.

6.1. Project Preparation

2. Early in project appraisal, the project team (PT) consults the organizational unit responsible for the environment and other networks to identify forest problems likely to arise during the project.
3. For each project covered under the scope of the policy as set forth in BOAD Operational Policy for *Forest management*, BOAD staff ensures that an ESIA category is assigned in accordance with the requirements of the policy of BOAD on environmental and social impact assessment. A project with the potential for conversion or degradation of natural forests or other natural habitats that is likely to have significant adverse environmental and social impacts that are sensitive, diverse, or unprecedented is classified as Category A; projects otherwise involving forests or other natural habitats are classified as Category B, C, or D, depending on the type, location, sensitivity,

and scale of the project and the nature and magnitude of its environmental and social impacts.⁶⁷

4. During project preparation, the PT ensures that the borrower provides BOAD with an assessment of the adequacy of land use allocations for the management, conservation, and sustainable development of forests, including any additional allocations needed to protect critical forest areas. This assessment provides an inventory of such critical forest areas, and is undertaken at a spatial scale that is ecologically, socially, and culturally appropriate for the forest area in which the project is located. The assessment involves all affected parties in accordance with BOAD Operational Policies on *Natural Habitats*, *Indigenous Peoples*, and *Involuntary Resettlement*, the PT ensures that the borrower assesses the potential impact of the project on local communities, including their legal rights of access to, and use of, designated forest areas. If the project involves investments in forests under the Bank's Policy for *Forest*, the PT ensures that the borrower⁶⁸, and is subject to independent scientific peer review⁶⁹. In addition, in accordance with also assesses the feasibility of giving preference to small-scale, community level harvesting approaches to harness the potential of forests to reduce poverty in a sustainable manner.

Harvesting Operations

5. If the project involves harvesting operations to be financed by BOAD under *Operational Policy on Forest management*, the PT ensures that the project

⁶⁷ See BOAD Operational Policy on *Environmental and Social Impact Assessment*, and BOAD Procedures on *Natural Habitats*, for requirements concerning ESI classification.

⁶⁸ See BOAD Operational Policy on *Natural Habitats*, for guidance on involvement of parties in the assessment process.

⁶⁹ See BOAD Policy on *Environmental and Social Impact Assessment*, for guidance on independent assessment work.

incorporates the time-bound action plan, as well as the associated performance benchmarks and the timeframe required to achieve appropriate forest management standards pursuant to the policy. The PT includes the time-bound action plan (and corresponding performance indicators) in the assessment Document of the project, which is made public in accordance with the policy of dissemination of the information in the Bank.

Community-Based Forest Management and Development

6. If the project is designed to support community-based forest management and development, the PT ensures that, as appropriate, the project's design takes the following into account:
 - (i) the extent to which the livelihoods of local communities depend on and use trees in the project and adjacent area,
 - (ii) the institutional, policy, and conflict management issues involved in improving the participation of indigenous people⁷⁰ and poor people in the management of the trees and forests included in the project area; and
 - (iii) forest product and forest service issues relevant to indigenous people and poor people living in or near forests in the project area, as well as opportunities for promoting the involvement of women.
7. If the project involves forest restoration or plantation development, the PT ensure that, as appropriate, the project design incorporates means of addressing the following issues: the potential of forest restoration to improve biodiversity and ecosystem functions; the potential to establish plantations

⁷⁰ See BOAD Policy on *Indigenous Peoples*.

on non-forest lands that do not contain critical natural habitats; the need to avoid conversion or degradation of natural habitats; and the capacities of the government, nongovernmental organizations, and other private entities to cooperate in the forest restoration and plantation development.

6.2. Project implementation and supervision

8. The organizational unit responsible for the appraisal of the project shall ensure, through the head of mission concerned resident, the availability of resources for effective supervision of forestry projects.
9. If a project involves commercial harvesting of forests, the PT ensures that the borrower makes available to the public the results of all forest management assessments carried out under the independent forest certification system referred to in the policy.
10. Each project is supervised in accordance with BOAD Operational Policy on Project Supervision. Throughout project implementation, the PT ensures that the requisite forest technical expertise is included in BOAD supervision missions.

7. **OP_04:** WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON SECURITY OF DAMS

1. Throughout the life of any type of dam, the owner⁷¹ is responsible for ensuring that appropriate measures and those sufficient financial resources are provided to ensure the safety of the dam, regardless the status of the financing structure or its construction. BOAD, because of serious consequences if the malfunction or shutdown of a dam is highly concerned about the safety of new dams it finances and existing dams including a project funded by the Institution.

7.1. New dams

2. BOAD requires when financing a project⁷² that includes the construction of a new dam, that design and construction are supervised by qualified and experienced professionals. It also requires that the borrower adopts and implements certain security measures for the design, calls for tender, construction, operation and maintenance of the dam as well as related work.

⁷¹ The owner of a dam can be a national government or a state government, a parastatal, a private company or consortium of entities

⁷² Concerning the dams: hydroelectric, a water system, a versatile action of irrigation system, a control system against floods or program

3. For small dams⁷³, the generic safety measures designed by qualified engineers are usually adequate. For large dams⁷⁴ Bank application:
- (i) the performance of inspections by an independent panel of experts for the recognition, the design and construction of the dam, and at the beginning of the operation,
 - (ii) the development and implementation of detailed plans: a plan for construction supervision and quality assurance, a plan for measuring devices, a plan for operation and maintenance and a contingency plan in case of emergency,
 - (iii) screening of bidders during procurement and tendering, and
 - (iv) periodic inspections to ensure the safety of the dam after completion.
4. The independent expert group exams consists of at least three experts appointed by the borrower and acceptable to BOAD, bringing together skills in various disciplines related to the safety aspects of the dam considered⁷⁵.
5. The primary function of the Panel is to review the arrangements for safety and other critical aspect of the dam - its adjoining structures, the catchment, the area surrounding the reservoir and downstream areas - and advise the borrower on these issues. In principle, however, the Borrower extends the Panel's composition and terms of reference beyond only safety aspects of

⁷³ Usually those under 15 meters high, such as farm ponds, local dams sludge retention and low embankment dams

⁷⁴ Dams with a height of 15 meters or more, or the dams of 10 to 15 meters high, the design is unusual (for example, works that face flood flows particularly important, which are located in an area of high seismicity, or who have particular difficulties Foundation.

⁷⁵ The number of experts, professional experience and technical skills are based on the size of the dam studied, complexity and risks it may present. For high-risk dams, the panel shall be composed of internationally recognized experts in their field.

the dam to cover areas such as project formulation, technical design, the construction methods, and for storage dams, related work such as electrical installations, changing the course of the river (the river) during construction, boat lifts, and fish ladders.

6. The Borrower contracts with the members of the Panel for the services to be rendered and provides administrative support for the activities conducted by the Panel. As soon as possible in the preparation phase of the project, the Borrower organizes examination sessions and meetings of the Panel which will continue during the phases of site investigation, design, construction, commissioning and initial water entry into operation of the dam. The Borrower shall notify the BOAD in advance of the meetings of the Panel that the institution will usually send an observer. At the end of each meeting, the Panel shall submit to the Borrower in writing of its findings and recommendations, signed by each member present at the meeting, and a copy is provided to BOAD by the Borrower. After the filling and the entry into operation of the dam, BOAD will review the findings and recommendations of the Panel. If the impoundment and the entry into operation of the dam have no major difficulty, the Borrower may then dissolve the Panel.

7.2. Existing dams and dam under construction

7. BOAD can finance the types of projects not involving new dam but known to depend on the proper operation of an existing dam or a dam under construction (DUC) listed below : power plant system or supply of water drawing directly controlled by an existing dam or reservoir DUC , diversion dams or hydraulic structures downstream of an existing dam or a DUC which could cause extensive damage in case of failure of the dam upstream or the new book financed by the BOAD , and irrigation or water supply that depend on the subject and the proper functioning of an existing dam or a

DUC for their water supply and could not work projects if the dam undergoes breaking operations. Projects in this category also include operations that require increases in capacity of an existing dam or changes the characteristics of stored materials that could cause extensive damage in case of malfunction of the existing dam or equipment financed by BOAD.

8. If a project falling within the category of those mentioned in paragraph 7 above implies an existing dam or a DUC in the territory of the Borrower, the BOAD requires the Borrower to use the services of one or more specialists independent for:

(i) inspect and evaluate the safety level of the existing dam or DUC and associated structures and their performance in the past,

(ii) review and evaluate procedures for operation and maintenance of the Borrower, and

(iii) provide a written report on their findings and recommendations on any corrective action or security measure necessary to bring the existing dam or DUC to an acceptable level of safety by BOAD report.

9. BOAD may be acceptable assessments or previous recommendations on improvements to an existing dam or a DUC if the Borrower provides evidence that (i) an effective dam safety program is already set implementation, and (ii) complete inspections and safety assessments of the existing dam or DUC have already been carried out in accordance with the criteria of the BOAD and documented.

10. Additional dam safety measures or corrective actions required can be financed under the proposed project. When corrective actions are required scale, BOAD requires that:

- (i) the competent professionals design and supervise, and
- (ii) reports and plans required for a new dam funded by the BOAD are developed and applied.

For high-risk cases involving complex corrective actions and large, BOAD also requires it used a panel of independent experts employed on the same basis as that used in the case of a new dam funded BOAD.

11. When the owner of a new dam or a dam construction is an entity other than the Borrower, agreements and arrangements relating to the measures set out in paragraphs 8-10 to be taken by the client s' then apply to the Borrower

7.3. Economic policy dialogue.

12. In appropriate cases, BOAD discussed as part of the policy dialogue with the country, all the necessary strengthening of institutional frameworks, legal and regulatory work for dam safety programs in the country measures.

8. **BP_04:** WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON SECURITY OF DAMS

8.1. Introduction

1. When BOAD began the preparation of a project including a dam, the team in charge includes members with adequate experience in dam engineering and in the preparation and supervision of similar projects. If people with this profile are lacking in the area in question, the project team (PT) consult with the department in charge to indicate to appropriate specialists within and outside the Bank.
2. Once a project involving a dam is identified, the PT discussed with the Borrower Policy BOAD on dam safety.

8.2. Application of the procedure in the operational cycle of the project

Those procedures applies to the following phases of the project: preparation, evaluation and supervision

8.2.1. Preparation

3. The PE ensure that the generic terms of reference (ToR) provide by the Bank to the borrower correspond to the complexity of the dam project in question⁷⁶.

⁷⁶ The generic Terms of reference are provided by BOAD to the borrower for technical services relating to the study of the site and the dam design, supervision of construction of the new book or reclamation works, advisory activities on the initial filling of the reservoir and the entry into operation, to carry out inspections and safety assessments, as well as the professional

4. When a group of independent experts (Panel) is required, the PT advises the Borrower staff, as necessary, on the preparation of the ToR. The PT reviewing the ToR, and approves the appointment of Panel members proposed by the borrower. Once the panel in place, members of the PT normally attends meetings of the latter as observers.
5. All reports prepared by the Borrower relating to dam safety are reviewed by the PT, the Panel , the independent specialists to appraise an existing dam or structure under construction , as well as the professionals hired by the Borrower for the design, construction, commissioning water and entry into operation of the dam.
6. The PT monitors the preparation by the Borrower plans construction supervision and quality assurance, implementation of instrumental, operation and maintenance as well as emergency preparedness.

8.2.2. Evaluation

7. The evaluation team reviews all project information in relation to dam safety. If a panel is required, the team verifies that the Borrower has taken into account the recommendations of the latter, and, if necessary, assist the Borrower to identify sources of training in dam safety or technical assistance.
8. The PT and the lawyer appointed by the Bank shall ensure that the legal agreements between the Bank and the Borrower require the Borrower:

qualifications (eg., engineers, geologists and hydrologists or environmentalists) to be employed by the Borrower.

- (i) it will, if a panel is required, notices to bring it periodically during the execution of the project and maintain the panel in place for the launch of a new dam,
- (ii) that implement the required plans and put the compliance level required any plan that would not been properly developed, and
- (iii) that make regular inspections by independent qualified professional is not occurring in any phase after the water and the entry into operation of a new dam.

8.2.3. Supervision

9. During the project, the PT monitors all activities relating to the implementation of the provisions relating to dam safety in the Loan Agreement, using the technical staff as needed, consultants to evaluate the performance of the Borrower. If the performance is not satisfactory with regard to the safety of the dam, the PT shall immediately inform the Borrower qu.il must address these deficiencies.
10. During the final stages of the project , the PT looks with the Borrower operational procedures post-project focusing on the importance of ensuring that the written instructions and flood management preparing for emergencies are preserved at all times on the site of the dam. The PT also noted that the emergence of new technology or new information may require the Borrower to change in the future, the technical evaluation of dam safety criteria, the PT calls on the borrower to make these changes and, therefore, to apply the criteria fixed to the dam project in question and other dams under the jurisdiction of the Borrower, as needed.

11. To ensure that dams are inspected and maintained completed satisfactorily, the Bank staff or resident mission may, either during his speech in the context of complementary activities in the project or during supervision missions specially programmed continuing supervision beyond the closing date of the project.

9. **OP_05:** WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON INTERNATIONAL WATERWAYS

9.1. Scope of the policy

1. This policy applies to the following types of international waterways:
 - a) any river, stream, canal, lake or similar body of water forming a boundary between two or more States, whether members or non-BOAD, or any river, stream, or body of surface water through two or more States, whether or not members of the BOAD;
 - b) any tributary or other body of surface water that is a component of any waterway described in (a) above; and
 - c) any gulf, bay, strait, or channel bounded by two or more States, or gulf, bay, strait or channel in a single state, but recognized as the only channel of communication between the open sea and other states, or any river or stream flowing into the said Gulf, bay, strait or channel

2. This policy applies to the following types of projects:
 - a) hydroelectric, irrigation, flood control, navigation, drainage, water and sewerage, industrial, and similar projects that involve the use or potential pollution of international waterways as described in paragraph. 1 above; and

- b) detailed design and engineering studies of projects under paragraph. 2(a) above, including those to be carried out by BOAD as executing agency or in any other capacity.

9.2. Agreements/Arrangements

- 3. Projects on international waterways may affect relations between the BOAD and its borrowers and between states (whether members of BOAD or no). BOAD is convinced that cooperation and goodwill of the riparian states are essential for optimal use and protection of waterways. It therefore attaches great importance to the conclusion by local residents, agreements or appropriate arrangements for all or a portion of a given waterway. BOAD is ready to assist in this regard. If there are still differences of opinion between the initiator Project status (beneficiary state) and other riparian normally before funding the project, BOAD urges the beneficiary state to engage with other riparian negotiations in good faith to reach an agreement or arrangement.

9.3. Notification

- 4. BOAD ensures that the international aspects of a project on an international waterway are dealt with at the earliest possible opportunity. If a project of this nature is considered, BOAD request to the beneficiary state, if it has not already done so, inform other riparians of the proposed project and its details. If prospective Borrower tells BOAD he does not wish to do so, the notification is normally given by BOAD itself to other residents. If the Borrower opposes that BOAD gives notification, BOAD ceases to participate in the project preparation. The competent bodies of the BOAD are informed of the situation and any action that may be taken later.

5. BOAD ensures that riparians have agreements or arrangements, or have set up an institutional framework for international waterway considered. In this case, the BOAD information on the scope of activities and functions of the institution and its participation in the proposed project, and ensures that the institution receives all necessary notification.
6. Following notification, if the other riparians raise objections to the proposed project, BOAD in appropriate cases may appoint one or more independent experts to examine the issues in accordance with its procedures. Should BOAD decide to proceed with the project despite the objections of the other riparians, the Bank informs them of its decision.

9.4. Exceptions to Notification Requirement

7. The following exceptions are allowed to BOAD's requirement that the other riparian states be notified of the proposed project:
 - a) For any ongoing schemes, projects involving additions or alterations that require rehabilitation, construction, or other changes that in the judgment of BOAD (i) will not adversely change the quality or quantity of water flows to the other riparians; and (ii) will not be adversely affected by the other riparians' possible water use. This exception applies only to minor additions or alterations to the ongoing scheme; it does not cover works and activities that would exceed the original scheme, change its nature, or so alter or expand its scope and extent as to make it appear a new or different scheme. If it is not certain that a project meets the criteria of this exception, the directors representing the residents are informed and have two months to respond. Even if the projects meet the criteria of this exception, BOAD strives to ensure that the terms of any agreement or arrangement between the riparian are met.

- b) Water resource surveys and feasibility studies on or involving international waterways. However, the state proposing such activities includes in the terms of reference for the activities an examination of any potential riparian issues.
- c) Any project that relates to a tributary of an international waterway where the tributary runs exclusively in one state and the state is the lowest downstream riparian, unless there is concern that the project could cause appreciable harm to other states.

9.5. Presentation of Loans to the Executive Directors

- 8. The project Appraisal Report (AR) for a project on an international waterway deals with the international aspects of the project, and states that BOAD staff have considered these aspects and are satisfied that:
 - a) the issues involved are covered by an appropriate agreement or arrangement between the beneficiary state and the other riparians;
 - b) the other riparians have given a positive response to the beneficiary state or BOAD, in the form of consent, no objection, support to the project, or confirmation that the project will not harm their interests; or
 - c) in all other cases, in the assessment of BOAD staff, the project will not cause appreciable harm to the other riparians, and will not be appreciably harmed by the other riparians' possible water use. The AR also contains in an annex the salient features of any objection and, where applicable, the report and conclusions of the independent experts.

10. **BP_05**: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PROJECTS RELATED INTERNATIONAL WATERWAYS

10.1. Application of those procedures in the project cycle

Procedures relating to the policy taking into account the environmental and social impacts of projects on international waterways concern the following aspects:

- Preparation and evaluation of the project
- Documentation and information of the riparian States
- Supervision
- Retrospective evaluation.

10.1.1. Preparation and evaluation of the project

1. Potential problems concerning the rights in international waters which a project could be analyzed as soon as possible at the stage of identification and described in all project documents, from the project presentation sheet (PPS) and Sheet of entry into portfolio (SEP). The project team prepares these documents, together with the legal department of the Bank. These documents contain all relevant information on the international aspects of the project. When the task team communicates the input sheet portfolio, «Comité des engagements» (CE) of the BOAD, it shall send a copy to the President and the Organizational unit responsible of Legal Affairs. Throughout the project cycle, the Heads of Missions resident beneficiary States hold the

President of the Bank and the project team aware of the development of international aspects of the project and related events.

10.1.2. Documentation and information of the riparian States

2. Soon as possible during the identification stage, BOAD notify the State proposing the project on an international waterway (beneficiary state) that, if it has not already done so, it is required to inform other residents of the proposed project by giving them the information available. If the prospective borrower indicates BOAD he does not want to do, notice is normally given by BOAD itself to other residents. If the borrower objects that BOAD gives notification, BOAD ceases to participate in the preparation of the project and inform the competent administrators of the situation and any action that may be taken later.

3. The notification must contain sufficient specifications, technical information and other data (Project details), to the extent they are available, so that other residents can determine as accurately as possible if the proposed project is likely to cause significant damage , by reducing the speed, pollution or otherwise. BOAD services are required to ensure that the Project details provided are sufficient to make such a determination. If necessary the Project Details are not available at the time of notification, these details will be shared with other residents as soon as possible after notification. If, in exceptional circumstances, BOAD proposes to continue the evaluation of the project before the project details are available, the Organizational Unit (OU) in charge of project development, through a memorandum drafted in consultation with the legal department, inform the President of all the relevant facts relating to the international aspects of the project, and request approval to continue. The President took this decision with the opinion of the CE.

4. A reasonable time, normally not exceeding six months from the sending of Project details shall be given to other residents to give their response to the beneficiary state or BOAD.

10.1.3. Supervision, responses/objections

5. If the recipient State or BOAD, after notice has been given, other riparian receives a positive response (in the form of consent, no objection, support for the project or confirmation that the project will not be prejudiced their interests) or if they did not respond within the time prescribed, the Organizational Unit (OU) responsible for the development of the project, in consultation with the Legal Department, the OU in charge of environment and other relevant departments, address a memorandum to the President of the BOAD. The memorandum outlines all relevant facts, including the conclusion services BOAD reached, as regards the question whether the project:

- i) would harm appreciably the interests of other residents, or
- ii) suffer significant damage due to possible water use by other residents.

The memorandum seeks approval to continue the project preparation. The President took this decision with the opinion of the CE.

6. If other residents are objections against the proposed project, the Organizational Unit (OU) responsible for the development of the project, in consultation with the Legal Department, the OU in charge of environment and other relevant departments, address a memorandum on the subject to the President of BOAD. The memorandum states:

- a) the nature of the issues raised by the residents;

- b) assessment services BOAD of objections, including their reasons and all information provided in support of these objections;
 - c) assessment services BOAD risk that the proposed project seriously damage the interests of other residents or that they suffer significant damage due to possible water use by other residents;
 - d) whether the special circumstances require that before taking any further action, BOAD request the parties to resolve issues amicably, for example through consultations, negotiations or through the good offices of a third party (which is normally the case when the objections of the other residents are based) and
 - e) whether the nature of the objections is such that it is advisable to get an additional opinion, addressing to independent experts.
7. The President of the BOAD, after seeking the opinion of the CE decides how to proceed. Following these consultations, the President may recommend to the Organizational Unit (OU) in charge of developing the project to submit the matter to the Review Board. The OU responsible for developing the project then acts according to the instructions of the CE, and report the results in a memorandum written in collaboration with the Legal Department, the OU in charge of environment and other relevant departments. This memorandum addressed to the President. It contains recommendations on the follow-up to the project.

10.1.4. Retrospective assessment

8. If it is necessary to obtain independent expert advice before proceeding with the preparation of the project, the President asked the OU in charge of environment to undertake the procedure. The OU in charge of environment maintains an inventory of these applications.
9. In consultation with the Organizational Unit (OU) in charge of project development and the legal department, the OU in charge of environment selects one or more independent experts whose names appear on a list maintained by it. Experts selected must not be nationals of the coastal waterways in question and also not to have a conflict of interest of any nature whatsoever in the matter. Experts are engaged and their terms of reference are established jointly by the OU in charge of environment and Organizational Unit (OU) in charge of project development. It finances the costs of recruiting experts. They receive all the information and all the assistance they need to perform their jobs effectively.
10. The terms of reference of experts stipulate that they must consider the details of the Project. If the experts deem necessary to verify the Project Details or take any other related measure, BOAD lend them all possible assistance. Experts meet as necessary until they submit their report to the OU in charge of environment and Organizational Unit (OU) in charge of project development. They can ask for explanations or clarification on any aspect of their relationship.
11. Experts have no decision-making role in the project preparation. Technical opinion is presented solely for the purpose of BOAD and does not affect the rights and obligations of residents. Their findings are analyzed by the UO in charge of environment and the responsible development of the project.

12. In consultation with the Organizational Unit (OU) in charge of project development and the legal department, the UO in charge of environment maintains a list of highly qualified independent experts, with ten names. This list is updated at the beginning of each fiscal year.

10.2. Support maps

13. The file of projects on an international waterway contains a map that clearly indicates the waterway and the site of the project components. This rule applies to the project presentation sheet (PPS), to the Sheet of entry into portfolio (SEP), the project Assessment Report (AR), and any internal memorandum addressing the problems of the riparian rose due to the project. Maps are provided for projects on international waterways, even when it is not required that residents be informed application of operational policy. The cards are made and approved by the authorized Mapping Services for BOAD.

14. However, the cards are not included in the documents cited, with the exception of internal memoranda, if the President of the Bank, in consultation with the Legal Department and the OU in charge of environment, instructed to omit, in whole or in part, the maps of the beneficiary State.

11. **OP_06**: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON DISPUTED AREAS

11.1. Introduction

1. Projects in disputed areas may raise a number of delicate problems affecting relations not only between BOAD and its member countries, but also between the country in which the project is carried out and one or more neighboring countries. In order not to prejudice the position of either BOAD or the countries concerned, any dispute over an area in which a proposed project is located is dealt with at the earliest possible stage.
2. BOAD may support a project in a disputed area if the governments concerned agree that, pending the settlement of the dispute, the project proposed for country A should go forward without prejudice to the claims of country B.

11.2. Presentation of Loans to the Executive Directors

3. For every project in a disputed area, BOAD staff considers the nature of the dispute. The project Appraisal Report (AR) for a project in a disputed area discusses the nature of the dispute and affirms that BOAD staff have considered it and are satisfied that either:
 - a) the other claimants to the disputed area have no objection to the project; or

b) in all other instances, the special circumstances of the case warrant the BOAD's support of the project notwithstanding any objection or lack of approval by the other claimants.

Such special circumstances include the following:

- (i) that the project is not harmful to the interest of other claimants, or
- (ii) that a conflicting claim has not won international recognition or been actively pursued. In all cases, the project documentation bears a disclaimer stating that, by supporting the project, BOAD does not intend to make any judgment on the legal or other status of the territories concerned or to prejudice the final determination of the parties' claims. The legal department of the BOAD in collaboration with the project team and the organizational unit responsible for the environment writes the Parties on matters of litigation area of the evaluation report of the project.

12. **BP_06**: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PROJECTS IN DISPUTE AREAS

12.1. Application of those procedures in the project cycle

Procedures relating to the policy taking into account the environmental and social impacts of projects in areas of litigation concern the following aspects:

- Preparation of project
- Project appraisal
- Documentation and information to States bordering
- Retrospective appraisal.

12.1.1. Preparation and appraisal of the project

1. Any territorial dispute affecting a proposed project by BOAD is found as soon as possible and described in all project documents, starting with the project presentation sheet (PPS) and the sheet of entry into portfolio (SEP). Organizational Unit for project appraisal shall without delay via the “Comité des engagements” (CE) of the dispute to the attention of the President of the Bank, and keeps abreast of developments throughout the appraisal.
2. To this end, the organizational unit responsible for project appraisal prepares, in close collaboration with the support of the legal and organizational unit in charge of environment, and in consultation with other relevant departments, a memorandum to be submitted to the President. This memorandum:

- a) contains all the relevant information on the project, including information on the procedure and decisions prior to any project may be considered by the BOAD in the disputed area international aspects;
- b) make recommendations on how to address the problem, and
- c) requesting permission to take the measures recommended and further appraisal.

12.1.2. Documentation and information of the riparian States

3. At the end of the preparation phase of the project, full details of the dispute and the reasons for the decision to move or not the evaluation phase are shown in the memorandum accompanying the revised business case. This memorandum addressed to the President, is written in close collaboration with legal and organizational unit in charge of environment and with other relevant departments. On the basis of information contained in the memorandum, President, after having obtained the opinion of the CE decides whether or not you can move on to the evaluation phase.

12.1.3. Retrospective appraisal

4. In consultation with the Legal department, the organizational Unit in charge of environment selects one or more independent experts whose names appear on a list maintained by him. Experts selected must not be nationals or the initiator of the project and state of the states involved in the dispute. They should not either have a conflict of interest of any nature whatsoever in the matter. Experts are engaged and their terms of reference are established jointly by the legal, organizational unit responsible for the environment and the organizational unit responsible for project appraisal. It

finances the costs of recruiting experts. They receive all the information and all the assistance they need to perform their jobs effectively.

5. If the experts deem necessary to verify the project details or take any other related measure, BOAD lend them all possible assistance. Experts meet as necessary until they submit their report to the organizational unit responsible for the environment, the organizational unit responsible for project appraisal and legal services. They can ask for explanations or clarification on any aspect of their relationship.
6. Experts have no decision-making role in the project preparation. Technical opinion is presented solely for the purpose of BOAD and does not affect the rights and obligations of residents.
7. In consultation with Legal department, the Organizational Unit in charge of environment holds a highly qualified list of independent experts, with ten names. This list is updated at the beginning of each fiscal year.

12.2. Maps

8. The guidelines governing the borders of the cards must be shown. However, the cards are not included in the project appraisal and other documents related to the project report, if the President of the Bank, in consultation with legal department and the organizational Unit in charge of environment instructed to omit, in whole or in part, maps of the State concerned.

13. **OP_07**: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON INVOLUNTARY RESETTLEMENT

13.1. Introduction

1. Experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

13.2. Objectives

2. BOAD Operational Policy on Involuntary Resettlement aims to:
 - a) Avoid where feasible, or minimize involuntary resettlement and land expropriation, exploring all viable alternatives project designs⁷⁷;
 - b) Develop and implement, where it is not feasible to avoid resettlement , involuntary resettlement activities and compensation as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits;

⁷⁷ In developing approaches to resettlement in projects supported by the institution, it will take into account other relevant policies of BOAD, including operational policies on Environmental and Social Impact Assessment, Natural Habitats; physical properties.

- c) Ensure that the displaced persons are consulted and have the opportunity to participate in all key stages of the development process and implementation of involuntary resettlement activities.
- d) To assist the displaced persons in their efforts to improve their livelihoods and standards of living, or at least to restore them, in real terms, at their levels prevailing prior to the beginning of project implementation, whichever is higher.

13.3. Impacts covered by the policy

3. This policy covers direct⁷⁸ economic and social consequences, that both result from BOAD-assisted investment projects, and are caused by:

- a) the involuntary⁷⁹ taking of land⁸⁰ resulting in :
 - i) relocation or loss of shelter ;
 - ii) loss of assets or access to assets, or
 - iii) loss of income sources or means of livelihood, whenever or not the affected persons must move to another location,

⁷⁸ If there are social or economic impacts indirect negative, the Borrower will establish a good practice by undertaking a social assessment and implementing measures to minimize and mitigate such impacts, especially for the poor and vulnerable groups. Other environmental, social and economic, not resulting from withdrawal of land can be identified and addressed through environmental and social impact assessments and other project reports and instruments.

⁷⁹ For the purposes of this policy, "involuntary" means actions that can be taken without the displaced people give their consent knowingly or they have the ability to exercise choice.

⁸⁰ "Land" includes everything that grows or is built on a permanent basis, such as buildings or crops. This policy does not apply to regulations on natural resources existing in a national or regional level to promote their sustainability, such as watershed management, groundwater management, fisheries management, etc. The policy does not apply to other conflicts in the context of land reform projects between private persons, and, although the realization of a social assessment and implement measures to minimize and mitigate impacts social impacts, especially those affecting the poor and vulnerable groups, is a good practice on the part of the Borrower.

- b) The involuntary restriction of access⁸¹ to legally designed parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

This policy applies to all components of the project resulting in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, that in the judgment of BOAD are:

- a) directly and significantly related to BOAD-assisted project;
 - b) necessary to achieve its objectives as set forth in the project documents;
and
 - c) carried out, or planned to be carried out contemporaneously with the project.
4. Requests for guidance on the application and scope of this policy should be addressed to the Resettlement Committee of the Borrower.

13.4. Required Measures

5. To address the impacts covered under paragraph 3 a) of this policy, the borrower prepares a resettlement plan or resettlement policy framework that covers the following:
- a) The resettlement plan or resettlement policy framework includes measures to ensure that displaced persons are:

⁸¹ For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources that are imposed on people living outside the park or protected area, or those who continue to live in the park or protected area during and after project implementation. Where the creation of new parks and protected areas is inherent in the project, people losing their habitat, land or other assets also fall within par. 3 a).

- i) informed about their options and rights pertaining to resettlement;
- ii) consulted on, offered choices and provided with technically and economically feasible resettlement alternatives; and
- iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

b) If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that displaced persons are:

- i) provided assistance (such as moving allowances) during relocation; and
- ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages , and other factors is at least equivalent to the advantages of the old site.

c) When necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also includes measures to ensure that displaced persons are:

- i) offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standard of living, and
- ii) provided with development assistance in addition to compensation measures described in paragraph 6 (a) , such as land development , credit facilities , training or job opportunities.

6. In projects involving involuntary restriction of access to legally designated parks and protected areas (see paragraph. 3(b)), the nature of restrictions,

as well as the type of measures necessary to mitigate the adverse impacts, is determined with the participation of the displaced persons during the design and implementation of the project. In such cases, the borrower prepares a framework acceptable to BOAD, describing the participatory process by which:

- a) specific components of the project will be prepared and implemented;
- b) the criteria for eligibility of displaced persons will be determined;
- c) measures to assist the displaced persons in their efforts to improve their livelihoods, or at least to restore them, in real terms, while maintaining the sustainability of the park or protected area; and
- d) potential conflicts involving displaced persons will be resolved.

The process framework also includes a description of the arrangements for implementing and monitoring the process.

7. To achieve the objectives of this policy, particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons that may not be protected through national land compensation legislation.
8. Experience has shown that the resettlement of indigenous peoples with traditional land-based modes of production is particularly complex and may have significant adverse impacts on their identity and cultural survival. For this reason, BOAD ensures that the Borrower has explored all viable alternative project designs to avoid physical displacement of these groups. When it is not feasible to avoid such displacement, preference is given to

land-based resettlement strategies for these groups – that are compatible with their cultural preferences and are prepared in consultation with them.

9. The implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. For impacts covered in paragraph 3 (a) of this policy, these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons. For impacts covered in paragraph 3 (b) of this policy, the measures to assist the displaced persons are implemented in accordance with the action plan as part of the project.

10. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land, or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of BOAD.

11. Payment of cash compensation for lost assets may be appropriate where :

- a) livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual is economically viable;
- b) active markets for land, housing and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or
- c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost and other assets at full replacement cost in local markets.

12. For impacts covered under paragraph 3)(a) of this policy, BOAD also requires the following:

- a) Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing and monitoring of resettlement. Appropriate and accessible grievance mechanisms are established for these groups.
- b) In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).
- c) Patterns of community organization appropriate to the new circumstances are based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of resettlers' preferences with respect to relocating in preexisting communities and groups are honored.

13.5. Eligibility for Benefits

13. Upon the identification of the need for involuntary resettlement in a project, the Borrower carries out a census to identify the persons who will be affected by the project (see Appendix 13, paragraph 6 (a)), to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance.

The Borrower also develops a procedure acceptable to BOAD for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with affected persons and communities, local authorities, and, as appropriate, non-governmental organizations (NGOs), and it specifies grievance mechanisms.

14. *Criteria for Eligibility.* Displaced persons may be classified in one of the following three groups :

- a) Those who have formal legal right to land (including customary and traditional rights recognized under the laws of the country);
- b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets - provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan (see Annex 13, paragraph 7 f); and
- c) those who have no recognizable legal rights or claims to the land they are occupying.

The following table shows the forms of compensation attributable to different categories of people affected:

Categories of people affected	Forms of compensation
(a) Persons having formal legal rights to land	<ul style="list-style-type: none"> - Compensation for the land they lose (land for land). - Prompt compensation at full replacement cost for loss of assets (land for cash) attributable to the project; - If there is relocation, as required, assistance during relocation is at least equivalent to the advantages of the old site. - support during displacement (based on a reasonable estimate of the time required to restore their livelihood and standards of living), , in addition to other compensation measures; - compensation for loss of assets other than land
(b) Persons not having formal legal rights to land at the time the census begins but having a claim to such land or assets	<ul style="list-style-type: none"> - Compensation for the land they lose (land for land). - Prompt compensation at full replacement cost (land for cash) for loss of assets attributable to the project; - If there is relocation, as required, assistance during relocation is at least equivalent to the advantages of the old location. - Support during displacement and development assistance (based on a reasonable estimate of the time required to

Categories of people affected	Forms of compensation
	restore their livelihood and standards of living), such as land preparation, credit facilities, training or job opportunities as required,;
(c) Persons not having recognizable legal right or claim to the occupied land	<ul style="list-style-type: none"> - Resettlement assistance in lieu of compensation for the land they occupy; - Other assistance, as necessary, to achieve the objectives of the Involuntary Resettlement Safeguard if they occupy the project area prior to a cut-off date established in the Resettlement Instrument.
(d) Squatters	<ul style="list-style-type: none"> - Resettlement assistance in lieu of compensation for the land they occupy; - Other assistance, as necessary, to achieve the objectives of the Involuntary Resettlement Safeguard if they occupy the project area prior to a cut-off date established in the Resettlement Instrument.

15. Persons covered under paragraphs 14 (a) and (b) are provided compensation for the land they lose, and other assistance in accordance with paragraph 6. Persons under paragraph 14 (c) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the Borrower and acceptable to BOAD. Persons who encroach on the area after the cut-off date are not entitled to any compensation or any other form of

resettlement assistance. All persons included in paragraphs 14 (a), (b) or (c) are provided compensation for loss of assets other than land.

13.6. Resettlement Planning, Implementation and Monitoring

16. To achieve the objectives of this policy, different planning instruments are used, depending on the type of project:

- a) a resettlement plan or abbreviated resettlement plan is required, for all operations that entail involuntary resettlement unless otherwise specified (see paragraph 24 and Annex 13);
- b) a resettlement policy framework is required for operations referred to in paragraphs 25 to 29, that may entail involuntary resettlement, unless otherwise specified (see Appendix 13); and
- c) a process framework is prepared for projects involving restriction of access in accordance with paragraph 3 (b) (see paragraph 30).

17. The Borrower is responsible for preparing, implementing and monitoring a resettlement plan, or a process framework (the "resettlement instruments") as appropriate, that conform to this policy. The resettlement instrument presents a strategy for achieving the objectives of the policy and covers all aspects of the proposed resettlement. Borrower commitment to, and capacity for, undertaking successful resettlement is a key determinant of BOAD involvement in a project.

18. Resettlement planning includes early screening, scoping of the key issues, the choice of resettlement instrument and the information required to prepare the resettlement component or subcomponent. The scope and level of detail of the resettlement instruments vary with the magnitude and complexity of resettlement. In preparing the resettlement component, the borrower draws on appropriate social, technical, and legal expertise and on relevant community-based organizations and NGOs. The Borrower informs

potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.

19. The full costs of resettlement activities necessary to achieve the objectives of the project are included in the total costs of the project. The cost of resettlement, like the costs of other project activities, are treated as a charge against the economic benefits of the project; and any net benefits to resettlers (as compared to the "without-project" circumstances) is added to the benefits stream of the project. Resettlement components or free-standing resettlement projects need not be economically viable on their own, but they should be cost-effective.

20. The Borrower ensures that the Project Implementation Plan is fully consistent with the resettlement instrument.

21. As a condition of appraisal of projects involving resettlement, the Borrower provides BOAD with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner and language that are understandable to them. Once BOAD accepts this instrument as providing an adequate basis for project appraisal, BOAD makes it available to the public through its website and library. After BOAD has approved the final resettlement instrument, the Bank and the Borrower disclose it again in the same manner.

22. The Borrower's obligations to carry out the resettlement instrument and to keep BOAD informed of implementation progress are provided for in the legal agreements for the project. .

23. The Borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. BOAD regularly supervises resettlement implementation to determine compliance with the

resettlement instrument. Upon completion of the project, the Borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have been achieved. The assessment takes into account the baseline conditions and the results of resettlement monitoring. If the assessment reveals that these objectives may not be realized, the Borrower should propose follow-up measures that may serve as the basis for continued BOAD supervision, as the Bank deems appropriate.

13.7. Resettlement Instruments

13.7.1. Resettlement Plan

24. A draft resettlement plan that conforms to this policy is a condition of appraisal (see Annex 13, paragraph 2-21) for projects referred to in paragraph 16 (a) above. However, where impacts on the entire displaced population are minor, or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower (see Annex 13, paragraph 22). The information disclosures set forth in paragraph 21 apply.

13.7.2. Resettlement Policy Framework

25. For sector investment operations that may involve involuntary resettlement, BOAD requires that the project implementing agency screen subprojects to be financed by BOAD, to ensure their consistency with this Operational policy (OP). For these operations, the borrower submits, prior to appraisal, a resettlement policy framework consistent with this policy (see Annex 13, paragraph 23-25). The framework also estimates, to the extent feasible, the total population to be displaced and the overall resettlement costs.

26. For financial intermediary operations that may involve involuntary resettlement, BOAD requires that the financial intermediary (FI) screen subprojects to be financed by the Bank, to ensure consistency with this OP. For these operations, BOAD requires that before appraisal the Borrower or the FI submit to the Bank a resettlement policy framework conforming to this policy (see Annex 13, paragraph 23-26). In addition, the framework includes an assessment of the institutional capacity and procedures of each FIs that will be responsible for subproject financing. When in the assessment of the Bank, no resettlement is envisaged in the subprojects to be financed by the FI, a resettlement policy framework is not required. Instead, the legal agreements specify the obligation of the FIs to obtain from the potential sub-borrowers a resettlement plan consistent with this policy if a subproject gives rise to resettlement. For all subprojects involving resettlement, the resettlement plan is provided to BOAD for approval before the subproject is accepted for Bank financing.

27. For other Bank-assisted projects with multiple subprojects that may involve involuntary resettlement, BOAD requires that a draft resettlement plan conforming to this policy be submitted to the Bank before appraisal of the project unless, because of the nature and design of the project or of a specific subproject subprojects:

- a) The zone of impact of subprojects cannot be determined, or
- b) the zone of impact is known, but precise sitting alignment cannot be determined. In such cases, the borrower submits a resettlement policy framework consistent with this policy prior to appraisal (see Annex 13, paragraphs 23-25). For other subprojects that do not fall within the above criteria, a resettlement plan conforming to this policy is required prior to appraisal.

28. For each subproject included in a project described in paragraph 25, 26 or 27, BOAD requires that a satisfactory resettlement plan, or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financing.

29. For projects described in paragraphs 25-27 above, BOAD may agree, in writing, that the subproject resettlement plans may be approved by the project implementing agency or a responsible government agency, or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. Any such delegation, and appropriate remedies for the entity's approval of resettlement plans found not to be in compliance with BOAD policy, are provided for in the legal agreements for the project. In all such cases, implementation of the resettlement plans is subject to ex post review by BOAD.

13.7.3. Process framework

30. For projects involving restriction of access under paragraph 3 (b) above, the Borrower provides BOAD with a draft process framework that conforms to the relevant provisions of this policy. In addition, during project implementation and before the enforcing of the restriction, the borrower prepares a plan of action, acceptable to BOAD, describing the specific measures to be undertaken to assist the displaced persons and the arrangements for their implementation. The plan of action could take the form of a natural resources management plan prepared for the project.

13.7.4. Assistance to the Borrower

31. In furtherance of the objectives of this policy, the Bank may, at a borrower's request support the Borrower and other concerned entities by providing :
- a) assistance to assess and strengthen resettlement policies, strategies, legal frameworks, and specific resettlement plans at a country, regional or sectoral level ;
 - b) financing of technical assistance to strengthen the capacities of agencies responsible for resettlement, or of affected people to participate more effectively in resettlement operations ;
 - c) financing of technical assistance for developing resettlement , policies, strategies and specific plans and for implementation, monitoring, and evaluation of resettlement activities; and
 - d) financing of the investment costs of resettlement.

32. BOAD may finance either a component of the main investment causing displacement and requiring resettlement, or a free-standing resettlement project with appropriate cross-conditionalities, processed and implemented in parallel with the investment that causes displacement. BOAD may finance resettlement even though it is not financing the main investment that makes resettlement necessary.

33. The Bank disbursements are not deductible cash compensation and any other form of assistance paid in cash or land costs (including compensation for land acquisition). The Bank may finance the development of the resettlement activities associated with land cost, however.

13.7.5. Annex 13: Involuntary Resettlement Instruments

1. This annex describes the elements of a resettlement plan, a resettlement policy framework, and a resettlement process framework, as discussed in the Operational Policy.

13.7.6. Resettlement Plan

2. The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about:
 - a) the proposed resettlement and its impact on the displaced persons and other adversely affected groups;
 - b) the legal issues involved in resettlement. The resettlement plan covers the elements below, as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.
3. Description of the Project: General description and identification of the project area.
4. Potential impacts. Identification of :
 - a) the project component or activities that give rise to resettlement;
 - b) the zone of impact of such component or activities ;
 - c) the alternatives considered to avoid or minimize resettlement; and
 - d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

5. Objectives. The main objectives of the resettlement program.
6. Socio-economic studies. The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including :
 - a) the results of a census covering :
 - i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
 - ii) standard characteristics of displaced households , including a description of production systems , labor, and household organization , and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population ;
 - iii) the magnitude of the expected loss - total or partial - of assets and the extent of displacement , physical or economic;
 - iv) information on vulnerable groups or persons as provided for in the Operational Policy , paragraph 8, for which special provisions may have to be made; and
 - v) Provisions for update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.
 - b) Other studies describing the following:
 - i) land tenure and transfer systems , including an inventory of natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing , grazing or use of forest areas) governed by local recognized land

allocation mechanisms, and any issues raised by different tenure systems in the project area ;

- ii) the patterns of social interaction in the affected communities , including social networks and social support systems and how they will be affected by the project;
- iii) public infrastructure and social services that will be affected; and
- iv) social and cultural characteristics of displaced communities , including a description of formal and informal institutions (eg. community organizations, ritual groups, non-governmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

7. *Legal framework.* The findings of an analysis of the legal framework, covering:

- a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the evaluation methodology and the timing of payment ;
- b) legal and administrative proceedings, including a description of solutions opening in the legal process and the normal timeframe for such procedures, internally displaced persons, as well as all alternative mechanisms for resolving conflicts that available be relevant to resettlement under the project;
- c) the relevant law (including customary and traditional rights) governing land tenure, valuation of assets and losses, the compensation and the right to use natural resources and the customary law relating to persons movement, as well as environmental laws and legislation on social welfare;

- d) the laws and regulations applicable to the bodies responsible for the implementation of resettlement activities;
- e) distortions, if any, between the Bank policy on resettlement laws governing expropriation and resettlement, as well as mechanisms to address such distortions, and
- f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, if appropriate, a recording mechanism grievances over land rights - including the right grievances arising customary and traditional use.

8. Institutional framework. Conclusion of an analysis of the institutional framework covering:

- a) the identification of agencies responsible for resettlement activities and NGOs may have a role to play in the implementation of the project;
- b) an assessment of the institutional capacity of such agencies and NGOs, and
- c) all available to improve the institutional capacity of agencies and NGOs responsible for implementation of resettlement provisions.

9. *Eligibility*. Delimitation of the displaced population and criteria for determining their eligibility for compensation and any other form of resettlement assistance, including relevant dates interrupt help.

10. *Loss estimation and compensation*. Assessment methodology for determining loss replacement cost thereof, together with a description of the types and levels of compensation offered under the local law, as well as any

additional measures necessary to achieve the cost replacement of assets lost⁸².

11. *Resettlement measures.* Description of compensation and other resettlement measures that will enable each category of eligible displaced persons to achieve the objectives of the policy programs. In addition to technical and economic feasibility, resettlement programs must be compatible with the cultural priorities of displaced populations, and prepared in consultation with them.

12. *Selection, site preparation, and relocation.* The possible relocation sites considered and arguments on their selection, covering:

- a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, displaying a combination of productive potential, locational advantages and other characteristics at least equivalent to the advantages of the site previously occupied with an estimate of the time needed to acquire and transfer land and ancillary resources;

⁸² With regard to land tenure and structures, "replacement cost" is defined as follows: For agricultural land, it is the market value before the project or moving - whichever is most advantageous - A land of productive potential similar or similarly used in the vicinity of the affected land, plus the cost of development of the land to levels similar to those of the affected land, plus the registration fee and assignment. For urban land is the market value before the move , a land of equal size and used in a similar manner , with similar equipment and utilities, and located in the vicinity of the affected land, plus the cost of registration and transfer fees . With regard to houses and other structures, it is the cost, at market prices, materials necessary structure concerned - or to repair a partially damaged structure - plus the cost of transporting building materials to the site of the building, plus the cost of labor and remuneration of entrepreneurs, plus registration fee and disposal. Depreciation of property and the value of recovered materials are not taken into account in calculating the replacement cost any more than the value of project benefits is deducted from the appraisal of the property affected by the displacement involuntary. Where national law is inconsistent with the rule of compensation to total replacement cost, compensation under domestic law is accompanied by additional measures so as to correspond to the cost of standard replacement. Such additional assistance is distinct from resettlement measures to be applied in the context of other clauses set out in paragraph 6 of the policy.

- b) all measures to prevent land speculation or influx of ineligible persons at the selected sites;
- c) procedures for physical relocation under the project, including timetables for site preparation and transfer, and
- d) *the provisions of regularization of land tenure and transfer titles to resettlers.*

14. *Housing, infrastructure and social services.* Plans to provide (or to finance the provision to resettlers) housing, infrastructure (eg .., water supply, link roads) and social services (eg. schools, health services.) Plans to ensure comparable services to host populations; whole lot servicing, engineering and architectural plans needed for these devices work.

15. *Environmental protection and management.* Description of the boundaries of the area, relocation, and environmental impact assessment of the proposed resettlement as well as a presentation of mitigation and management of these impacts (coordinated as it should, with the Environmental Assessment project main applicant resettlement investment).

16. *Community participation.* Involvement of resettlers and host communities , including:

- a) a description of the consultation strategy resettlers and host communities and participation of the latter in the design and implementation of resettlement activities ;
- b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan ;

- c) a review of the resettlement alternatives presented and the choices made by the displaced in relation to the options available to them people, including choices related to: forms of compensation and resettlement assistance; arrangements for relocation as a family unit or part of an existing community or a related group, the conservation of existing collective organizational systems , and the maintenance of access to cultural heritage (eg , place of worship, pilgrimage center, cemeteries) and
- d) Institutionalized by which displaced channels can communicate their concerns to project authorities throughout planning and implementation, as well as measures taken to ensure that vulnerable groups such as indigenous peoples, ethnic minorities, the landless and women are properly represented.

17. *Integration with host populations.* Mitigation of the impact of resettlement on host communities, including:

- a) consultations with host communities and local authorities;
- b) arrangements for the host populations to bid quickly to any compensation due in respect of land or other productive assets provided to resettlers;
- c) provisions for handling any conflict that may arise between the resettled and host communities, and
- d) all necessary service improvement measures (eg. education, water, health and production services) in host communities to make them at least equivalent to services available to resettlers.

18. *Arbitration proceedings.* Procedures affordable and within reach of all for the settlement of disputes by third parties arising from resettlement; these arbitration mechanisms should take into account the possibility of legal recourse and community and traditional dispute settlement provisions .

19. *Organizational responsibilities.* Organizational framework for implementing resettlement, including identification of agencies responsible for policy development and the provision of services, arrangements for ensuring appropriate coordination between agencies and jurisdictions involved in the execution, and any measures (including technical assistance) needed to strengthen the capacity of organizations to design and deploy resettlement activities; provisions for transfer to local authorities or resettlers themselves of responsibility for the management of equipment and services the project as well as for the transfer of responsibilities from other similar agencies responsible for implementing resettlement, as appropriate.

20. *Schedule implementation.* Implementation schedule covering all resettlement activities from preparation through implementation , including the expected dates that the resettlers and host populations actually enjoy the expected benefits and to which various forms of assistance will cease . The schedule shall indicate the links between resettlement activities and implementation of the overall project.

21. *Costs and budget.* Tables showing the detailed cost estimates for all resettlement activities , including allowances for inflation, population growth and other contingencies , the timing of expenditures , sources of funds , and the measures taken for the provision of funds in a timely and , where appropriate , funding for resettlement in areas outside the jurisdiction of the agencies responsible for implementation.

22. *Monitoring and evaluation.* Systems for monitoring resettlement activities by the agency responsible for enforcement, complemented by expertise of

independent stakeholders provided BOAD deems necessary to ensure complete and objective information; monitoring indicators to measure performance inputs, outputs and outcomes for resettlement activities; participation of displaced populations in the monitoring process, evaluation of the consequences of resettlement on a significant period of time following relocation once the latter and related development activities carried out completely; using the results of resettlement monitoring to guide the implementation of future activities.

13.7.7. Summary resettlement Plan

23.A summary plan covers at least the following elements:

- a) a demographic survey of displaced persons and an estimate of their assets;
- b) a description of compensation and other forms of resettlement assistance to be provided;
- c) consultations with displaced people about acceptable alternatives;
- d) institutional responsibility for implementation and procedures for redressing wrongs;
- e) the arrangements for monitoring and implementation, and
- f) a timetable and budget.

13.7.8. Resettlement Policy Framework

24. The objective of the policy framework is to clarify the principles guiding resettlement, organizational arrangements and design criteria to be applied to subprojects to be prepared during the project (see Operational Policy, paragraph 26-28).
25. Plans subproject resettlement once consistent with the policy, are subject to BOAD for approval after specific planning data were made available (see Operational Policy, paragraph 29).
26. The resettlement policy framework includes the following elements , consistent with the information described in paragraphs 2 and 4 of the Operational Policy :
- a) a brief description of the project components and imposing a land acquisition and resettlement , and an explanation of the inability to prepare a resettlement plan or an abbreviated terms as described respectively in paragraphs 2-21 and paragraph 22 at the time of project appraisal ;
 - b) principles and objectives governing the preparation and implementation of resettlement;
 - c) a description of the process of preparing and approving resettlement plans ;
 - d) an estimate of the number of displaced persons and , to the extent possible, the categories to which they are likely to belong ;
 - e) membership criteria for defining various categories of displaced persons;

- f) a legal framework reviewing the fit between borrower laws and regulations of the country and the requirements of the policy BOAD and the proposed measures to address distortions ;
- g) methods of evaluation of assets affected;
- h) organizational procedures for the allocation of rights, including for projects involving intermediaries in the private sector, responsibilities of financial intermediaries, government and the private developer;
- i) a description of the implementation process, linking the implementation of resettlement with the civil works;
- j) a description of the mechanisms of redress of grievances;
- k) a description of the financing arrangements for resettlement, including the preparation and review of cost estimates, financial flows and contingencies;
- l) la description of the mechanisms proposed to consult during planning, implementation and monitoring, displaced and involve these phases populations, and
- m) arrangements for monitoring by the agency responsible for implementation and, if required, by independent stakeholders.

27. When the resettlement policy framework is the only document to be submitted as a condition of obtaining the loan, it is not necessary that the resettlement plan to be submitted as a condition of funding subproject contains political principles, rights and eligibility criteria, organizational arrangements, arrangements for monitoring and evaluation, participatory framework, nor the mechanisms of redress of grievances contained in the

policy framework for resettlement. The plan for the sub-project specific resettlement must contain the results of the census base and socio-economic survey, the rates and terms explained in detail compensation; political rights related to any additional impacts identified through the census or survey, a description of resettlement sites and improvement or reconstruction of livelihoods and standards of living programs schedule for implementation of resettlement activities, and a detailed cost estimate.

13.7.9. Functional framework

28. A functional framework is developed when the projects supported by the Bank may cause an access to natural resources contained by parks or protected areas classified restriction. Establish a process by which members of potentially affected communities participate in the design of project components, determination necessary to achieving the objectives of the resettlement policy measures the functional framework aims, as well as implementation and monitoring of relevant project activities (see 7 and 31 of the Operational Policy).

29. More specifically, the functional framework describes participatory processes by which the following activities are undertaken :

- a) The components of the project will be prepared and implemented. The document should describe the project components or activities that may involve new or more stringent restrictions on the use of natural resources. It will also outline the process by which people could be displaced participate in the project design;
- b) The eligibility criteria of the affected people will be defined. The document should state that the communities likely to be affected will be involved in the identification of any negative impact, assessing the

significance of impacts and the establishment of the eligibility criteria to receive the necessary measures mitigation or compensation;

c) Measures to assist affected populations in their efforts to improve or rebuilding their livelihoods - these are considered at their fair value to their level before the relocation, while maintaining the viability of park or protected area - will be identified. The document should describe the methods and procedures which will resort communities to identify and select potential mitigation or compensation measures to be applied to people who suffer negative consequences, and the procedures used by the Member of the affected communities to exercise select from the options opening them.

d) Any disputes arising between the affected communities or within them will be paid as claims. The paper will describe the process of settlement of disputes relating to restrictions on the use of resources that are likely to arise between and within affected and grievances may arise from community members dissatisfied with the criteria and complaints may arise from member communities dissatisfied with the eligibility criteria , measures of collective planning or execution itself communities.

The functional framework described, moreover, the provisions concerning the following:

e) *Administrative and legal procedures.* The paper will review the agreements was reached on the methodological approach with relevant administrative jurisdictions and departments competing (including a clear definition of administrative and financial responsibility for the project).

f) *Monitoring devices.* The document should address the provisions in place for participatory monitoring of project activities , these activities linked

with the consequences (positive or negative) experienced by people living in the project impact area , as well as for monitoring the effectiveness of measures taken to improve (or at least restore) incomes and living standards.

14. BP_07: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON INVOLUNTARY RESETTLEMENT

14.1. Introduction

1. The planning of resettlement activities is an integral part of preparation for BOAD-assisted projects that cause involuntary resettlement. During project identification, project team (PT) identifies any risk of involuntary resettlement⁸³ related to the project. Throughout the project cycle, the PT consults the Organizational Unit in charge of the project appraisal the Legal Affairs Unit of BOAD, and as necessary, the Resettlement Committee (see paragraph. 7).

14.2. Application of procedures in project cycle

14.2.1. Preparation

2. When a proposed project is likely to involve involuntary resettlement, the PT informs the Borrower of the provisions of the policy and this procedure on involuntary resettlement. The PT and the Borrower staff :
 - a) assess the nature and magnitude of the likely displacement ;
 - b) explore all viable alternative project designs to avoid, where feasible , or minimize displacement⁸⁴ ;

⁸³ See Operational Policy on Involuntary BOAD resettlement.

⁸⁴ BOAD ensures that the Borrower has studied all feasible alternatives in the design of the project to avoid involuntary resettlement and, where there is no alternative to minimize the scale and impacts of resettlement (eg, realignment of roads or reducing the dam height can reduce resettlement needs). Such alternative conceptualizations must be consistent with other safeguard policies BOAD.

- c) assess the legal framework covering resettlement and the policies of government and implementing agencies (identifying any inconsistencies between such policies and BOAD's policy);
- d) discuss with the agencies responsible for resettlement, the policies and institutional, legal and consultative arrangements for resettlement, including measures to address any inconsistencies between government or implementing agency policies and BOAD policy; and
- e) discuss any technical assistance to be provided to the Borrower (see operational policy on involuntary resettlement (see paragraph 31).

Based on the review of relevant resettlement issues, the PT agrees with the Organizational Unit in charge of environment and the Legal Affairs Unit on the type of resettlement instrument (resettlement plan, abbreviated resettlement plan, resettlement policy framework, or process framework) and the scope and level of detail required. The PT conveys these decisions to the Borrower and also discusses with the borrower the actions necessary to prepare the resettlement instrument⁸⁵, agrees on the timing for preparing of the resettlement instrument and monitors progress.

3. The PT summarizes in the project presentation sheet (PPS) and the sheet of entry into portfolio (SEP), the available information on the nature and magnitude of the displacement and the resettlement instrument to be used, and the PT periodically updates the portfolio entry sheet and the planning documents of the project.

⁸⁵ These actions may include, for example, the development of procedures to ensure eligibility for relocation assistance; conducting socio-economic surveys and legal analysis, the conduct of public consultations the identification of resettlement sites and the evaluation of the proposed improvement or restoration of livelihoods and standards of living options, or, in the case of highly risky or controversial projects, the recruitment of a panel of experts resettlement, independent and international reputation.

4. For projects with impacts mentioned in Paragraph 3 a) of BOAD Operational Policy on involuntary resettlement, the PT assesses the following during project preparation:

a) the extent to which project design alternatives and options to minimize and mitigate involuntary resettlement have been considered;

b) progress in preparing the resettlement plan or resettlement policy framework and its adequacy with respect to BOAD Operational Policy in this area, including the involvement of affected groups, and the extent to which the views of such groups are being considered ;

c) proposed criteria for eligibility of displaced persons for compensation and other resettlement assistance ;

d) the feasibility of the proposed resettlement measures , including provisions for sites if needed; ,funding for all resettlement activities, including provision of counterpart funding on an annual basis; the legal framework; and implementation and monitoring arrangements; and

e) if sufficient land is not available in projects involving displaced persons whose livelihoods are land-based and for whom a land-based resettlement strategy is the preferred option , the evidence of lack of adequate land (see paragraph. 10 of the Policy).

5. For projects with impacts under paragraph 3b) of the Operational Policy, the PT assesses the following during project preparation:

a) the extent to which project designs alternatives and options to minimize and mitigate involuntary resettlement have been considered ;

- b) progress in preparing the process framework and its adequacy in respect to BOAD Operational Policy on involuntary resettlement, including the adequacy of the proposed participatory approach criteria for eligibility of displaced persons; funding for resettlement, the legal framework; and implementation and monitoring arrangements.
6. The PT may request a meeting with the Resettlement Committee to obtain endorsement of, or guidance on:
- a) the manner in which it proposes to address resettlement issues in a project; or
 - b) clarifications on the application and the scope of this policy. The Committee, chaired by the Chairman of the Commitment Committee “comité des engagements (CE)” of the Bank includes the Director of the Organizational Unit in charge of environment and sustainable development and the Legal Affairs Unit and two representatives of the organizational Unit in charge of the project appraisal. The Committee is guided by the policy on involuntary resettlement.

14.2.2. Appraisal

7. The Borrower submits to BOAD a resettlement policy framework, or a process framework that conform to the requirements of BOAD Policy in this area, as a condition of appraisal for projects involving involuntary resettlement⁸⁶. Appraisal may be authorized before the plan is completed in highly unusual circumstances (such as emergency operations) with the approval of the CE and in consultation with the Resettlement Committee. In such cases, the PT agrees with the Borrower on a timetable for preparing and furnishing to

⁸⁶ See para. 16-30 of the Operational Policy BOAD on involuntary resettlement

BOAD the relevant resettlement instrument that conforms to the requirements of the Operational Policy.

8. Once the borrower officially transmits the draft resettlement instrument to BOAD, the relocation specialists, the organizational unit in charge of environment and sustainable development, and the legal Affairs Unit review that, determine whether it provides an adequate basis for project appraisal, and advise the organizational unit responsible for project appraisal accordingly. Once approval for appraisal has been granted by the CE, the PT sends the draft resettlement instrument to BOAD's Library, Public information center, and on its website. The PT also prepares and sends an executive summary of the draft resettlement instrument to the CE, under cover of a transmittal memorandum confirming that the executive summary and the draft resettlement instrument are subject to change during appraisal.

9. During appraisal, the PT assesses:
 - a) the borrower's commitment to and capacity for implementing the resettlement instrument;

 - b) the feasibility of the proposed improvement or restoration of livelihoods and standards of living ;

 - c) availability of adequate counterpart funds or resettlement activities;

 - d) significant risks, including the risk of impoverishment, from inadequate implementation of the resettlement instrument;

 - e) consistency of the proposed resettlement instrument with the Project Implementation Plan; and

f) the adequacy of arrangements for internal, and if considered appropriate by the PT, independent monitoring and evaluation of the implementation of the resettlement instrument⁸⁷. The PT obtains the concurrence of the organizational Unit in charge of environment and sustainable development and the Legal Affairs Unit to any changes to the draft resettlement instrument during project appraisal. Appraisal is complete only when the borrower officially transmits to BOAD the final draft resettlement instrument conforming to the policy.

10. In the project Appraisal Report (AR), the PT describes the resettlement issues, proposed resettlement instrument and measures, and the borrower's commitment to and institutional and financial capacity for implementing the resettlement instrument. The PT also discusses in the AR the feasibility of the proposed resettlement measures proposed and the risks associated with resettlement implementation. In the annex to the AR, the PT summarizes the resettlement provisions, covering, inter alia, basic information on affected populations, resettlement measures, institutional arrangements, timetable, budget, there including adequate and timely provision of counterpart funds, and performance monitoring indicators. The AR annex shows the overall cost of resettlement as a distinct part of the project costs.

11. The project description in the Loan Agreement describes the resettlement component or subcomponent. The Legal agreements provide for the Borrower's obligation to carry out the relevant resettlement instrument and keep BOAD informed of project implementation progress⁸⁸. At negotiations, the Borrower and BOAD agree on the resettlement plan or resettlement policy framework or process framework. Before presenting the project to the

⁸⁷ For projects with potential impacts mentioned in s. 3 b) Operational Policy BOAD on involuntary resettlement of populations, the analysis cited in paragraphs b) and d) above is carried out once the action plan is provided to the BOAD (see . 15 of this procedure).

⁸⁸ In the case of a resettlement policy framework, the obligations of the Borrower include the preparation and submission to the Bank a resettlement plan under frame for each sub-project giving rises to resettlement, and before the implementation of this sub-project.

Board, the PT confirms that the responsible authority of the borrower and any implementation agency have provided final approval of the relevant resettlement instrument.

14.2.3. Supervision

12. Recognizing the importance of close and frequent supervision to good resettlement outcomes, the Head of the organizational unit responsible for the project appraisal and the head of the organizational unit in charge of environment and sustainable development in coordination with the Legal Affairs Unit, ensure that appropriate measures are established for the effective supervision of projects with involuntary resettlement. For this purpose, the Head of the organizational unit responsible for the project appraisal allocates dedicated funds to adequately supervise resettlement, taking into account the magnitude and complexity of the resettlement component or subcomponent and the need to involve the requisite social, financial, legal and technical experts. Supervision should be carried out with due regard to the Action Plan for the resettlement supervision⁸⁹.

13. Throughout project implementation, the PT supervises the implementation of the resettlement instrument, ensuring that the requisite social, financial, legal and technical experts are included in supervision missions. Supervision focuses on compliance with legal instruments, including the Project Implementation Plan and the resettlement instrument, and the PT discusses any deviation from the agreed instruments with the borrower and reports it to the organizational unit responsible for the project appraisal for prompt corrective action. The PT regularly reviews the internal, and where applicable, independent monitoring reports to ensure that the findings and recommendations of the monitoring exercise are being incorporated in

⁸⁹ The Plan is prepared by the organizational unit responsible for project appraisal and organizational Unit in charge of environment in coordination with the Legal Affairs Unit

project implementation. To facilitate a timely response to problems or opportunities that may arise with respect to resettlement, the PT reviews project resettlement planning and implementation during the early stages of project implementation. On the basis of the findings of this review, the PT engages the borrower in discussing and if necessary, amending the relevant resettlement instrument to achieve the objectives of this policy.

14. For projects with impacts covered under paragraph 3 b) of BOAD Operational Policy on involuntary resettlement, the PT assesses the action plan to determine the feasibility of the measures to assist the displaced persons improve (or at least restore , in real terms, the pre-project or pre-displacement levels whichever is higher) their livelihoods with due regard to the sustainability of the natural resource, and accordingly informs the organizational unit responsible for the project appraisal, the organizational unit in charge of environment and sustainable development and the Legal Affairs Unit. The PT makes the plan of action available to the public through the web site and the Library of the Bank.
15. A project is not considered complete – and BOAD supervision continues – until the resettlement measures set out in the relevant resettlement instrument have been implemented. Upon completion of the project, the Implementation Completion Report (ICR) evaluates the achievement of the objectives of the resettlement instrument and lessons for future operations and summarizes the findings of the borrower's assessment referred to in BOAD's policy. If the evaluation suggests that the objectives of the resettlement instrument may not be realized, the ICR assesses the appropriateness of the resettlement measures and may propose a future course of action, including, as appropriate, continued supervision by BOAD.

15. **OP_08**: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON INDIGENOUS POEPLS

15.1. Generality

1. This policy contributes to the West African Development Bank (BOAD)'s mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous Peoples. For all projects that are proposed for BOAD financing and affect Indigenous Peoples, the Bank requires the borrower to engage in a process of free, prior, and informed consultation⁹⁰. The Bank provides project financing only where free, prior, and informed consultation results in broad community support to the project by the affected Indigenous Peoples⁹¹. Such BOAD-financed projects include measures to
 - (a) avoid potentially adverse effects on the Indigenous Peoples' communities; or
 - (b) when avoidance is not feasible, minimize, mitigate, or compensate for such effects.

BOAD-financed projects are also designed to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate and gender and intergenerational inclusive.

⁹⁰ "Free, prior, and informed consultation with the affected Indigenous Peoples' communities" refers to a culturally appropriate and collective decision making process subsequent to meaningful and good faith consultation and informed participation regarding the preparation and implementation of the project. It does not constitute a veto right for individuals or groups (see paragraph 10).

⁹¹ For details on "broad community support to the project by the affected Indigenous Peoples," see paragraph 11.

2. BOAD recognizes that the identities and cultures of Indigenous Peoples are inextricably linked to the lands on which they live and the natural resources on which they depend. These distinct circumstances expose Indigenous Peoples to different types of risks and levels of impacts from development projects, including loss of identity, culture, and customary livelihoods, as well as exposure to disease. Gender and intergenerational issues among Indigenous Peoples also are complex. As social groups with identities that are often distinct from dominant groups in their national societies, Indigenous Peoples are frequently among the most marginalized and vulnerable segments of the population. As a result, their economic, social, and legal status often limits their capacity to defend their interests in and rights to lands, territories, and other productive resources, and/or restricts their ability to participate in and benefit from development. At the same time, BOAD recognizes that Indigenous Peoples play a vital role in sustainable development and that their rights are increasingly being addressed under both domestic and international law.

15.2. Application of the policy to the project cycle

15.2.1. Project identification

3. Because of the varied and changing contexts in which Indigenous Peoples live and because there is no universally accepted definition of "Indigenous Peoples", this policy does not define the term. Indigenous Peoples may be referred to in West African Economic and Monetary Union by such terms as "indigenous ethnic minorities," "aboriginals," "hill tribes," "minority nationalities," "scheduled tribes," or "tribal groups."

4. For purposes of this policy, the term "Indigenous Peoples" is used in a generic sense to refer to a distinct, vulnerable, social and cultural group⁹² possessing the following characteristics in varying degrees:

- (a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- (b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories⁹³
- (c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- (d) an indigenous language, often different from the official language of the country or region.

A group that has lost "collective attachment to geographically distinct habitats or ancestral territories in the project area"; (paragraph 4 (b)) because of forced severance remains eligible for coverage under this policy⁹⁴. Ascertaining whether a particular group is considered as

⁹² The policy does not set an *a priori* minimum numerical threshold since groups of Indigenous Peoples may be very small in number and their size may make them more vulnerable.

⁹³ "Collective attachment" means that for generations there has been a physical presence in and economic ties to lands and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites. "Collective attachment" also refers to the attachment of transhumant/nomadic groups to the territory they use on a seasonal or cyclical basis.

⁹⁴ "Forced severance" refers to loss of collective attachment to geographically distinct habitats or ancestral territories occurring within the concerned group members' lifetime because of conflict, government resettlement programs, dispossession from their lands, natural calamities, or incorporation of such territories into an urban area. For purposes of this policy, "urban area" normally means a city or a large town, and takes into account all of the following characteristics, no single one of which is definitive: (a) the legal designation of the area as urban under domestic law; (b) high population density; and (c) high proportion of nonagricultural economic activities relative to agricultural activities.

“Indigenous Peoples” for the purpose of this policy may require a technical judgment (see paragraph 8).

5. *Use of Country Systems.* BOAD may decide to use a country’s systems to address environmental and social safeguard issues in a Bank-financed project that affects Indigenous Peoples. This decision is made in accordance with the requirements of the applicable Bank policy on country systems.

15.2.2. Project Preparation

6. A project proposed for Bank financing that affects Indigenous Peoples requires:

- (a) screening by BOAD to identify whether Indigenous Peoples are present in, or have collective attachment to, the project area (see paragraph 8);

- (b) a social assessment by the borrower (see paragraph 9 and Annex 15.A);

- (c) a process of free, prior, and informed consultation with the affected Indigenous Peoples’ communities at each stage of the project, and particularly during project preparation, to fully identify their views and ascertain their broad community support for the project (see paragraphs 10 and 11);

- (d) the preparation of an Indigenous Peoples Plan (see paragraph 12 and Annex 15.B) or an Indigenous Peoples Planning Framework (see paragraph 13 and Annex 15.C); and

- (e) disclosure of the draft Indigenous Peoples Plan or draft Indigenous Peoples Planning Framework (see paragraph 15).

7. The level of detail necessary to meet the requirements specified in paragraph 6 (b), (c), and (d) is proportional to the complexity of the proposed project and commensurate with the nature and scale of the proposed project's potential effects on the Indigenous Peoples, whether adverse or positive.

Screening

8. Early in project preparation, BOAD undertakes a screening to determine whether Indigenous Peoples (see paragraph 4) are present in, or have collective attachment to, the project area. In conducting this screening, BOAD seeks the technical judgment of qualified social scientists with expertise on the social and cultural groups in the project area. The Bank also consults the Indigenous Peoples concerned and the borrower. BOAD may follow the borrower's framework for identification of Indigenous Peoples during project screening, when that framework is consistent with this policy.

15.2.3. Social Assessment

9. *Analysis.* If, based on the screening, BOAD concludes that Indigenous Peoples are present in, or have collective attachment to, the project area, the borrower undertakes a social assessment to evaluate the project's potential positive and adverse effects on the Indigenous Peoples, and to examine project alternatives where adverse effects may be significant. The breadth, depth, and type of analysis in the social assessment are proportional to the nature and scale of the proposed project's potential effects on the Indigenous Peoples, whether such effects are positive or adverse (see Annex 15.A for details). To carry out the social assessment, the

borrower engages social scientists whose qualifications, experience, and terms of reference are acceptable to BOAD.

10. *Consultation and Participation.* Where the project affects Indigenous Peoples, the borrower engages in free, prior, and informed consultation with them. To ensure such consultation, the borrower:

- (a) establishes an appropriate gender and intergenerationally inclusive framework that provides opportunities for consultation at each stage of project preparation and implementation among the borrower, the affected Indigenous Peoples' communities, the Indigenous Peoples Organizations (IPOs) if any, and other local civil society organizations (CSOs) identified by the affected Indigenous Peoples' communities;
- (b) uses consultation methods⁹⁵ appropriate to the social and cultural values of the affected Indigenous Peoples' communities and their local conditions and, in designing these methods, gives special attention to the concerns of Indigenous women, youth, and children and their access to development opportunities and benefits; and
- (c) provides the affected Indigenous Peoples' communities with all relevant information about the project (including an assessment of potential adverse effects of the project on the affected Indigenous Peoples' communities) in a culturally appropriate manner at each stage of project preparation and implementation.

11. In deciding whether to proceed with the project, the borrower ascertains, on the basis of the social assessment (see paragraph 9) and the free, prior, and informed consultation (see paragraph 10), whether the affected Indigenous Peoples' communities provide their broad support to the project.

⁹⁵ Such consultation methods (including using indigenous languages, allowing time for consensus building, and selecting appropriate venues) facilitate the articulation by Indigenous Peoples of their views and preferences.

Where there is such support, the borrower prepares a detailed report that documents:

- (a) the findings of the social assessment;
- (b) the process of free, prior, and informed consultation with the affected Indigenous Peoples' communities;
- (c) additional measures, including project design modification, that may be required to address adverse effects on the Indigenous Peoples and to provide them with culturally appropriate project benefits;
- (d) recommendations for free, prior, and informed consultation with and participation by Indigenous Peoples' communities during project implementation, monitoring, and evaluation; and
- (e) any formal agreements reached with Indigenous Peoples' communities and/or the IPOs.

The Bank reviews the process and the outcome of the consultation carried out by the borrower to satisfy itself that the affected Indigenous Peoples' communities have provided their broad support to the project. The Bank pays particular attention to the social assessment and to the record and outcome of the free, prior, and informed consultation with the affected Indigenous Peoples' communities as a basis for ascertaining whether there is such support. The Bank does not proceed further with project processing if it is unable to ascertain that such support exists.

15.2.4. Indigenous Peoples Plan/Planning Framework

12. *Indigenous Peoples Plan*. On the basis of the social assessment and in consultation with the affected Indigenous Peoples' communities, the borrower prepares an Indigenous Peoples Plan (IPP) that sets out the measures through which the borrower will ensure that (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for (see Annex 15.B for details). The IPP is prepared in a flexible and pragmatic manner⁹⁶, and its level of detail varies depending on the specific project and the nature of effects to be addressed. The borrower integrates the IPP into the project design. When Indigenous Peoples are the sole or the overwhelming majority of direct project beneficiaries, the elements of an IPP should be included in the overall project design, and a separate IPP is not required. In such cases, the project Appraisal Report (AR) includes a brief summary of how the project complies with the policy, in particular the IPP requirements.

13. *Indigenous Peoples Planning Framework*. Some projects involve the preparation and implementation of annual investment programs or multiple subprojects.⁹⁷ In such cases, and when the BOAD's screening indicates that Indigenous Peoples are likely to be present in, or have collective attachment to, the project area, but their presence or collective attachment cannot be determined until the programs or subprojects are identified, the borrower prepares an Indigenous Peoples Planning Framework (IPPF). The IPPF provides for the screening and review of these programs or subprojects in a manner consistent with this policy (see Annex 15.C for details). The borrower integrates the IPPF into the project design.

⁹⁶ When non-Indigenous Peoples live in the same area with Indigenous Peoples, the IPP should attempt to avoid creating unnecessary inequities for other poor and marginal social groups.

⁹⁷ Such projects include community-driven development projects, social funds, sector investment operations, and financial intermediary loans.

14. *Preparation of Program and Subproject IPPs.* If the screening of an individual program or subproject identified in the IPPF indicates that Indigenous Peoples are present in, or have collective attachment to, the area of the program or subproject, the borrower ensures that, before the individual program or subproject is implemented, a social assessment is carried out and an IPP is prepared in accordance with the requirements of this policy. The borrower provides each IPP to the Bank for review before the respective program or subproject is considered eligible for Bank financing. If the Bank considers the IPPF to be adequate for the purpose, however, the Bank may agree with the borrower that prior Bank review of the IPP is not needed. In such case, the Bank reviews the IPP and its implementation as part of supervision.

15.2.5. Disclosure

15. The borrower makes the social assessment report and draft IPP/IPPF available to the affected Indigenous Peoples' communities in an appropriate form, manner, and language⁹⁸. Before project appraisal, the borrower sends the social assessment and draft IPP/IPPF to BOAD for review.⁹⁹ Once the Bank accepts the documents as providing an adequate basis for project appraisal, the Bank makes them available to the public in accordance with BOAD Policy on diffusion and access to Information, and the borrower makes them available to the affected Indigenous Peoples' communities in the same manner as the earlier draft documents.

⁹⁸ The social assessment and IPP require wide dissemination among the affected Indigenous Peoples' communities using culturally appropriate methods and locations. In the case of an IPPF, the document is disseminated using IPOs at the appropriate national, regional, or local levels to reach Indigenous Peoples who are likely to be affected by the project. Where IPOs do not exist, the document may be disseminated using other CSOs as appropriate.

⁹⁹ An exception to the requirement that the IPP (or IPPF) be prepared as a condition of appraisal may be made with the approval of BOAD management for projects meeting the requirements of the Bank policies. In such cases, management's approval stipulates a timetable and budget for preparation of the social assessment and IPP or of the IPPF.

15.3. Special Considerations

Lands and Related Natural Resources

16. Indigenous Peoples are closely tied to land, forests, water, wildlife, and other natural resources, and therefore special considerations apply if the project affects such ties. In this situation, when carrying out the social assessment and preparing the IPP/IPPF, the borrower pays particular attention to:

- (a) the customary rights¹⁰⁰ of the Indigenous Peoples, both individual and collective, pertaining to lands or territories that they traditionally owned, or customarily used or occupied, and where access to natural resources is vital to the sustainability of their cultures and livelihoods;
- (b) the need to protect such lands and resources against illegal intrusion or encroachment;
- (c) the cultural and spiritual values that the Indigenous Peoples attribute to such lands and resources; and
- (d) Indigenous Peoples' natural resources management practices and the long-term sustainability of such practices.

17. If the project involves (a) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied (such as land titling projects), or (b) the acquisition of such lands, the IPP sets forth an action plan for the legal recognition of such ownership, occupation, or usage. Normally,

¹⁰⁰ "Customary rights" to lands and resources refers to patterns of long-standing community land and resource usage in accordance with Indigenous Peoples' customary laws, values, customs, and traditions, including seasonal or cyclical use, rather than formal legal title to land and resources issued by the State.

the action plan is carried out before project implementation; in some cases, however, the action plan may need to be carried out concurrently with the project itself. Such legal recognition may take the following forms:

- (a) full legal recognition of existing customary land tenure systems of Indigenous Peoples; or
- (b) conversion of customary usage rights to communal and/or individual ownership rights.

If neither option is possible under domestic law, the IPP includes measures for legal recognition of perpetual or long-term renewable custodial or use rights.

15.4. Commercial Development of Natural and Cultural Resources

18. If the project involves the commercial development of natural resources (such as minerals, hydrocarbon resources, forests, water, or hunting/fishing grounds) on lands or territories that Indigenous Peoples traditionally owned, or customarily used or occupied, the borrower ensures that as part of the free, prior, and informed consultation process the affected communities are informed of:

- (a) their rights to such resources under statutory and customary law;
- (b) the scope and nature of the proposed commercial development and the parties interested or involved in such development; and
- (c) the potential effects of such development on the Indigenous Peoples' livelihoods, environments, and use of such resources.

The borrower includes in the IPP arrangements to enable the Indigenous Peoples to share equitably in the benefits to be derived from such commercial development; at a minimum, the IPP arrangements must ensure

that the Indigenous Peoples receive, in a culturally appropriate manner, benefits, compensation, and rights to due process at least equivalent to that to which any landowner with full legal title to the land would be entitled in the case of commercial development on their land.

19. If the project involves the commercial development of Indigenous Peoples' cultural resources and knowledge (for example, pharmacological or artistic), the borrower ensures that as part of the free, prior, and informed consultation process, the affected communities are informed of:

- (a) their rights to such resources under statutory and customary law;
- (b) the scope and nature of the proposed commercial development and the parties interested or involved in such development; and
- (c) the potential effects of such development on Indigenous Peoples' livelihoods, environments, and use of such resources.

Commercial development of the cultural resources and knowledge of these Indigenous Peoples is conditional upon their prior agreement to such development. The IPP reflects the nature and content of such agreements and includes arrangements to enable Indigenous Peoples to receive benefits in a culturally appropriate way and share equitably in the benefits to be derived from such commercial development.

Physical Relocation of Indigenous Peoples

20. Because physical relocation of Indigenous Peoples is particularly complex and may have significant adverse impacts on their identity, culture, and customary livelihoods, the Bank requires the borrower to explore alternative project designs to avoid physical relocation of Indigenous Peoples. In exceptional circumstances, when it is not feasible to avoid relocation, the borrower will not carry out such relocation without obtaining broad support

for it from the affected Indigenous Peoples' communities as part of the free, prior, and informed consultation process. In such cases, the borrower prepares a resettlement plan in accordance with the requirements of Operation Policy on *Involuntary Resettlement* that is compatible with the Indigenous Peoples' cultural preferences, and includes a land-based resettlement strategy. As part of the resettlement plan, the borrower documents the results of the consultation process. Where possible, the resettlement plan should allow the affected Indigenous Peoples to return to the lands and territories they traditionally owned, or customarily used or occupied, if the reasons for their relocation cease to exist.

21. In many countries, the lands set aside as legally designated parks and protected areas may overlap with lands and territories that Indigenous Peoples traditionally owned, or customarily used or occupied. The Bank recognizes the significance of these rights of ownership, occupation, or usage, as well as the need for long-term sustainable management of critical ecosystems. Therefore, involuntary restrictions on Indigenous Peoples' access to legally designated parks and protected areas, in particular access to their sacred sites, should be avoided. In exceptional circumstances, where it is not feasible to avoid restricting access, the borrower prepares, with the free, prior, and informed consultation of the affected Indigenous Peoples' communities, a process framework in accordance with the provisions of Operational Policy on Involuntary Resettlement. The process framework provides guidelines for preparation, during project implementation, of an individual parks and protected areas' management plan, and ensures that the Indigenous Peoples participate in the design, implementation, monitoring, and evaluation of the management plan, and share equitably in the benefits of the park's and protected areas. The management plan should give priority to collaborative arrangements that enable the Indigenous, as the custodians of the resources, to continue to use them in an ecologically sustainable manner.

15.5. Indigenous Peoples and Development

22. In furtherance of the objectives of this policy, the Bank may, at a member country's request, support the country in its development planning and poverty reduction strategies by providing financial assistance for a variety of initiatives designed to:

- (a) strengthen local legislation, as needed, to establish legal recognition of the customary or traditional land tenure systems of Indigenous Peoples;
- (b) make the development process more inclusive of Indigenous Peoples by incorporating their perspectives in the design of development programs and poverty reduction strategies, and providing them with opportunities to benefit more fully from development programs through policy and legal reforms, capacity building, and free, prior, and informed consultation and participation;
- (c) support the development priorities of Indigenous Peoples through programs (such as community-driven development programs and locally managed social funds) developed by governments in cooperation with Indigenous Peoples;
- (d) address the gender and intergenerational issues that exist among many Indigenous Peoples, including the special needs of indigenous women, youth, and children;
- (e) prepare participatory profiles of Indigenous Peoples to document their culture, demographic structure, gender and intergenerational relations and social organization, institutions, production systems, religious beliefs, and resource use patterns;

- (f) strengthen the capacity of Indigenous Peoples' communities and IPOs to prepare, implement, monitor, and evaluate development programs;
- (g) strengthen the capacity of government agencies responsible for providing development services to Indigenous Peoples;
- (h) protect indigenous knowledge, including by strengthening intellectual property rights; and
- (i) facilitate partnerships among the government, IPOs, CSOs, and the private sector to promote Indigenous Peoples' development programs.

15.5.1. Appendix 15.A: Social Assessment

1. The breadth, depth, and type of analysis required for the social assessment are proportional to the nature and scale of the proposed project's potential effects on the Indigenous Peoples.

2. The social assessment includes the following elements, as needed:

- a) A review, on a scale appropriate to the project, of the legal and institutional framework applicable to Indigenous Peoples.
- b) Gathering of baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples' communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- c) Taking the review and baseline information into account, the identification of key project stakeholders and the elaboration of a culturally appropriate process for consulting with the Indigenous Peoples at each stage of project preparation and implementation (see paragraph 9 of this policy).
- d) An assessment, based on free, prior, and informed consultation, with the affected Indigenous Peoples' communities, of the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to,

the affected Indigenous Peoples' communities given their distinct circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to other social groups in the communities, regions, or national societies in which they live.

- e) The identification and evaluation, based on free, prior, and informed consultation with the affected Indigenous Peoples' communities, of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such effects, and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project.

15.5.2. Appendix 15.B: Indigenous Peoples Plan

9. The Indigenous Peoples Plan (IPP) is prepared in a flexible and pragmatic manner, and its level of detail varies depending on the specific project and the nature of effects to be addressed.
10. The IPP includes the following elements, as needed:
 - a) A summary of the information referred to in Annex 15.A, paragraph 2 (a) and (b).
 - b) A summary of the social assessment.
 - c) A summary of results of the free, prior, and informed consultation with the affected Indigenous Peoples' communities that was carried out during project preparation (Annex 15.A) and that led to broad community support for the project.
 - d) A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples' communities during project implementation (see paragraph 10 of this policy).
 - e) An action plan of measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies.

- f) When potential adverse effects on Indigenous Peoples are identified, an appropriate action plan of measures to avoid, minimize, mitigate, or compensate for these adverse effects.

- g) The cost estimates and financing plan for the IPP.

- h) Accessible procedures appropriate to the project to address grievances by the affected Indigenous Peoples' communities arising from project implementation. When designing the grievance procedures, the borrower takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the Indigenous Peoples.

- i) Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the IPP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected Indigenous Peoples' communities.

15.5.3. Appendix 15.C: Indigenous Peoples Planning Framework

1. The Indigenous Peoples Planning Framework (IPPF) sets out:

- a) The types of programs and subprojects likely to be proposed for financing under the project.
- b) Potential positive and adverse effects of such programs or subprojects on Indigenous Peoples.
- c) A plan for carrying out the social assessment (see Annex 15.A) for such programs or subprojects.
- d) A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples' communities at each stage of project preparation and implementation (see paragraph 10 of this policy).
- e) Institutional arrangements (including capacity building where necessary) for screening project-supported activities, evaluating their effects on Indigenous Peoples, preparing IPPs, and addressing any grievances.
- f) Monitoring and reporting arrangements, including mechanisms and benchmarks appropriate to the project.
- g) Disclosure arrangements for IPPs to be prepared under the IPPF.

16. **BP_08**: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON INDIGENOUS POEPLLES

16.1. Generality

1. For all investment projects in which Indigenous Peoples are present in, or have collective attachment to, the project area, the Bank's project team (PT) consults with the Organizational Unit in charge of environment and with the Organizational Unit responsible for Legal affairs throughout the project cycle.

2. *Free, Prior, and Informed Consultation.* When a project affects Indigenous Peoples, the PT assists the borrower in carrying out free, prior, and informed consultation with affected communities about the proposed project throughout the project cycle, taking into consideration the following:
 - a) “free, prior, and informed consultation” is consultation that occurs freely and voluntarily, without any external manipulation, interference, or coercion, for which the parties consulted have prior access to information on the intent and scope of the proposed project in a culturally appropriate manner, form, and language;
 - b) consultation approaches recognize existing Indigenous Peoples Organizations (IPOs), including councils of elders, headmen, and tribal leaders, and pay special attention to women, youth, and the elderly;
 - c) the consultation process starts early, since decision making among Indigenous Peoples may be an iterative process, and there is a need for adequate lead time to fully understand and incorporate concerns

and recommendations of Indigenous Peoples into the project design;
and

d) a record of the consultation process is maintained as part of the project files.

16.2. Application of procedures in project cycle

16.2.1. Project Identification

3. *Screening.* Early in the project cycle, the project team leader (PTL) initiates a process to determine whether Indigenous Peoples (see Operational Policy on *Indigenous People* paragraph 4) are present in, or have collective attachment to, the project area. In doing so, the PTL seeks technical advice from qualified social scientists with expertise on the social and cultural groups in the project area. If adequate information is not available, the PTL, in collaboration with the Organizational Unit in charge of environment matters holds direct consultations with the Indigenous Peoples who would be affected by the proposed project.

4. *Consultation with the Borrower.* If the screening indicates that Indigenous Peoples are present in, or have collective attachment to, the project area, the PTL, in collaboration with the Organizational Unit in charge of environment and the Legal department:
 - a) informs the borrower that the Indigenous Peoples policy applies to the project and brings the provisions of the related thereon Operational Policy and Procedures to the borrower's attention;

- b) discusses with the borrower its policies and institutional and legal arrangements for Indigenous Peoples;
- c) reaches agreement with the borrower on how the policy will be implemented under the project; and
- d) discusses any technical assistance to be provided to the borrower.

5. *Documentation, review, approval and dissemination of information.* The PT summarizes in the project presentation sheet (PPS) and sheet of entry into portfolio (SEP) the results of the screening and the agreements with the borrower to comply with the requirements of this procedure; he then mentions in the various documents that the Operational Policy on Indigenous Peoples is triggered. The PTL seeks input from the organizational unit responsible for the environment and asked to approve these documents. Once the sheet of entry into portfolio approved the PTL sends the "Comité des engagements" (CE) for information.

16.2.2. Project preparation

6. *Social Assessment.* Where screening reveals that Indigenous Peoples are present in, or have collective attachment to, the project area, the PTL asks the borrower to undertake a Social Assessment (SA) in accordance with the requirements of paragraph 9 and Annex 15.A of Operational Policy on *Indigenous People* to evaluate the project's potential positive and adverse effects on Indigenous Peoples and, where adverse effects may be significant, to examine project alternatives. The PT:

- a) reviews the terms of reference for the SA, ensuring in particular that they provide for the affected Indigenous Peoples to participate in the SA

through a process of free, prior, and informed consultation (see paragraph 2 of this Procedure); and

b) comments on the qualifications and experience of the social scientists who will carry out the Social Assessment (SA).

7. *Overwhelming support of the community.* When the borrower sent the BOAD documentation on the SA and the consultation process, the PT makes a critical examination of these documents to ensure that the borrower has received massive support from representatives of major segments of the community, as required by the policy on indigenous populations. The PT continues the preparation of the project once the existence of such a confirmed support. BOAD not learned any project further if it is not able to verify this existence.

8. *Choice of instruments.* Depending on the nature of the project and based on a review of the specific problems faced by indigenous peoples, the PTL agreement begins with the Organizational Unit for the Environment on the type of instruments concerning indigenous populations (Plan for Aboriginal and Planning Framework for indigenous populations) as well as other tools (or Resettlement Plan and functional framework for national parks and protected areas) to be developed by the borrower as well as people on the scope and the level of detail required. PTL expressed these choices to the borrower, discussed with him the actions required to develop the instrument (s) and reaches an agreement with the borrower on a schedule for his/their development and his / their discount BOAD.

a) *Indigenous Peoples Plan (IPP).* The borrower prepares the IPP in accordance with the requirements of Annex 15.B of Operational Policy on *Indigenous People* and integrates it into the design of the project. The

IPP has a level of detail that is proportional to the complexity of the proposed project and commensurate with the nature and scale of the proposed project's potential effects on Indigenous Peoples (see Operational Policy on *Indigenous People*, paragraph 7). If project activities are contingent on establishing legally recognized rights to lands or territories that Indigenous Peoples have traditionally owned, or customarily used or occupied, the IPP outlines the steps and timetable for achieving legal recognition of such ownership, occupation, or usage (see Operational Policy on *Indigenous People*, paragraph 17). For projects involving the commercial development of natural resources on such lands or territories or of the cultural resources and knowledge of Indigenous Peoples, the IPP includes arrangements to enable the Indigenous Peoples to share equitably in the benefits to be derived and to receive these benefits in a culturally appropriate way (see Operational Policy on *Indigenous People*, paragraphs 18-19). Additionally, for projects involving commercial development of Indigenous Peoples' cultural resources and knowledge, the IPP documents the agreement reached with the affected communities for such development. When Indigenous Peoples are the sole or the overwhelming majority of direct project beneficiaries, a separate IPP is not required and the borrower includes elements of an IPP in the overall project design. The PT prepares a brief summary of how the project complies with the policy, in particular the IPP requirements, as an annex to the project Appraisal Report (AR).

- b) *Resettlement Action Plan (RAP)*. If the borrower proposes the physical relocation of Indigenous Peoples, the PT ascertains specifically that (a) the borrower has explored alternative project designs to avoid physical relocation; and b) the borrower has obtained broad support from the affected communities as part of the free, prior, and informed consultation process, and has documented it. The borrower also

prepares a RAP in accordance with the requirements of Operational Policy on *Involuntary Resettlement*, and of Operational Policy on *Indigenous People*, paragraph 20.

c) *Process Framework for Parks and Protected Areas*. When the access of Indigenous Peoples to legally designated parks and protected areas is restricted, the borrower prepares a process framework with the free, prior, and informed consultation of the affected Indigenous Peoples' communities, and in accordance with the provisions of Operational Policy on *Involuntary Resettlement*, and of Operational Policy on *Indigenous People*, paragraphs 20 and 21.

d) *Indigenous Peoples Planning Framework (IPPF)*. For projects that involve the preparation and implementation of annual investment programs or multiple subprojects, the borrower prepares an IPPF in accordance with the requirements of Annex 15.C of Operational Policy on *Indigenous People* and integrates it into the project design.

e) *Preparation of Program and Subproject IPPs*. If the screening of an individual program or subproject identified in the IPPF indicates that Indigenous Peoples are present in, or have collective attachment to, the area of the program or subproject, the PT ensures that the borrower carries out an SA and prepares an IPP and other relevant instrument(s) in accordance with the requirements of Operational Policy on *Indigenous People*. The borrower provides each relevant instrument to the Bank. The PTL forwards the instrument(s) to the Organizational Unit responsible for environment matters for review and clearance before the respective program or subproject is considered eligible for Bank financing. Where the unit responsible for safeguards considers the IPPF as adequate for

policy compliance, the PTL may agree with the borrower that BOAD's prior review of IPPs or other instrument(s) for individual programs or subprojects will not be needed. However, the PT supervises the preparation of the SA (see paragraph 6 of this Procedure), and the formulation of any IPPs and other instrument(s) and their implementation by the borrower (see OP BOAD, paragraph 14).

9. *Instrument Review and Disclosure.* When the borrower submits the draft instrument(s) to the Bank, the PT reviews each instrument to ensure that it complies with the policy set out in Operational Policy on *Indigenous People*; has been made available to the affected Indigenous Peoples' communities at an accessible place and in a culturally appropriate form, manner, and language; has been appropriately reflected in the project design; and can serve as the basis for project appraisal. The PT forwards the draft instrument(s) to the Organizational Unit in charge of environment for comments and clearance. Once the documents are cleared, the PT makes them available to the public in accordance with BOAD Policy on Disclosure of Information.

16.2.3. Project appraisal

10. The PTL ensures that appraisal includes appropriate social science expertise to assess the feasibility and sustainability of specific measures reflected in the relevant Indigenous Peoples and other instrument(s) and appropriate legal expertise to assess the country's legal and policy framework related to the project. The PT reflects the provisions related to Indigenous Peoples in the AR and attaches the relevant instrument(s) to the AR as an annex. When Indigenous Peoples are the sole or the overwhelming majority of direct project beneficiaries, the annex of the AR includes a summary of how the project complies with the policy. In addition, when the borrower proposes the physical relocation of Indigenous Peoples or restrictions of their access to resources, the RAP or process framework is included as an annex to the AR.

The PTL seeks comments on and clearance of the AR package (which includes the IPP, IPPF, or summary, together with any RAP or process framework, if applicable) from both the Organizational Unit responsible of environment and the Legal Department.

16.2.4. Negotiations and Disclosure

11. Prior to negotiations, the PT confirms that the responsible authority of the borrower has provided final approval of the relevant IPP, IPPF and other instrument(s). The Loan Agreement provides for the borrower's obligation to implement the relevant instrument(s). After the borrower and BOAD agree to the final instrument(s) and the project has been approved, BOAD makes the AR and the final instrument(s) available to the public in accordance with the Bank's policy on disclosure. The borrower makes the documents available to the affected Indigenous Peoples communities at a locally accessible place and in a culturally appropriate form, manner, and language, in the same manner as for the draft instruments (see paragraph 9 above).

16.2.5. Supervision

12. The Chairman of the Bank, in coordination with the director of the Organizational units responsible of the project and the financial services of the Bank, ensures the availability of resources for effective supervision of projects affecting Indigenous Peoples. Throughout project implementation, the PTL ensures that BOAD supervision includes appropriate social science and legal expertise to carry out the provisions of the Loan Agreement. The PT also ascertains whether the relevant legal covenants related to the Indigenous Peoples and other instrument(s) are being implemented.

When the instruments are not being implemented as planned, BOAD calls this to the attention of the borrower and agrees with the borrower on corrective measures.

16.2.6. Implementation Completion Report

13. Upon completion of the project, the Implementation Completion Report (see Operational Policy on Implementation Completion Reporting) evaluates project compliance with Operational Policy on *Indigenous People* and assesses:

- a) the degree of Indigenous Peoples' participation in the project cycle;
- b) the impact of the project, both positive and adverse, on the affected Indigenous Peoples;
- c) the achievement of the objectives of the relevant instrument(s), as relevant; and
- d) lessons for future operations involving Indigenous Peoples.

If the objectives of the relevant instrument(s) have not been realized, the Implementation Completion Report may propose a future course of action, including, as appropriate, continued post-project supervision by BOAD.

17. **OP_09**: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON PHYSICAL CULTURAL RESOURCES

17.1. Introduction and definition

1. This operational policy applies to physical cultural resource¹⁰¹ of cultural interest to the community, from the local population to the global community. These goods can enroll in a rural or urban setting and located on the ground, underground or underwater.
2. Are physical cultural resource, movable objects, sites, and structures, groups of structures or formations and natural landscapes of archaeological, paleontological, historical, architectural, religious, aesthetic or otherwise. They are of paramount importance in that they provide valuable scientific and historical information; they are an asset to the socio-economic development and an integral part of the identity and cultural practices of a people.

17.2. Objectives

3. The policy aims to help borrowers to protect and enhance the cultural heritage in the projects BOAD finance. This is to avoid or mitigate the negative effects that development projects can have on physical cultural resource effects. The effects of these goods resulting from project activities should not be contrary to the national legislation of the borrower, or the

¹⁰¹ Also identified by the expressions: cultural heritage, cultural assets, cultural ressource/property or cultural heritage.

obligations are under treaties and international agreements in the field of environment¹⁰².

17.3. Physical Cultural resource and Environmental and Social Impact Assessment

4. The analysis of the impact on physical cultural resource of a project for which funding BOAD is considered an integral part of the environmental and social impact assessment (ESIA). This analysis is made by the Borrower. The course of the ESIA follows the following steps: screening, preparation of terms of reference (ToR), collection of baseline data, impact assessment and formulation of mitigation and Environmental and social management plan (ESMP).
5. The provisions of this policy apply to the types of the following projects, which will be classified as A or B, defined by the manual classification of projects of BOAD at the stage of screening. These are:
 - (i) any project involving significant excavations, demolition, excavation, flooding or other environmental changes;
 - (ii) any project located on site or near recognized by the borrower as a physical cultural resource site; and
 - (iii) a project to support the management or conservation of physical cultural resource.
6. Projects to support the management or conservation of physical cultural resource are considered on a case by case basis and are normally classified as Category A or B. These projects are also subject to the provisions of this policy.

¹⁰² Including the Convention for the Protection of the World Cultural and Natural Heritage in 1972 (UNESCO, World Heritage Convention).

7. The borrower identifies the purpose of the development of the ToR of the ESIA, this in consultation with BOAD and affected by the project in question, the problems that may arise for physical cultural resource and, where appropriate groups should be considered in the ESIA. ToR document must specify the physical cultural resource to be covered by the collection of baseline data provided in the context of the ESIA.
8. The Borrower identifies physical cultural resource likely to be affected by the project and assessed under the EISA effects that the project may have on the property in accordance with the requirements of the BOAD in the matter.
9. Arrangements are being made by the Borrower under the ESIA when it is probable that a project has a negative impact on physical cultural property, to avoid or mitigate these impacts. These measures may range from full site protection measures to mitigate these impacts by preservation action, for example, or of collecting information, when the physical cultural resource concerned may be lost in whole or in part.
10. The Borrower shall establish a plan for management of physical cultural resource setting is an integral part of the ESIA stating:
 - (i) measures to be taken to avoid or minimize any negative impact on the property and to manage incidental findings (see Appendix 17.B for procedure management of incidental findings)
 - (ii) the necessary measures to strengthen the institutional capacity and
 - (iii) the system set up to monitor the progress of these activities.

This plan is part of the overall framework of public policies and national legislation of the beneficiary countries and reflects its institutional capacity in terms of physical cultural resource.

11. BOAD examines and analyzes the borrower with the conclusions and recommendations of the ESIA that relate to physical cultural property and determines whether they constitute a sufficient basis for the institution to examine the application of project funding.

17.3.1. Consultation

12. In an ESIA, public consultation is mandatory. When this consultation focuses on physical cultural resource, the groups directly affected by the project, government authorities and non-governmental organizations, are generally associated with the collection of information on the presence and the importance of these assets, assessment of the effects that the project might have on them, and examining measures that could be considered to avoid or mitigate those effects.

17.3.2. Dissemination

13. The results of the ESIA component related to physical cultural resource are made public as part of the ESIA report and on the same terms. However, an exception to this rule is possible when the borrower, together with BOAD and specialists concerned, determines that disclosure would compromise security or threaten the physical integrity of the cultural resource in question, or endanger the source information relating to the said resource. In this case, it may not be included in the ESIA report sensitive information on these specific aspects.

17.4. Emergency reconstruction project

14. This policy also applies to emergency projects. Operational Policy BOAD's environmental and social assessment defines the procedures for implementing the ESIA of these projects.

15. Where compliance with any of the requirements of this policy prevents the effective and timely implementation of the objectives of a project of this type, BOAD may exempt the project to comply with such a requirement. The justification for such an exemption is contained in the loan documents. However BOAD requires any corrective action that may be required is provided in the emergency project itself, or operation subsequent loan.

Specific investment loans and loans to financial intermediaries

16. The requirements apply to the ESIA aspects of subprojects financed under Bank project that relate to physical cultural resource.

National systems

17. When BOAD finance a project that has an impact on physical cultural property, it may decide to use country systems to implement the principles of environmental and social safeguards.

Strengthening of the capacities

18. When the bank is financing a project, a component of capacity building is expected if the borrower does not have sufficient capacity to manage physical cultural resource likely to be affected (see Environmental Guidelines (EG_44) of the Bank on capacity building for more details).

Appendix 17.A: Currents examples of cultural resource physical

Although natural

- Water wells and sacred
- Sacred Falls
- groves and sacred trees
- Historic Trees
- Mountains and volcanoes sacred
- Caves currently or previously used for human habitation or social activities
- paleontological sites (eg, storage of human remains and fossilized prehistoric animals)
- Natural Landscapes of outstanding aesthetic quality

Human constructions

- Religious buildings such as temples, mosques, church
- An outstanding example of indigenous and local architecture
- Building or remains of buildings of architectural or historic interest
- Cityscapes of historical or architectural significance
- Roads, bridges, walls, dams, fortifications, historic hydraulic structures
- Archaeological sites (known or unknown, subject to excavation or not))
- Headstones & Memorials
- Historic Wrecks

Mixed (cultural and natural)

- Sites used for religious or social functions: such as weddings, funeral or other traditional community activities
- Shrines

Chattels

- Items old and unusual manuscripts
- Paintings, drawings, icons, jewelry
- Instruments of worship
- Historic costume and textiles

- Burial
- Graves in the family plot
- Historic Gardens
- Cultural Landscapes
- Natural stones with historical inscriptions
- Fields historical battle
- Landscapes resulting and from the combined work of man and the kind of aesthetic value
- Cave paintings
- Souvenirs related to the life of eminent personalities and historical events: such as battles
- Statues, statues and sculptures
- Instruments modern or ancient cult
- Remains of monuments and historic buildings
- Archaeological Objects not listed
- Antiquities: such as coins and seals
- Engravings, prints and lithographs
- Natural History Collections,: such as shells, flora, minerals

Appendix 17.B: Procedures for fortuitous discoveries

For civil engineering projects involving excavation, procedures are normally provided in case of "accidental discovery" of both physical cultural underground. The procedures established depend on the local regulatory framework and consider including laws applicable to the accidental discovery of antiquities or archaeological resource.

Procedures for fortuitous discoveries generally include the following elements:

1. Definition of physical cultural resource

In the absence of a definition provided by the local authorities of cultural heritage, reference may be made to the definition given in the operational policy on physical cultural resource. Although the procedures for handling fortuitous discoveries are limited in some cases to archaeological objects, they are generally applied to all types of physical cultural resource (Appendix 17.A of the procedures on physical cultural resource).

2. Resource

This paragraph should indicate who is the owner of found resource. Depending on the circumstances, this may be the local government, the state, a religious institution or the site owner. It also happens that the identity of the owner is subsequently determined by the competent authorities.

3. Recognition

This is the most difficult question. It may be required on sites that may contain physical cultural resource that the company is working with a specialist. In other cases, how the company will recognize a physical cultural resource is not specified and the company may require a disclaimer.

4. Procedures applicable in the event of discovery

Suspension of Work

This paragraph may indicate that the company must stop work if physical cultural resource is found during the excavations. However, it should be noted that all work should be stopped, or only those directly related to the discovery. In cases where it is expected to discover important buried works, all work may be suspended within a certain distance (eg. 50 meters) around the well discovered. It is important to consult a qualified archaeologist to resolve this issue.

After the suspension of work, the company must immediately report the discovery to the resident engineer.

It may be that the company is not entitled to claim compensation for the period of suspension of work.

The Resident Engineer may be entitled to suspend the work and ask the company to conduct searches at his own expense if he believes that a discovery that has been made has not been reported.

Delineation of the site of the discovery

With the approval of the Resident Engineer, he then asked the company to temporarily define the site and restrict access.

Non-stop work

The procedure may allow the resident engineer to determine if the physical object can be transported elsewhere to continue the work, for example if the discovered object is a coin.

Report fortuitous discovery

The company must then, at the request of the Resident Engineer and within the specified time, a report discovered incidentally providing the following information:

- Date and time of discovery
- Location of discovery
- Description of physical cultural resource
- Estimate the weight and dimensions of well
- Temporary protection measures put in place

The report discovered incidentally must be submitted to the Resident Engineer and other designated by mutual agreement with the Cultural Services parties and in accordance with the law.

The Resident Engineer, or other designated part of a mutual agreement must inform the Cultural Services of the discovery.

Arrival of cultural services and measures

The departments responsible for cultural heritage are needed to send a representative at the place of the discovery within an agreed time (within 24 hours, for example) and determine the measures to be taken include:

- Removal of physical cultural resource deemed important;
- Continued excavation in a specified around the site of the discovery radius;
- Enlargement or reduction of the area delimited by the company.

These measures must be taken within a specified time (within 7 days, for example).

The Company may, but need not, be entitled to compensation for the period of suspension of work.

If cultural services do not send a representative within the specified time (in 24 hours, for example), the engineer may be authorized to extend the time for a specified period of residence.

If cultural services do not send a representative to the extension period, the engineer in question may be allowed to ask the company to move the physical cultural property or take other mitigating die and resume work. Additional work will be charged on the market but the company cannot claim compensation for the period of suspension of work.

Additional suspension of work

During the seven days, cultural services may be entitled to seek a temporary suspension of work on the site of the discovery or nearby for an additional period of 30 days, for example.

The Company may, but not necessarily entitled to compensation for this additional period of suspension of work.

The company may, however, be authorized to sign a new agreement for the supply of services or additional resources during this period with the departments responsible for cultural heritage.

Appendix 17.C: International conventions and cultural heritage list of cultural physical

Conventions, Recommendations and lists below are particularly important for the protection of physical cultural resource.

Convention and UNESCO list

- Convention for the Protection of the World Cultural and Natural
- List of World Heritage sites
- Indicative List of World Heritage sites
- Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Resource.

UNESCO recommendations

- Recommendations for the Preservation of Cultural resource Endangered by Public Works
- Recommendation concerning the protection of national cultural and natural heritage
- Recommendation concerning the Safeguarding of history together and their role in contemporary life
- Recommendation on International Principles Applicable to Archaeological Excavations

Other conventions and lists

- Burra Charter for the conservation of heritage places and objects of cultural value
- European Convention for the Protection of the Archaeological Heritage
- CEE: Third ACP - EEC Convention : Article 1, 10 and 127 (items directly related to cultural issues)
- World Monuments Fund: World Monuments Watch - list of 10 most endangered monuments
- Declaration of Europa Nostra coastal culture

Charters adopted by ICOMOS

- International Charter for the Conservation and Restoration of Monuments Sites (Venice Charter)
- Australia ICOMOS Charter for the conservation of heritage places and objects of cultural value (Burra Charter - recognized internationally)
- Florence Charter (Historic gardens and landscapes)
- Charter for the Conservation of Historic Towns
- Charter for the Protection and Management of the Archaeological Heritage
- Charter for the protection and management of underwater cultural heritage
- International Cultural Tourism Charter
- Principle forward for the conservation of historic timber structures
- Charter of local built heritage.

18. BP_09: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PHYSICAL CULTURAL RESOURCES

18.1. Introduction

1. Physical cultural resource may not be known or visible, hence the importance of considering the effects that a project may have on the resource as early as possible in the planning stage of the project.

18.2. Physical cultural resource and environmental and social impact assessment

2. The project team (PT) using, for his advice, the borrower to interpret the provisions of the Operational Policy on the matter and to apply them in the context of the environmental and social impact assessment (ESIA). The steps below follow those of the project cycle: screening, preparation of terms of reference for the ESIA preparation and review of the ESIA report, and initial assessment, monitoring and retrospective assessment.

18.2.1. Screening of environmental and social impact assessment

3. The PT determine at this stage whether the project:
 - i) involves substantial excavation, demolition, excavation, flooding or other environmental and the living environment changes ,
 - ii) be located at or near the location of recognized by the competent authorities of the website borrower as a physical cultural resource, or
 - iii) is intended to support the management of physical cultural resource.

4. When the project has any of the characteristics listed in paragraph (i) or (ii) of paragraph 3, it is classified as Category A or B. When has the characteristics specified in paragraph (iii), it is normally classified as Category A or B¹⁰³. The procedures described below apply to all projects classified in this way (Category A or B).
5. The borrower informs BOAD requirements imposed by the legislation and the procedures to identify and mitigate potential impacts on physical cultural resource, including provisions for monitoring of these effects and management of incidental findings¹⁰⁴.

Terms of reference for the environmental and social impact assessment

6. The Borrower, in support of the PT, prepares ToR for the composition of the ESIA devoted to physical cultural resource. The Borrower identified during this stage, the main problems that arise in this connection which must be considered in the ESIA. The exercise to detect the possible presence of physical cultural resource is normally conducted on site, in consultation with relevant experts and groups directly affected by the project.
7. ToR document provides spatiotemporal boundaries to contain on-site collection of baseline data on physical cultural resource likely to be affected by the project, and they specify the types of specialists required for the composition of the ESIA with on the resource.

Baseline and Impact Assessment

¹⁰³ As described in the manual classification BOAD.

¹⁰⁴ The term "incidental findings" means in the context of the implementation of that policy, discovered physical cultural resource against all odds during the project

8. The PT ensures that the component of the ESIA devoted to physical cultural resource by the borrower provides to achieve:

- a) a survey of the physical cultural resource likely to be affected by the project, and its inventory resource
- b) the collection of information attesting to the importance of the resource, and
- c) an assessment of the nature and focused on potential effects on these properties.

Mitigation

9. When a project is likely to have negative effects on physical cultural resource, the ESIA proposes measures to avoid or mitigate these effects.

Capacity Assessment

10. The ESIA assesses the ability of the borrower to implement the proposed mitigation measures and manage incidental findings and recommends necessary measures capacity.

Management Plan

11. According to ESIA, in terms of management of physical cultural resource are established businesses. The Plan includes:

- i) Measures to Prevent or Mitigate any adverse impacts on physical cultural resource

- ii) the arrangements for managing incidental findings
- iii) any Necessary Measures to Strengthen the institutional capacity to manage physical cultural resource and iv) the system put in place to monitor the progress of activities thesis.

Review

12. When considering the findings and recommendations of the ESIA, the project evaluator analysis with the borrower components of ESIA refers to the physical cultural resource, in particular the management plan of the resource, and determines whether these components constitute a sufficient basis for the institution to examine the application of project financing.

Dissemination of information

13. The results of the component of the ESIA in relation to the physical cultural resource are made public as part of the ESIA report. However, an exception to this rule is possible when the borrower, together with BOAD and specialists concerned, determines that disclosure would compromise security or threaten the physical integrity of cultural resource in question, or endanger the source information relating to the said resource. In this case, sensitive information referring to these particular aspects, such as data specifying the location or the value of a physical cultural resource may not be included in the environmental and social assessment report.

18.2.2. Initial evaluation of the project

14. When applicable, the team's initial assessment of the project includes specialists in physical cultural resource.
15. During the evaluation phase, the PT ensures that the conclusions and recommendations of the ESIA components on physical cultural resource, including the management plan of the resource, are taken into account in the design of project and are contained in the document evaluation.
16. The PT ensures that the estimated cost of implementing the plan of management of physical cultural resource be included in the project budget.

18.2.3. Monitoring and retrospective assessment

17. In the case of projects in terms of management of physical cultural resource includes provisions to ensure the protection of such resource, the project supervision missions include specialists with the skills required to monitor the implementation of these provisions.
18. During the supervision phase, the PT follows the implementation of the management plan of physical cultural resource, including provisions governing the treatment of incidental findings.
19. The PT ensures that procedures for incidental findings (see Appendix 17.B of the Policy) include, where appropriate, in the procurement documents. It monitors how are treated any accidental discovery or any other impact on physical cultural resource that may occur during the project, and records the relevant findings in the reports on the progress of the project.

20. Reports Implementation Completion and evaluate the overall effectiveness of mitigation measures, management activities and capacity building, as applicable, relating to the physical cultural heritage project.

21. The PT should perhaps consider whether the borrower acquires reinforced to implement this operational policy means, particularly in the following areas: information on the physical cultural resource, on-site training, institutional strengthening cooperation interagency and rapid response capability in the event of accidental discovery. The PT then determines whether such capacity is needed, including in the framework of the project components specifically designed for this purpose.

19. **OP_10**: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON PEST MANAGEMENT

19.1. Generality

1. To help borrowers to manage pests in agriculture or public health, BOAD favors a strategy that promotes the use of biological or environmental control methods and reduces reliance on synthetic chemical pesticides. Projects funded by the BOAD, the Borrower addresses pest management in the context of the environmental and social impact assessment conducted at the project¹⁰⁵.
2. When evaluating a project that will involve pest control, BOAD assess the extent of the regulatory framework and institutions of the country are likely to promote and facilitate the adoption of methods safe, efficient and friendly environment. If necessary, BOAD and the Borrower incorporate in the project components to strengthen existing capabilities in this area.

19.2. Pest control in agriculture ¹⁰⁶

3. BOAD uses various instruments to assess the situation in the country concerned and to promote Integrated Pest Management (IPM)¹⁰⁷ and the

¹⁰⁵ See Policy / Procedure BOAD on Environmental and Social Impact Assessment

¹⁰⁶ This Policy applies to all lending BOAD, the funding or not funding the purchase of pesticides. Even if a loan BOAD does not provide such a purchase, an agricultural development project may lead to a net increase in the use of pesticides and have by far the environmentally harmful effects.

¹⁰⁷ The term "integrated pest Management" means a set of ecological methods and using the initiative of the farmer, which aim to reduce reliance on synthetic chemical pesticides. It is a) managing pests (that

prudent use of agricultural pesticides. These include economic and sector studies, specific to a sector or a project environmental and social assessments, participatory assessments of IPM activities and adjustment and investment projects , or their components that are specifically designed to facilitate the adoption and implementation of activities of IPM.

4. In agricultural operations financed by the BOAD, pest control normally has an integrated character, involving methods such as biological control, cultural practices and the development and use of resistant or tolerant varieties. BOAD can finance the purchase of pesticides when their use is justified as part of a strategy of integrated pest management.

19.3. Pest public health

5. For projects that fall within the field of public health, BOAD favors the fight against disease vectors by environmental methods. When they are not sufficiently effective, BOAD may finance the use of pesticides.

19.4. Selection and use of pesticides

6. The purchase of any pesticide in a project funded by the BOAD project is contingent on an assessment of the nature and extent of the risks, depending on the intended use and intended users¹⁰⁸. Concerning the classification of pesticides and specific to each of the products concerned

is to say, to prevent them from reaching a level where they cause economic harm), rather than seeking to eradicate b) apply throughout the possible non-chemical measures to limit the development of pest populations and c) selecting and applying pesticides when their use is necessary, in a manner that minimizes adverse effects on beneficial organisms, humans and the environment.

¹⁰⁸ This work is done within the framework of the environmental and social assessment of the project results. These results are recorded in the project file in question. This folder also contains (in the body of the text or in the appendix) a list of pesticides that the purchase is authorized or a statement of the time and conditions applicable to the preparation and approval of the list. Legal documents relating to the project are mentioned in the list of authorized products, which may be supplemented or reduced.

formulas BOAD refers to the guidelines for the classification of pesticides by hazard as recommended by the World Health Organization (WHO). The following criteria apply to the selection and use of pesticides in the projects funded by the BOAD:

- a) The products selected must have negligible effects on human health.
 - b) Their effectiveness against the target species must be established.
 - c) They must have very limited effects on non-target species and environmental effects. Methods, time of surgery and the frequency of application should allow maximum protection to natural enemies. It must be demonstrated that the pesticides used in public health programs are harmless to people and pets in the treated areas, as well as for personnel applying them.
 - d) Their use must take into account the need to prevent the emergence of resistant species.
7. BOAD request that any pesticides it finances be manufactured, packaged, labeled, handled, stored, disposed of, and applied according to standards satisfactory to¹⁰⁹. BOAD not finance formulated products that belong to non-WHO-recommended classes, or the formulation of specific products, a) if their distribution and employment are not regulated in the country in question or b) non-specialists, farmers or others may use or easy to access without training, equipment and facilities to handle, store and apply them correctly.

¹⁰⁹ Guidelines for Packaging and Storage of Pesticides (Rome, 1985), the Guidelines on Good Labelling Practice for Pesticides (Rome, 1985) and Guidelines for the disposal of surplus pesticides and their containers (Rome, 1985) of the FAO are applied by BOAD minimum standards.

20. **BP_10**: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PEST MANAGEMENT

20.1. Definition and design framework

1. A Pest control plan (PCP) is an overall plan for important issues of pest control, in the following cases, including:
 - a) development of new land or changing farming practices in an area,
 - b) significant expansion into new areas,
 - c) crop diversification,
 - d) intensification of operating systems by far uses simple techniques,
 - e) acquisition or proposed introduction of relatively hazardous pest control methods or project or
 - f) environmental issues or special health (eg., near protected areas or important aquatic resources, safety).

A pest control plan is also designed when pest control products occupy an important place in the draft ¹¹⁰.

2. A pest control plan is a concrete translation of the principles set out in operational policy "pest control". Such a plan is designed to minimize the risk of adverse effects on human health and the environment and to promote the adoption of integrated pest control methods (integrated pest management-IPM) environmentally and socially-friendly.

20.2. Different phases of the plan

3. Pest control plan based on evaluations of local conditions carried out on-site by specialists with the required skills and experience in participatory integrated pest. This plan consists of two phases:

20.2.1. Phase 1: Initial Recognition

It is executed in the context of the preparation of the draft and its balance sheet is drawn up during the evaluation. This initial recognition aims to analyze the main problems of parasites and their context (environmental, agricultural, institutional, economic and public health) and to define major parameters

20.2.2. Phase 2: Plan elaboration

It is often performed as part of the project itself. It is to develop detailed operational plans to address the problems identified in the first phase.

¹¹⁰ A pest management plan is not required to purchase or use, in the context of the fight malaria control, mosquito nets, insecticides or III classified by OMS for spraying home

4. In as long as necessary, pest control plan specifies the selection procedures of pest control products. Exceptionally, the pest control plan can be limited to a selection of products.

20.3. Selection of the pest control products

5. When a project finance pest control products, a selection of these products is mandatory. This selection establishes a list of pest control products authorized, approved funding, as well as a mechanism for ensuring that only specified products will be purchased with funds provided by the Bank. Should be limited to this selection without pest control plan only if all the following conditions are met:

- a) the quantities of products provided are not significant from the point of view of health and the environment
- b) Pest poses no significant environmental or health problem;
- c) does not introduce the use of pesticides or other methods of non-indigenous biological control in an area, nor does it significantly raise the level of pesticide use, and
- d) a hazardous material¹¹¹ will be financed not by BOAD.

¹¹¹ Hazardous products include pesticides listed in categories Ia and Ib of the Guidelines for the Classification of Pesticides by Hazard recommended by WHO (Geneva, WHO, 1994-95), the materials listed in the Consolidated List of Products Whose consumption or sale have been banned or severely restricted, or which have been withdrawn from the market or have not been approved by the government, published by the United Nations (New York, UN, 1994) and other prohibited substances or strictly regulated in the country of the borrower because they are harmful to health or the environment (see list of national pesticide registration, if any).

21. **OP_11**: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON CONSIDERATION OF CUMULATIVE EFFECTS IN ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT

The significance of cumulative environmental effects is undeniable, but the current assessment and management techniques do not always allow them to predict or control them appropriately. Given that the cumulative environmental effects arise at individual projects, BOAD is logical to integrate the concept of cumulative environmental effects in the environmental and social assessment.

21.1. Concept of cumulative environmental effect

The concept of cumulative environmental effects recognizes that the environmental effects of various human activities can combine and give rise to a set of interactions to produce cumulative effects whose nature or the magnitude may be different from the effects of each of the activities. Ecosystems cannot always resist the combined effects of human activities without functional or structural change fundamental.

Examples of cumulative environmental effects include the global warming caused by the accumulation of gases greenhouse in the upper layers of the atmosphere, the loss of biodiversity, the gradual loss of land due in advance of the sea, degradation of the quality of water by persistent toxic chemicals, etc.

For the purposes of this document, cumulative environmental effects can be defined as follows:

The impact on the environment resulting from effects of a project combined with those of other past, existing and imminent projects and activities. These effects may occur over a certain period and at a distance.

Cumulative environmental effects should not be regarded as a new category of environmental effects. This concept simply recognizes the complex modalities according to which the effects of the various projects and activities give rise to interactions and combinations in time and space. Thus, in addressing cumulative environmental effects in environmental and social assessments, must be considered:

- temporal and geographic boundaries of the assessment;
- interactions between the environmental effects of the project and those projects and past and future activities.

West Africa (including UEMOA area) environmental and social assessments take into account to a lesser extent of cumulative environmental effects. It should therefore take into account, in the context of the BOAD-funded projects cumulative environmental effects resulting from interactions between the environmental effects of the project in progress and those of future projects and activities.

21.2. Model for integration of cumulative environmental effects in environmental and social impact assessments of BOAD

The proposed model describes procedures to take into account cumulative environmental effects at each stage of an environmental and social impact assessment of the projects of the BOAD.

❖ Step 1: Scoping

- Define the environmental effects may be considered
- Determine the likely cumulative environmental effects
- Determine the geographical and temporal boundaries appropriate

❖ Step 2: Analysis

- Assess the status of the receiving environment
- Assess the cumulative environmental effects of the project
- Assess the cumulative environmental effects of the project in combination with future projects and activities

❖ Step 3: Mitigation

- Identify mitigation of cumulative environmental effects

❖ Step 4: Determination of Significance

- Consider the standards, guidelines and objectives for environmental
- To the extent possible, take into account the carrying capacity, the level of tolerance or assimilative capacity of the (or) system (s) Natural (s)

❖ Step 5: Follow-up

- Evaluate the accuracy of the assessment of cumulative environmental effects
- Evaluate the effectiveness of mitigation measures cumulative environmental effects

21.2.1. Step 1: Scoping

The assessment of cumulative environmental effects will depend to a large extent of the correctness of the establishment of its scope, namely the determination of the limits of the evaluation and the definition of the central element of the analysis. This step describes how to ensure that cumulative environmental effects are properly targeted, allowing to better determine the factors to be considered in the assessment.

The scoping should include:

- identify environmental effects to consider;
- determine the likely environmental effects within these limits cumulative;
- fix the spatial and temporal boundaries of the assessment.

21.2.1.1. Determination of the environmental effects to be considered

The determination of the scope is a first step securely established in the practice of environmental and social impact assessment. It is useful to establish the parameters of the impacts evaluation. Although the determination of the scope is not exclusive to the assessment of cumulative effects, the regional scale and the complexity of the assessment of cumulative effects make indispensable a good determination of the scope. This is to avoid an improper assessment of some effects. A first step in this direction is to focus only on the effects that may have contributed to the action under review. For example, although continued reductions in wildlife habitat may be a regional concern, it may that there is no reason to consider these effects if the action under review does not contribute to these reductions in the long term.

21.2.1.2. Determination of the likely cumulative environmental effects

In the determination of cumulative environmental effects that a project is likely to cause, combined with other projects or activities that will be carried out, it must consider the following factors:

- environmental impacts associated with the project to be evaluated;
- the environmental effects of projects past and present human activities that can create a set of interactions with those of the project;
- the likely environmental effects of human activities and future projects in the region. There is often a degree of uncertainty to determine what environmental effects of what future activities and projects should be part of the evaluation. It should assess the cumulative environmental effects of projects and activities to be carried out. At a minimum, the evaluation should cover projects and activities that have been approved. However, the actual implementation of projects and activities is often random. It will consult and judgment to facilitate this determination.

All appropriate types of future projects and activities whose environmental effects are likely to be exercised in combination with the environmental effects of the project (i.e. not only those that are observed in the same sector of resources than the project) should be considered.

21.2.1.3. Determination of the spatial and temporal boundaries

The determination of the spatial and temporal boundaries to establish a frame of reference for assessing cumulative environmental effects and to facilitate their characterization. These limits may also modify the valuation in various ways. If the limits are extensive, only a superficial evaluation is possible and uncertainty will be higher. If the limits are narrow, we can conduct a more

detailed review. However, it may sacrifice an overview. Sponsors may be of the opinion that large-scale assessments are expensive or impractical. As for the population, it will probably feel that on a small scale evaluations cover not enough all the environmental effects of the project. Also:

- Different limits may be appropriate for different cumulative environmental effects. For example, set limits for cumulative environmental effects on air quality may be different from those selected for the effects exerted particularly on wildlife;
- The spatial boundaries should extend beyond the immediate project site to include the area likely to be affected;
- The time frame could be extended beyond the phases of construction and operation to cover the period of occurrence of effects.

Spatial and temporal limits should be established based on the following criteria (listed in order of importance):

- The scope and nature of the project and its potential effects ;
- Accessibility existing about the project and its environmental effects and the feasibility of collecting new data and knowledge gaps where data and knowledge ;
- The scope, nature and location of past and future projects and activities in the region and the importance of their adverse environmental effects;
- Appropriate ecological limits , including physiography, vegetation, land use , habitat, soil materials and surface climate;
- Appropriate aquatic limitations, such as watersheds, sub-watersheds, drainage basins and hydrogeological discontinuities ;
- Appropriate jurisdictional boundaries, including regional boundaries, municipal prefectures, cantons.

For assessments taking into account the effects in aquatic environments, often used the limits of watersheds, sub-watersheds or auxiliary sub-watersheds.

First and foremost, the boundaries of an assessment should be reasonable. In many cases, it is appropriate to consult the public referred during the sentencing process. It is clear that the form of this consultation will depend on the size and the nature of the project and its environmental effects. During the screening of smaller projects, a discussion with a few individuals may be sufficient. For public reviews of major projects, it may be necessary to consider the question in one or several scoping sessions. Whatever the limits, they can affect the determination of the importance as a cumulative environmental effect can be of major importance locally, but have little interest at the regional level.

21.2.2. Step 2: Analysis

The objective of the analysis is to characterize the environmental effects of a project and determine the significance of these effects. It was that once the effects of a project are known and understood that it is possible to define and implement effective mitigation measures and taking knowingly, a decision on the project.

The analysis should include an assessment of:

- The state of the environment in question, including its important characteristics and other stressors (eg. How previous projects and activities have altered or disrupted environment)?
- Cumulative environmental effects of the project, including:
 - ✓ interactions between the effects that the project may cause in the environment, such as those between the effects on water quality and effects on fish resulting from sedimentation and destruction of coastal vegetation;
 - ✓ Interactions between the effects on:
 - health and socio-economic conditions;
 - natural and cultural heritage;

- the current use of lands and resources for traditional purposes by aboriginal persons;
 - any structure, site or thing that is of historical, archaeological, paleontological or architectural significance because of the changes caused to the environment;
- ✓ Interactions between changes in the project caused by the environment.

As for the environmental and social assessment in general, there is no approach or universal methodology for all assessments of cumulative environmental effects. The different circumstances, such as the location of a project and the type of potential environmental effects will dictate the choice of the appropriate methodology. Can be used for modeling, expert systems and geographic information systems. However, in the absence of information, the Bank may use qualitative approaches and knowledge of the best experts.

21.2.3. Step 3: Mitigation

Before the significance of cumulative environmental effects, it must take into account the need for any technical and economically feasible mitigation measures that could reduce or eliminate these effects.

Among the mitigation measures may be mentioned:

- excluding sensitive areas such as spawning fish or areas known to harbor rare or endangered;
- the scheduling of work to minimize disruption;
- artificial structures such as berms and noise attenuation screens;
- pollution control devices such as electrostatic precipitators and;
- changes in the methods and manufacturing processes, technology, implementation or practices of waste management, such as the

replacement of a hazardous chemical from a harmless product or recycling and reuse.

21.2.4. Step 4: Determination of the significance of effects

After taking into account any appropriate mitigation measures, it must determine the likelihood and significance of cumulative environmental effects. The use of standards, guidelines and appropriate environmental objectives, should facilitate this approach. Similarly, it may be useful to consider the carrying capacity, tolerance level or the assimilative capacity of the region, even if it is impossible to quantify them.

In general the determination of significance has three levels:

- Level 1: Determine whether the adverse environmental effects
- Level 2: Establish whether the adverse environmental effects are important
- Level 3: Determine whether the significant adverse environmental effects are likely

The key difference between determining the significance of environmental effects and the significance of the environmental effects cumulative lies in the influence of other projects and activities. Therefore, the incremental cumulative environmental effects of certain projects may be regarded as important, if they are considered in the broader context of the effects of other projects and activities.

The significance of the cumulative environmental effects of a project may depend on the current state of the environment. For example, the cumulative environmental effects of a hydroelectric dam in an arid or semi arid, already degraded by past activities, can be significant, while they might be negligible in another type of ecosystem.

21.2.5. Step 5: Monitoring

In the case of comprehensive studies, mediations and assessments by a commission, the need for a follow-up program should be considered in the assessment. A follow-up program should monitor:

- the accuracy of the environmental and social impact assessment regarding its evaluation;
- the effectiveness of any mitigation measures.

A monitoring program for monitoring cumulative environmental effects can be applied in cases where:

- the project is likely to cause cumulative environmental effects of new or different kind;
- The project involves new mitigation measures or unproven including the ability to mitigate the cumulative environmental effects is uncertain measures;
- project also familiar or current is proposed for a new or unfamiliar environmental framework;
- some uncertainty about the outcome of the assessment of cumulative environmental effects;
- project schedule or operational details are subject to change so that the cumulative environmental effects could be different from those described in the ESIA.

**22.OP_12: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON
RESOLUTION OF GLOBAL AND TRANSBOUNDARY PROBLEMS IN
ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT**

1. Bank educated and finance projects in several sectors. These proposals may, as appropriate, have an influence on the issue of global warming due to the greenhouse effect, adaptation to climate change, international waterways, biodiversity, restoration of degraded soils, forests, international waters, etc. Also, the Bank will she ensure that these projects include issues related to global and cross-border issues with recommendations for the implementation of national development strategies and sector borrowing countries. In this sense, will be encouraged projects that give purpose to implement policies, procedures and environmental and social guidelines of the Bank, including those related to global and cross-border issues.

2. This policy provide information and advice in relation to a number of issues related to natural resources at the international level such as: issues related to air pollution, boundary waters and international agreements on the environment and natural resources. These challenges are found in a wide variety of projects financed by the West African Development Bank (BOAD).

22.1. Air pollution

22.1.1. Air pollution and its consequences

3. Anthropogenic activities that contribute to global warming and the depletion of the ozone layer are an integral part of human life and economic development. Anthropogenic increase in carbon dioxide (CO₂)

in the atmosphere explains almost half of the global warming since 1980. This increase resulted primarily from the burning of fossil fuels (coal, oil and natural gas) and deforestation of tropical forests. Cement manufacturing produces low amounts of CO₂. Anthropogenic methane emissions, which account for about 15% of global warming in the 1980s, resulting from agricultural activities (anaerobic decomposition of organic substances in the rice paddies, ruminant digestion , to burn for farming and agriculture , burning of agricultural waste such as rice straw) , production of fossil fuels (methane released during coal mining operations , natural gas escaping during the activities of production and distribution) and decomposition anaerobic waste collected or buried in landfills. The anthropogenic nitrous oxide (N₂O) emissions come mainly from agricultural activities (use of nitrogen fertilizers, land clearing and biomass burning) and explain about 5% of global warming over the same period. Consumption of fossil fuels also produces N₂O emissions in small quantities it is difficult to determine. As for ground-level ozone, which results from human activities only indirectly, his role was minor, but in a proportion that it is virtually impossible to assess. Its concentration depends mainly on emissions of greenhouse gases from industrial and transport activities.

4. The use of CFCs and halons anthropogenic explains about 17% of global warming and seems to be the main cause of the depletion of the ozone layer observed to date. CFCs used in the manufacture of sprays and refrigerants or solvents are used as electronic or foam blowing agents and other chemicals; halons used in fire extinguishers. Two other products produced, tetrachloromethane used in the manufacture of chemicals, solvents and fumigating grain crops and the 1,1,1-trichloroethane which is used as solvent, for industrial degreasing and cold cleaning, are also important greenhouse gas, which also begin the ozone layer.

5. Emissions of greenhouse gas emissions generated by human activity during the 20th century led already to a warming of the order of 1 to 2 °C. CO₂ emissions (or, more precisely, of "equivalent" CO₂), which are forecast to double in the mid 21st century will lead to a rise in average global temperature of the order of 1.5, 4.5 °C. In comparison, between the last glacial period (there are about 18 000 years) and the contemporary era, the average temperature of the Earth has risen by 5 °C. Over a period of 700,000 years, the maximum variation in the temperature of the planet has never exceeded 5 °C.

6. Global warming is not the only concern. The pace of climate change is also problematic. It is possible that it exceeds the capacity of ecosystems to adapt or that of living to adapt to changes in ecosystems bodies themselves. This could result in a reduction in the extent of forests, wetlands and other ecosystems, causing the decline or extinction of many species. Although management efforts or development are made to respond to changes in ecosystems, it is likely that the negative effects are significant, particularly in countries that are least equipped to adapt to the situation. Thermal and rainfall changes will affect agricultural practices and the management of water resources. Rising sea levels will result in flooding, increased saltwater intrusion into the bays and coastal aquifers and coastal areas and the destruction of important wetland areas. Extreme weather events (heat waves, hurricanes, etc.). May occur more frequently and affect human health, property and natural or controlled ecosystems. Higher temperatures can further aggravate air pollution and in particular smog.

7. It was found in the late 1970s there was a "hole" in the ozone layer above Antarctica. A decade later, has been attributed the phenomenon to the use of CFCs and halons. Moreover, the loss marked the ozone layer at mid-latitudes of the southern hemisphere and, to a lesser extent; those of the

northern hemisphere, as well as the decrease in its concentration globally observed between 1969 and 1986 are primarily attributable to the use of these gases.

8. The continued deterioration of the ozone layer and the increasing penetration of ultraviolet rays have a negative impact on human health and the environment. This radiation is the cause of skin cancer, cataracts, thinning of the immune system and indirectly through immunosuppression, the appearance of skin infections such as herpes. Natural ecosystems or controlled are likely to be affected by three types of processes, including damage: (i) carried the biological functions of plants and hindering their growth and undermine their competitive ability, (ii) altering the DNA an organization whose effects are specific, and (iii) initiate reproductive cells giving rise to increased mutations. Even plant breeding and genetic engineering can produce crops resistant to ultraviolet rays, it is likely that agricultural yields will decline and of poor quality. Ecosystems for which there is no management system may be in jeopardy. Less tolerant species are more vulnerable and may affect the ecological balance. The depletion of the ozone layer may, in addition, to accelerate the degradation of plastics and paints used outside and exacerbate urban smog.

9. The gases that are causing climate warming and the depletion of the ozone layer has a very long life, once they are introduced into the atmosphere, do not delay to in place measures to reduce these emissions which prolong the evolution of climate change on the planet. Although the magnitude of the effect is uncertain, they are no less serious and potentially irreversible. So act now seems to be a wise approach when we know that if appropriate measures are not taken at the right time, it would represent a risk. Also, the following measures, among others, should they be taken:
 - More efficient use of fossil fuels and the development of new renewable energy sources;

- Reduction in the rate of deforestation and increasing reforestation (to promote carbon sinks);
- Collection and use (as a source of energy) coal methane produced in anaerobic (landfill decomposition of animal waste, etc.).
- Adoption of (wise use of fertilizers, the development of sustainable agricultural methods to replace shifting cultivation) more sustainable agricultural practices;
- Design and use of less damaging than CFCs and halons products.
- Construction projects of landfills.

10. Acid precipitation results from the presence in the atmosphere of abnormally high concentration of substances in contact with water become acids - mainly sulfur dioxide (SO₂) and to a lesser extent nitrogen oxide (NO_x). While these oxides occur in nature (as, for example, volcanic gas or spray) the fact remains that the quantities emitted by human activities in highly industrialized or highly urbanized areas are well above those that nature produces. The coal-fired and oil plants are the largest SO₂ emissions followed by the use of coal and oil with high content of sulfur in the industry and home heating sources. Energy production and internal combustion engines are the two largest sources of NO_x emissions.

22.1.2. Principles; procedures and guidelines of the Bank

11. Although the Bank does not have a specific policy regarding the depletion of the ozone layer, a climate policy is being finalized. In addition, the BOAD has undertaken significant actions financing climate projects in order to contribute to the reduction of greenhouse gas and the " adaptation of its member states to climate change. It is in this context that the Bank has made accredited to fund adaptation to climate change, as its President on the Board of Directors of the Green Climate Fund and is currently in the process of accreditation the global environment. Also, BOAD does she

encourages the exams of environmental and social impact assessment of climate projects whenever it deems relevant and feasible. All policies, procedures, environmental and social guidelines approved by the Bank are applicable to the climate projects and any project even qualified environmental as well as the project whose are aspects related to global and transbounders issues.

22.1.3. Guidelines for the environmental and social impact assessments

12. Contribution to the fight against global warming or depletion of the ozone layer appears, preferably among the main issues discussed during the preliminary examination of a project. The importance of this contribution will be determined, as well as any additional issue must be recognized from the first recognition of the environment. Although it is often difficult to estimate the absolute magnitude of its influence on the changes globally, ie, the degree of climate change attributable to the project throughout its lifetime, it remains that must assess its relative magnitude.

13. Should be evaluated options that reduce the effects of the project on the changes at the global level without necessarily increase costs or affect its success. It is expected, for example, that a development project landfill is the source of methane emissions. In contrast, the collection of this methane for use as an energy source will not only reduce its impact on global warming but also present an economic interest.

14. The evaluation of the various options should not simply focus on total emissions of gases that can be released, but focus more specifically the types of gases and this insofar as all gases do not have the same power action in terms of greenhouse and ozone depletion . Although natural gas , for example , emit approximately 30 % less CO₂ per unit of energy than

petroleum (and more than 40 % less than the coal) , production and distribution of natural gas translates CH₄ , a gas which proportionately contributes more to the greenhouse effect than CO₂ - in fact, kilogram for kilogram, more than 20 times that of CO₂ over a century. For this reason, if you plan to replace oil with natural gas in thinking and reduce CO₂ emissions, it is also important to consider the risk of increased emissions of CH₄.

15. The impact of a project on global warming and the depletion of the ozone layer will also be evaluated. It is important in the case of a drainage system with a coastline and a sewerage system to consider raising the level of projected sea and consequently, increased flooding during the evaluation of these projects. Reports of the Intergovernmental Panel on Climate Change (IPCC) provides estimates of future rise in sea level

16. It is important to examine the impact of existing policies and governmental institutions on activities that contribute to climate change on a global scale as well as those that provide disincentives to curb greenhouse gas emissions. Some economic policies may, for example, encourage deforestation or inefficient use of energy (eg. Fiscal planning and subsidies). Road construction and industrial logging can facilitate access to forests that were impenetrable and indirectly cause the loss of forested areas.

17. Regional sectoral environmental assessment or a specific project will examine the impact of developments in the urban sector, transport, energy and industry on the formation of precipitation. If one realizes that the acidification of precipitation is probably caused by the project, the assessment should then identify the geographic area may be affected (including environmental effects may extend well beyond the limits the study area) and determine the resources they contain may be damaged. The presence of lakes and streams with low buffering capacity (low basicity) of

cultural property whose construction consists of acid soluble rocks (limestone, marble and serpentine, for example) and fragile species (p. ex. red spruce) should raise concerns with regard to the possible deterioration of cultural and environmental goods and be encompassed in the impact assessment and the implementation of mitigation measures.

22.2. Boundary waters

22.2.1. Types of water border and projects y related

18. Projects relating to boundary waters are subject to the policy and procedures relating thereto BOAD. They must contain the following descriptions.

a) Types of boundary waters :

- (i) stream, canal, lake or other body of water similar forms a boundary between two or more States , or a body of water that passes through two or more States , whether or not members of the Bank;
- (ii) any tributary or water body with integral boundary waters described in (i);
- (iii) bay , gulf, strait or channel affecting at least two States , or if contained within the borders of one state, recognized as necessary channels of communication between other states and the sea, and all stream that flows into it ;

b) Types of projects:

- (i) hydropower , irrigation, fight against flooding, navigation , drainage, water supply and sanitation, industry and any other proposed use or likely to cause pollution problems of international waterways as just described ;

- (ii) detailed design studies and engineering projects listed in (b) (i), including those that will be executed by the Bank.

19. Boundary waters have always been made up of commercial exchange means, defense and generally a well to exploit. This importance will feel even more countries realize more and more how the world's resources are interdependent, hence the term "global commons."

22.2.2. Integration into the process of an environmental and social impact assessment of project.

20. While the environmental and social impact assessment of project should always be made at the time of planning and as soon as possible, this statement becomes critical when the boundary waters are at stake riparian States warned that a project can involve their waterways should be enough information for them to be able to determine its potential effects. If the project details are not available at the time of notification, they will be communicated as soon as possible. The Bank staff will evaluate this information by ensuring that they will achieve this goal.

21. It has been proposed to carry out the evaluation of the project before the details have been disclosed, the Organizational Unit for the Environment will notify the President of the Bank (under the procedure for routes international water) clarifying the international aspects in question must apply for approval of the assessment is undertaken

22. The organizational unit of the Bank for Legal Affairs will examine the various international agreements, laws and regulations of the countries that apply to a project with implications on international waterways. Normally, it is sufficient to inform the organizational unit responsible for the investigation of

the sensitivity of the proposed project as expected, as soon as possible, the involvement of lawyers and attract the attention of those responsible Bank.

22.2.3. Global problem posed by boundary waters

23. The world, it ceases to be aware of the global environment and worry profound effects engendered by the practices of a country - practices that, in time, appeared to be no concern to the State in which they occurred. Industries and agriculture of a nation, for example, have become and rightly the case of another where such activities pollute lakes and streams. If this awareness continues, it is expected that the projects financed by the Bank are defined as relating to international waterways and therefore are regulated by Bank policy and international law.

22.3. International agreements on the environment and natural resources

22.3.1. Commitment BOAD in the implementation of international agreements

24. The protection and conservation of the environment fall generally under the jurisdiction of public international law. The first reason is that many natural resources and environment that affect all human beings (eg. Pollution of the high seas and the atmosphere) problems can be considered only if States adopt a common regulatory principle which also applies to a smaller geographic area (such as seas or regional stream). Similarly, we cannot achieve sustainable management of shared resources (fish stocks, for example) by undertaking actions at regional or sub -regional level. The second reason is due to the fact that the interventions implemented in one state may affect the resources or the quality of the environment in one or

more other states or extend beyond the jurisdiction of the country. These impacts can be direct as this is in the case of substances that pollute the atmosphere of a State to leeward; these interventions may have more complex effects, in the case where, for example, undergoes a coastal State floods and siltation phenomena which is responsible for deforestation practiced in a state upstream. In general, the magnitude of legal intervention will be determined by the importance of the problem to be solved.

25. That is why the international law governing the conduct of states and public international organizations. These acts have been established in the form of treaties, conventions or regional, bilateral or multilateral agreements.

The West African Development Bank intends to be governed by this law. That is why; she began its operations in accordance with the principles and regulations that refer to it. To better manage and enforce international environmental law, the Bank is undertaking initiatives to be more involved in trade and international efforts there. In this vein, the BOAD is accredited to the United Nations Framework Convention on Climate Change (UNFCCC) and participate in Conferences of the Parties (COP) and other meetings since 2009. It aims to be accredited to other international environmental conventions such as those relating to the conservation of biodiversity, the fight against desertification.

22.3.2. Scope of the international law of the environment

26. Since 1869, over 300 multilateral treaties and formal agreements on environmental protection were adopted. Many of them have essential obligations to stakeholders. A large number of bilateral agreements have, however, been concluded and which are arrangements between States

concerning the exchange of information and the possibility of cooperation in research on key issues affecting the management problem shore waters. The obligations of a State under international law or bilateral environment must be taken into account in development planning. The environmental and social impact assessment (ESIA) is a tool to determine whether the borrower obligations with respect to international environmental law can influence or be challenged by the project. It can also identify interventions necessary to ensure that legal obligations are met.

27. International legal instruments dealing with environmental issues that interest is generally recognized as having a global reach. Their rationale is even more crucial that the consideration of the linkages between ecosystems or resource makes the necessary international cooperation. In the past, marine pollution caused by international trade has received the most attention. In recent years, the focus has been on other issues of global concern, including:

- The fight against climate change (United Nations Framework Convention on Climate Change-1992-);
- Conservation of Biodiversity (United Nations Convention on the conservation of biodiversity -1992 -)
- Fight against Desertification (United Nations Convention on the fight against desertification -1992 -)
- Protection of the Ozone Layer (Vienna Convention for the Protection of the Ozone Layer, -1985 -);
- Trade in Endangered Species (Convention on International Trade in Endangered Species of wild fauna and flora threatened with extinction -1975 - also known by its acronym CITES);
- The Law of the Sea (United Nations Convention on the Law of the Sea - 1982 - not confirmed);
- Trade in toxic substances (Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal);
- Etc.

The implementation of all international law is essentially tied to the conservation of resources. The Convention on Wetlands of international importance, especially as Waterfowl Habitat, established in 1971, (more commonly known as the Ramsar Convention) provides international arrangements relating to the declaration of the wetlands of international importance and, once in place, creates obligations of States

28. Moreover, the Convention for the Protection of the World Cultural and Natural Heritage, established in 1972, includes mechanisms for protection of sites of cultural and natural heritage of national importance, as well as the obligations of States. A number of treaties or bilateral agreements address issues of regional management of fisheries resources, for example, and the use or protection of wildlife habitats and flora. The African Convention on the Conservation of Nature and Natural Resources (1968) and the Abidjan Convention for Cooperation in the Protection and Development of the Marine Environment and Coastal Region of West Africa and center that set out principles for the protection of wildlife and parks and on the sustainable use of living natural resources.

22.3.3. Appendix 22.A: Air pollution definition

1. Air pollution refers to a number of physical and chemical changes in the atmosphere which include natural phenomena such as volcanic emissions of particles, such as anthropogenic global warming (the "greenhouse effect") as well, the depletion of the ozone layer, acid rain and atmospheric emissions of toxic pollutants. This policy focuses on two phenomena of global importance: global warming and the depletion of the ozone layer which, together, refer to the concepts of changes on a global scale. The issue of acid rain, which can have significant transboundary effects, will also be addressed.
2. The greenhouse effect is a natural component of the earth's climate and is due to the fact that certain atmospheric gases absorb a certain amount of heat from solar energy re-emitted by the Earth by radiation. This phenomenon of thermal radiation is essential to sustain life as we know it, and without which the average global temperature would be less than approximately -18 °C instead of 15 °C average (current). Fortunately, the natural phenomenon of the greenhouse effect in the atmosphere retains a portion of the sun's heat. The solar radiation received by the earth is stored in the surface soil. Part is then returned as infrared radiation which is then trapped by the greenhouse effect. However, some human activities generate greenhouse gas emissions, mainly carbon dioxide, methane, nitrous oxide, chlorofluorocarbons, halons and tropospheric ozone. These gases are added to the naturally occurring gases in the atmosphere and amplify the phenomenon. The result is a rise in average global temperatures, which is commonly referred to as global warming.

3. Ozone (O_3) is a gas at low concentrations throughout the Earth's atmosphere, but that is mostly found in the stratosphere (upper layer of the atmosphere between 10 and 50 km altitude), where it takes place shield against ultraviolet radiation. Dissociation and continuous formation of ozone in the stratosphere maintain a constant balance between the concentrations of O_3 , O_2 and O . However, the use of chlorofluorocarbons (CFCs) and halons breaks this balance by generating brominated and chlorinated compounds that accelerate the destruction of ozone. The chemical stability of CFCs and halons, the residence time in the atmosphere may extend over more than a century, allowing them to rise into the stratosphere where ultraviolet rays cause the release of atoms chlorine and bromine acting as catalysts in the destruction of ozone. CFCs and halons and contribute to the depletion of the ozone layer globally and locally, holes in the ozone layer which appear seasonally over Antarctica and perhaps, above the Arctic.

**23.OP_13: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON
PUBLIC PARTICIPATION IN ENVIRONMENTAL AND SOCIAL IMPACT
ASSESSMENT PROCESS**

23.1. Public participation in environmental and social impact assessments

Policy of the West African Development Bank (BOAD) on Environmental and Social Impact Assessment requires that concerned as well as local NGOs are informed and consulted in a real way when making an ESIA. Disclosure of information is a prerequisite. If it is absolutely necessary for genuine consultation with communities when it comes to projects that belong to the category A, their opinion is also important for other projects to the extent that it allows:

- Improve understanding of the risks they represent;
- To find alternative locations or develop other designs and mitigation to improve their social and environmental measures;
- To have a clearer idea of values as well as the advantages and disadvantages that represent the different alternatives;
- Know the points at issue;
- Establish transparent procedures for implementing the proposed projects, and
- Create obligations for accountability and develop a situation where these communities feel they have control over the project.

Public participation in the development of a project, other than its consultation is not required for the ESIA, unless it is a project which raises the question of resettling displaced or that affects indigenous peoples. However, public

participation in decision-making strengthens the sense of ownership and responsibility.

23.2. Types of public participation

Association of communities in the planning and implementation of projects can be accomplished in the form of consultation and participation. These two concepts differ primarily in the degree to which individuals may influence take part or have control over decisions. According to the requirements of the BOAD, consultation of affected groups should be part of the process of making an ESIA. Their participation is required, under certain conditions, when preparing the project and is usually recommended during its implementation. The dissemination of information is a prerequisite without which we cannot talk or consultation or participation. The figure below describes this process in relation to the cycle of a project funded by the West African Development Bank and the achievement of the project ESIA.

Table 23.1: Participation of the public in an assessment of impacts on the environment

Environmental and social impact assessment (ESIA) Process						
Presort	Review of the scope of the project	Review and approval of the ESIA of the project; results discussed with the borrower inserted into the project documents	The evaluation team analyses the issues outstanding with the borrower	Development of loan agreements on environment-related issues	Follow-up given the ESIA and the loan agreements	Evaluation of the environmental aspects in the completion and evaluation reports
Project initiation	Elaboration	Evaluation	Negotiation/ Approval	Execution	Retrospective evaluation	Project monitoring
Public participation						
Discussion between the BOAD and the borrower on the degree and pattern of disclosure and consultation appropriate	Project data and dissemination of its risks	Main results of the evaluation of the environmental and social impacts the available groups and NGOs concerned	The evaluation team must ensure that the design of the project and mitigation plans meet the concerns	Loan agreements must reflect the views obtained	Transparency of the implementation of the recommendations of the environmental and social impact assessment and, as appropriate,	Retrospective evaluation taking into account the opinion of the populations about the impact of the project
Identification of the groups and local NGOs affected and effective means to disseminate information	Identification complete affected groups and local NGOs; view concordance between the BOAD and the borrower on the degree and pattern of consultation and participation	Opinion on the report of the environmental and social impact assessment. Consultation process (notice of participants and ground listed in the final report)	Appropriate engagement plans necessary for the implementation and the evaluation of the project		participation of groups and NGOs concerned	
	Public consultation					

23.2.1. Dissemination of information

BOAD Operational Policy on Environmental and Social Impact Assessment states that allow for meaningful consultation between the borrower and the interest groups and local NGOs, it is necessary that the borrower provide the consent of the relevant information. This information must be provided in a timely manner and in a form that is meaningful and accessible to the groups being consulted. In the first phase, information is a summary of the project description and objectives as well as the negative effects it may cause.

When the report of environmental and social impact assessment of categories A and B project are finished, a summary of its findings in a form and in a language understandable to the groups consulted will be disclosed to interested parties through BOAD's information system (web site, public information center, etc.). Any consultation should focus on the issues that most touch consulted populations at risk. In addition, the borrower must file the report of the ESIA in a public location accessible to interested groups and local NGOs to enable them to consider and to comment.

We should not assume that the peoples of Member States or other relevant groups actually have the time, desire and resources or can get information on the environmental and social impact assessment, the means of distribution will be made them, or think they will manage to make their views known to the relevant authorities. Experience shows that the publications of project descriptions and reports of environmental and social impact assessment deposited in a public library do not reach the entire population. Media such as local television, radio, newspapers and the printed publication written in local languages are tools that help convey information to groups involved in informing the public and specifying the places where people can have these documents. In some cases, the West African Development Bank may recommend that specialized consultants in the ESIA and implementing

agencies working on the dissemination of information through the institutions responsible for making decisions and leaders. This distribution generally involves costs and decisions regarding the choice of the strategy and its funding should be taken as soon as possible. It is desirable that the report of environmental and social impact assessment document these decisions.

23.2.2. Consultation

Consultation is to invite people to give their opinion on proposed projects and to involve them in a dialogue. Unlike what happens in the case of a simple dissemination of information, this is an information dissemination that occurs in both directions, the project managers to the people and vice versa. While governments have the prerogative of decision making, this interaction and exchanges, based on a principle of transparency, allow affected to influence the decision-making groups by raising issues which should be consider in determining the scope of the project, its design, mitigation, monitoring and management plans as well as the analysis of alternatives.

The operational policy on environmental and social impact assessment requires that groups affected as well as local NGOs are consulted at least two steps in the procedure:

- Shortly after the class and implementation framework of the project are determined;
- Once the draft report of the ESIA is completed.

Case of projects with significant social impacts, such as those arising from displacement will require consultation with affected groups is commensurate with their opinion on the ESIA.

23.2.2.1. Consultation in the framing of the environmental and social impact assessment

This type of consultation can identify key issues and develop the framework of the assessment of environmental impacts (see table above). It is increasingly recognized that beyond the ministry which is generally responsible for establishing frameworks in collaboration with the lender, other government departments, in collaboration with local NGOs and affected groups, participate in discussions surrounding the establishment of frameworks. This low participation takes place once a preliminary ministerial meeting helped define the parameters that determine the consultation process. The draft reference frames is then circulated and meetings are then held where changes and additions to the already recognized issues are analyzed. In many cases, small NGOs and community representatives will need financial resources that allow them to travel to attend meetings.

23.2.2.2. Consultation during the making of the environmental and social impact assessment

Affected populations are often consulted during the completion of the assessment of impacts on the environment. The most common method is to conduct surveys of these populations, especially in cases where the project involved resettlement or indigenous peoples concerned.

Consultation of the populations during the completion of the ESIA can help reveal some misconceptions and promote public acceptance.

23.2.2.3. Consultation during the making of the environmental and social impact assessment

Operational Policy on Environmental and Social Impact Assessment requires that the public is consulted in the case of projects that belong to the categories A and B.

Consulted parties will have sufficient time to consider the findings of the interim report of the environmental and social impact assessment and prepare their comments before the consultation. Simple written materials combined with visual transcripts, videos and reduced models can bring to light the technical language assessments of impacts on the environment and make it understandable to non-specialists.

So far, NGOs and specialists at this stage, more involved local communities. It is recommended to call the media and especially through radio and print media. Traditional leaders can participate in radio programs providing, thus, that all of their communities were listening. The conclusions drawn from this type of consultation can be used to prepare plans for mobilizing participation by affected groups and NGOs in the development and implementation of the project.

23.2.3. Projects that require the involuntary displacement of populations.

Most construction projects or land conversion will be associated with move operations if populations are sites undergoing conversion. Under the operational policy on involuntary resettlement, project development and resettlement plans should be undertaken with the participation of the public. If an environmental and social impact assessment is necessary, displaced persons will take part in the process (in the preparation and implementation of mitigation, management and monitoring, etc.).

23.2.3.1. Projects aimed at certain types of recipients

Target groups may consist of the poorest, indigenous peoples groups, women's groups or users and cooperatives. It is crucial, given the circumstances and for a project that requires the completion of an environmental and social impact assessment that beneficiaries cooperate in its design as well as its execution.

23.2.3.2. Local development projects

If the success of a project depends on the support of local communities, it is important that they participate in decision-making. This is usually project on the development of rural infrastructure, social housing and urban infrastructure projects of natural resource management by communities, preservation of biodiversity where facilities are provided buffers, forestry developments managed by the community and some types of small credit transactions.

23.2.4. Participation

Participation is a voluntary process in which people, including marginalized groups (the poor, women, indigenous peoples and ethnic minorities), meet with project leaders, local NGOs and sometimes experts to share their point of view, negotiate and guide decision-making on project design and management. Affected populations participate more in decision-making if they are only consulted. It remains, however, that the exchange of ideas and information, as in a consultation, are reciprocal. Skills in social sciences, communications staff and financial resources are essential to the implementation and extension of the process as it will be needed.

The Bank requires that the relevant groups are involved in the development of a project if it has an impact on indigenous populations or assumed displacement and resettlement.

Participation in decision-making comes in different forms and at different times of the project cycle. The consultation undertaken during the scoping assessment of impacts on the environment provides the basis from which the groups concerned may take part in the development or implementation of the project. During project development, participation can help to establish the framework for the environmental and social impact assessment and its realization. Local NGOs or representatives of affected groups can participate in monitoring project implementation and evaluation of the measures recommended by the environmental and social impact assessment.

23.2.4.1. Choice of participants

The choice of affected groups and NGOs is critical to meet the requirements of the Bank's consultation. Groups who are directly affected should be as soon as possible, associated with the project cycle and have a prominent place in the process of decision making. Over the project's effects will diminish and less frequent consultation sessions or an elaborate process of participation will be essential.

Groups directly affected

One of the biggest challenges is the consultation process is, on the one hand to identify the groups concerned and secondly, to make them really participate. The categories in question include:

- The beneficiaries of the project;
- Affected by risk groups;
- Involved parties.

It may be that these populations living near the project or in its area of influence. It is also possible that the community affected by the type of project and its location, only consists of a few hundred inhabitants of the forest

occupying a vast territory or otherwise of thousands of residents living near an industrial city. Sometimes they are also spread over several villages, they belong to different denominations and ethnic groups, or that only women of a community are concerned. It will then set a percentage representation of participants (men, women and poor and indigenous populations ...).

Defenders of a project will, when it comes to whom to consult, seek to determine the impact that the project may have on the existence of certain population groups. They will assess its effects on each relative to:

- The extent of impacts (numbers or percentage of the total population likely to be affected);
- The intensity of impacts;
- Duration
- Reversibility.

Because it is sometimes difficult to evaluate them during the early stages of project development, it is therefore necessary to adopt a flexible approach in order to make the necessary changes as groups of people who take part.

There are cases where the groups concerned have difficulty expressing their concerns. Racial distinctions, ethnic or religious differences or gender may, for example, prevent certain classes of society to emerge. People living in remote areas, such as indigenous communities, may lack information, ability to express themselves or to "work the system". The poor and the defenseless, including those who work in the urban informal sector, will not always well represent. The consultation process must overcome these barriers and communicate with the groups concerned.

Representatives of groups affected.

Many individuals and organizations generally represent the populations concerned. It may be individuals or organizations able to provide information, to advocate and be the spokesperson for affected groups or stakeholders. These delegates may include for example:

- Representatives of government, such as deputies, governors, local officials, members of a village council or other elected;
- traditional authorities such as village chiefs, the elders of a tribe, religious authorities, for example;
- local organizations (including NGOs), such as community development organizations or users, fraternal societies, leisure clubs, neighborhood associations, trade unions, women or ethnic groups, cooperatives, etc. ;
- representatives of the private sector, such as private companies or trade and professional associations companies.

Cultural and political differences determine, from one project to another, from the bodies involved, those that can best express the borrower the views of affected groups. These representatives can play many roles, organize the means of communications, participate in setting goals, improving the management of resources, shorten conflicts, reduce the risk of communication breakdown or injury brought the groups concerned (if the situation unstable political or social).

Various other groups concerned

While other parties may be affected by the project and its impact without being affected. If they are not supposed to compensate local communities or groups directly affected, they may nevertheless have valuable information

and resources at their disposal. It is often possible to better understand the key issues and opportunities that arise if they are actively involved early in the project development. It remains, however, that these participants will have less influence than the groups concerned. These participants will be:

- national or international NGOs concerned with some problems (biodiversity conservation, issues of family planning, technology transfer, measurements of energy conservation, agricultural development, human rights or issues concerning indigenous peoples);
- universities, research institutes or training will have the knowledge or carry an interest in the project and its implications for development;
- scientific and specialized experts in a particular field and whose knowledge can contribute to the development of the project.

23.2.4.2. Elements for a fruitful consultation

The success of the consultation process is related to the appropriateness of the framework and an enabling environment. A good consultation process has the following characteristics:

- Broad dissemination of information before the consultation sessions;
- the establishment of a framework for consultation;
- an exchange of communications with an expanded sample of affected groups;
- disclosure of the findings of consultative meetings to participants;
- the transformation of the project;
- the formulation of programs of participation, evaluation and monitoring.

23.2.5. Consultation Framework

Able to develop a clear understanding of "the rules" from the beginning of the consultation process, promotes respect and trust that participants feel towards each other. It is therefore important to establish a framework for consultation (or participation) Arrested during the scoping environmental and social impact assessment that defines the content, timing, participants, the place and method of the process. It will, for example, this framework identifies issues and the timing of project planning which will examine various groups. If the project has already been imposed, it is important that this decision be clearly stated at the beginning of the process. This framework will determine:

- Issues to be addressed as well as it is not appropriate to treat and any questions that may arise;
- the timing required in the consultation process (duration and time of year);
- sampling of participants (those that must be included), their legitimacy and representativeness, their involvement
- Environment and venue of meetings (eg capitals, rural communities, town halls, market centers, seats of women's organizations.)
- consultation methods (eg topographic survey, models, interviews, surveys, discussion oriented, panel discussions groups.)
- methods of documentation and dissemination now informed the parties consulted (through flyers, meetings, letters, electronic or printed communications).

It is essential that the environment in which occurs the consultation process between the participants creates a feeling of respect, friendliness and confidence for individuals and groups present can express themselves freely. To do this, it will appeal to investigators who are familiar with the local culture and language, to ensure that meetings are held in local community centers,

places of gathering populations rather than in public centers they are not used or organize separate for men and women or the poorest meetings.

BOAD should consider when choosing participants, the representativeness of the teams or individuals responsible for, within the Organization of the project, the dissemination of information and the consultation process. The people in charge must have or receive the authority allowing them to take firm commitments on issues that directly involved the design and implementation of the project.

There are many ways to do that collect the views of people and engage them in a dialogue. Insofar as all questions regarding the project are not known before the data collection and since it is expected that people are able to predict the consequences of events they are not accustomed, if there would be a number of meetings were, at least, provided that their responses will be sought and where the debates will perhaps take a course in which the researchers did not expect.

Appropriate, especially when it comes to projects that require a strong participation in their preparation and implementation, a flexible approach. This approach does not mean that their design and their implementation be undertaken on a one-time basis, on the contrary, it implies importance of paying special attention to communication and reporting mechanisms to make the necessary adjustments in the course of their preparation and implementation.

The need to disclose information is also a key element of the framework of consultation.

23.2.6. Importance of an enabling environment

To date, experience shows how the following are conditions for effective consultation process:

- appropriate legislative framework;
- the need to conduct sessions broadcasts and information
- Ability to conduct counseling sessions;
- adequacy of resources;
- Expertise in the Social Sciences.

23.3. Principles of the Bank regarding the disclosure of documents of an environmental and social impact assessment

The ESIA report of projects of category A and B will be made publicly available on the web site of the Bank, at the Bank's headquarters and its resident missions, once broadcast locally by the borrower prior to its evaluation. These documents will be made available to the public in the public information Center and will be updated as soon as the project is being developed. If the government opposes the disclosure of the ESIA report on a project funded by the BOAD, it will not be evaluated.

23.4. Legislation relating to environmental and social impact assessments

Without a legal framework, it will often be difficult to engage community participation in the implementation of ESIA. All Member States have set up national action plans for the environment have included as a priority in their policy agenda the adoption of legislation on environmental and social impact assessment. The process is not yet completed in some states, despite their support that were made by BOAD.

Although the experience tends to show that a well-designed project can initiate a genuine process of consultation even though such legislation is

lacking, BOAD encourages each Member State to put in place comprehensive legislation on environmental and social impact assessments.

23.5. Need for broadcasts and information

It is necessary before any consultation put the necessary information at the disposal of the beneficiaries of the project, local NGOs by experts and others to facilitate dialogues and to these categories of persons to be able to get an idea about the project and see how to interact for the progress of the project.

Local skills

Experience shows the importance of local capacity to undertake consultation and participation. Countries where conducting environmental and social impact assessment has proved satisfactory were established national or regional institutions reliable and able to assume responsibility for the process of consultation, which sometimes lasts between 6 and 12 months. Project managers also found that it is true that international consultants may provide valuable advice in the implementation process, it was necessary, however, that the main actors are recruited in the country. Many project managers have also felt they needed training to enable them to provide informed consent tracking consultation process proposed and implemented by local organizations. Project managers may need to consider organizing a joint training program where they will participate with their national counterparts. In this way, they will not only be able to monitor the process, but also to develop greater mutual understanding.

Adequacy of resources

Achieving meaningful consultation will incur costs for the activities carried out in the country and travel expenses of project managers and staff

accompanying them. These costs obviously depend on the project, methods of consultation and their scope. That said, they are usually very small compared to the overall costs involved in developing a project or making an assessment of impacts on the environment but to the extent that most borrowers do not consider consultation process as a separate element, we often do not have exact figures

Master of social science

Experience indicates how it is important to appeal to specialists in social sciences. According to the experience of the Bank, an environmental and social impact assessment which is based on a more participatory approach includes in the team responsible for its realization of the social scientists involved from the outset.

23.6. Problems and risks

It is possible to overcome most of the problems and risks of consultation and participation if their preparation is well programmed. Worse for the sustainability of the project is that we do not make use of these processes. It is increasingly accepted as methods of consultation and participation may apply to major projects without causing provided significant delays in their implementation. The most common problems are listed below as well as ways to prevent:

- delays and excessive costs occur if the project is "back off." The establishment of mechanisms to provide information on the project and get feedback early in the project cycle can prevent new spending if we subsequently modify its design. These costs will be lower if the consultation (and participation) is provided as part of the project;

- The concerns and expectations raised too early may result from a lack of consultation. The irrational fear of a project give rise to adverse effects as well as the baseless hope it will be beneficial result from a lack of accurate information. The best way to avoid these pitfalls is to provide, as soon as possible, the necessary information.

23.7. Plan of consultation or participation

The specialist may, from the knowledge he has of the project and affected groups, implement a process of consultation and participation that is active throughout the project cycle by determining who will participate, how their ideas will presented which authority will be in charge of decisions, when and how? It may be necessary that define how information will be disseminated, including public relations campaigns, it analyzes the concerns of stakeholders, leading the evaluation of participation of rural community and establish programs for and with facilitators or moderators.

Management and resolution of conflicts

The idea is to define the traditional mechanisms for arriving at agreements, to conduct negotiations and manage conflicts in affected communities. Understand and work in the direction of the hopes which are based on cultural criteria will strengthen the process of consultation and participation, in particular in the case of projects where there are many competing stakeholders or if disputes are obvious.

Institutional analysis

Sometimes it will be necessary to analyze the capacity of groups involved in the design and implementation of the project and their relations, especially in the case of complex projects where many actors are involved This analysis

should consider the strengths of organizations, their ability to effectively represent the affected communities, relations between the various groups, exchanging information or authorities make decisions. For such projects, the guidelines can simplify complex relationships and improve coordination of institutional structures:

- An unstable political situation may make more difficult the process of consultation and participation in the sense that people are less likely to express themselves. It will, therefore, demonstrate insight and discretion if local officials feel threatened by taking part in the consultation meetings. Safety consulted parties is considered by the Bank as of prime importance. Therefore, borrowers should be fully aware.
- grabbing resources for other development can be avoided if we ensure that representatives and associations actually reflect the perspectives of stakeholders. International NGOs are not necessarily those that best represent perceptions equivalent national organizations and these local views. Develop a consultation process to each of these levels can ensure that benefits accrue to a large extent, to those who are targeted.

24. **Manual_01**: WEST AFRICAN DEVELOPMENT BANK MANUAL FOR SCREENING

INTRODUCTION

The 90s have seen the emergence of the concept of sustainable development, one of whose principles is the inclusion of environmental and social issues in the design and implementation of development projects. This taking into account of environmental and social realities begins with integration of environmental and social impact assessment into the project cycle. It is this new development vision imparted by the international community that has brought BOAD to engage since 2003 a process to integrate environmental and social aspects in the project cycle. This process has led to the development of a framework document on the environmental and social management of projects financed by the Bank.

As mentioned in the Operational policy on environmental and social impact assessment of BOAD, the projects submitted for financing by the Bank do not have the same importance and the same negative impact on the physical environment and the social environment hence the need to classify them in one of the four categories existing. This categorization is done beforehand on the basis of an analysis which takes into account the special features of the project - type, location, level of sensitivity, scale, nature and extent of its potential environmental impacts. This classification of the BOAD proposed manual is prepared to be used for illustrative purposes in the analysis leading to the categorization of projects.

The methodology used to develop this manual of environmental and social classification is based on taking into account of all the projects already implemented, those in study or even those likely to be subject to funding from Bank through a process focused mainly on the effective participation of executives from the Bank.

This manual is therefore not subject to a rigid classification of projects, the environmental and social realities observed in the field during the environmental screening that can lead ultimately the reclassification of a project from one category to the other or its maintenance in the original category.

24.1. Summary of different types of projects

According to the document dealing with policies and procedures of the West African Development Bank in environmental and social management in the financing of projects, there are four (4) categories of projects (A, B, C and D) according to the importance of their negative impacts on the environment. These four categories added is another category, the category IF for projects loans to financial intermediaries. It is recommended that the borrowers to conform to one of the categories A, B, C or D, depending on the degree of adverse effects of the project on the environment and society.

24.1.1. Category A:

A project is classified as Category A if its impacts on the environment and society are very negatives, various, sensitive and unprecedented. These effects can be felt in an area larger than the sites or facilities subject to physical works. For a Category A project, the Environmental and Social Impact Assessment is to examine the positive and negative environmental impacts that the project may have, to compare them with the effects of feasible alternatives (including, where appropriate, the scenario "without project "), and to recommend any

measures needed to prevent, minimize, mitigate or compensate for adverse impacts of the project and improve its environmental and social performance.

24.1.2. Category B:

A project is classified as Category B if the negative impacts it may have on human populations or areas important from the point of view of the environment (wetlands, forests, grasslands and other natural habitats, etc.) are less severe than those of a project of category A. These impacts are very local in nature and few of them are irreversible, and in most cases mitigation measures can be designed more readily than for the impacts of Category A projects. The Environmental and Social Impact Assessment can vary from one project to another, but its scope is narrower than the Environmental and Social Impact Assessment of Category A projects. Like this, it is, however, to examine the positive and negative impacts that the project may have on the environment and society, and to recommend any measures needed to prevent, minimize, mitigate or compensate for adverse impacts and improve environmental and social performance.

24.1.3. Category C:

A project is classified as Category C if the impact of its negative impacts on the environment is considered minimal. After environmental screening, no further Environmental and Social Impact Assessment is required for the projects included in this category.

24.1.4. Category D:

A proposed project is classified as Category D if it is a project to improve the environment and/or society (social environment). These projects should not cause negative social or environmental impact. Beyond categorization, no DD E & S is required for this category of the project. However, some analyses on

critical social issues such as analyses of gender-specific or institutional may be conducted to ensure the good design of a category D project.

24.1.5. Category FI:

A proposed project is classified as Category FI¹¹² if BOAD invests funds through a financial intermediary, in subprojects that may have impacts on the environment (cf. Guidelines of the Bank on financial intermediaries).

24.2. Notes on lines of credit and guarantees in the private sector

For the private sector (commercial banks), lines of credit granted to financial intermediaries are classified at the West African Development Bank in the category IF but it requires financial intermediaries which it demands from promoters to comply with one Categorization of A, B, C, D, of BOAD, for Environmental and Social Assessments for all sub-projects or projects to be financed partly or entirely by the BOAD.

In the contrary, specialized global advances are classified in the West African Development Bank in categories which covered the financed sub-projects.

On guarantees there are two (2) cases:

- For guarantees for bonds raised by National Financial Institutions (NFI) for which projects are not known in advance, environmental procedures applicable are those of NFI;
- Guarantees for bonds destined to finance projects, the conditions required by the Bank are those related to the category of projects concerned.

¹¹² Financial intermediaries

24.3. Classification of projects in various sectors of Bank interventions

24.3.1. Projects in the transport sector

Table 24.3.1A: Classification of road projects

Category A	Category B	Category C	Category D	Category FI
<ul style="list-style-type: none"> - Construction of new roads - Construction of dirt roads of modern type (width of the roadway greater than or equal to 6 m) 	<ul style="list-style-type: none"> - Tarring of old roads without additional work of earthwork - Opening of rural roads - Works of routine maintenance and major repairs 	<ul style="list-style-type: none"> - Works of routine maintenance and minor repairs 	<ul style="list-style-type: none"> Project to improve the environment 	<ul style="list-style-type: none"> Require the proponent to comply with the Categorization A, B, C, D,

Table 24.3.1B: Classification of other infrastructure projects in the transport sector

Category A	Category B	Category C	Category D	Category F1
<ul style="list-style-type: none"> - Construction of railways - Construction of Airports - Construction of aerodromes - Construction of port infrastructure Construction of bus stations Construction of train stations - Airports extension works - Railways extension works - Extension Works of port infrastructure 	<ul style="list-style-type: none"> - Travaux d'extension d'infrastructures de catégorie A autres qu'aéroports, Infrastructures portuaires et chemins de fer Extension Works of Category A infrastructure other than airports, port infrastructure and Railways - Construction of Terminals - Transport Policy - Rehabilitation of railways - Rehabilitation airports - Rehabilitation of aerodromes - Rehabilitation of port infrastructures - Rehabilitation of train stations - Rehabilitation of bus stations 		Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

24.3.2. Projects of Rural Development

Table 24.3.2A: Classification of projects in the agriculture sector (agriculture and social projects)

Category A	Category B	Category C	Category D	Category FI
<ul style="list-style-type: none"> - Fight against Pest - hydroagricultural Facilities 50 ha in Sahelian area - hydroagricultural Facilities 100 ha in Sudanian area - hydroagricultural Facilities 200 ha in Guinean area 	<ul style="list-style-type: none"> - Agro pastoral farms - hydroagricultural Facilities between 10 and 50 ha in Sahelian area - hydroagricultural Facilities between 50 and 100 ha in Sudanian area - hydroagricultural Facilities between 100 and 200 ha in Guinean area - Extension of irrigation schemes - Restoration work / repair, hydro-agricultural - Integrated Rural Development - Policies and strategies for agricultural development - Category A extension Construction of irrigation facilities - Pesticides Use Policy 	<ul style="list-style-type: none"> - hydroagricultural Facilities < 10 ha in Sahelian area - hydroagricultural Facilities < 50 ha in Sudanian area - hydroagricultural Facilities < 100 ha in Guinean area - Erosion Control (DRS-CES) 	<ul style="list-style-type: none"> - Project to improve the environment 	<ul style="list-style-type: none"> - Require the proponent to comply with the Categorization A, B, C, D,

	- Social projects (construction of schools, health centers, training centers ...)			
--	---	--	--	--

Table 24.3.2B: Classification of livestock projects

Category A	Category B	Category C	Category D	Category FI
Facilities Pastoral	- Milk production - Pastoral Farms - Poultry Farms	-Crops fodder	Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

Table 24.3.2C: Classification of Forestry / Fish farming projects

Category A	Category B	Category C	Category D	Category FI
- industrial plantations \geq 100ha - classification and decommissioning of forests - Clearing the bowl of large dams - Forest facilities of area \geq 1.000 ha - Project of agro-industrial goal of area \geq 50 ha in Sahelian area - Project of agro-industrial goal of area \geq 100 ha in Sudanian area - Project of agro-industrial goal of area \geq 200 ha in Guinean area	- industrial plantations < 100 ha - Clearing the bowl of small dams - Forest facilities of area < 1.000 ha - Project of agro-industrial goal between \leq 50 ha in Sahelian area - Project of agro-industrial goal between \leq 50 ha in Sudanian area - Project of agro-industrial goal \leq 200 ha in Guinean area	- Traditional Fish Farming -	Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

- Industrial Fish Farming				
---------------------------	--	--	--	--

24.3.3. Projects in the field of public services

Table 24.3.3A: Classification of Water Projects

Category A	Category B	Category C	Category D	Category FI
<ul style="list-style-type: none"> - Large dams with height of the dike ≥ 10 m - Irrigation and drainage in an area ≥ 200 ha - Drift and diversion of rivers - Works of dredging or courage of rivers or water bodies 	<ul style="list-style-type: none"> - Drinking water supply of urban and semi urban - Drinking water supply in rural centers - Channeling Works of coated rivers - Small dams with height of the dike between 1 and 10m - Irrigation and drainage in an area between 10 and 200 ha - Action Plan of the water sector - Integrated Development Plan of watershed - Policies and strategies for drinking water supply - Water Policy - Facilities Works of lowlands and floodplains with partial control of water 	<ul style="list-style-type: none"> - Small dams with height of the dike ≤ 1 m - Irrigation and drainage in an area < 10 ha - Works of soils and water conservation - Activities to stabilize riverbanks and streams 	Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

Table 24.3.3B: Classification of sanitation projects

Category A	Category B	Category C	Category D	Category FI
<ul style="list-style-type: none"> - Construction of technical landfills of hazardous waste - Sites of disposal of hazardous waste 	<ul style="list-style-type: none"> - Network of collective sanitation of wastewater and rainwater from urban and semi urban centers - Spreading of sludge from water purification or water treatment plants - Sanitation systems installation and modernization activities - Sanitation Policies and strategies - Processing and recycling of solid waste Unit 	<ul style="list-style-type: none"> - Construction of public latrines - Autonomous Sanitation 	<p>Project to improve the environment</p>	<p>Require the proponent to comply with the Categorization A, B, C, D,</p>

Table 24.3.3C: Classification of energy projects

Category A	Category B	Category C	Category D	Category FI
<ul style="list-style-type: none"> - Transport and distribution of energy: high voltage line - Thermal Plants - Installation of Gas turbines - Storage of gas and oil - Hydro-electric power plants 	<ul style="list-style-type: none"> - Energy policy - Transport and distribution of energy: line of medium voltage - Installation and production of renewable energy (solar, wind, biogas ...) - Service stations for sale of hydrocarbons - works of Installation and modernization of Category A projects - Works of maintenance and big repairs 	<ul style="list-style-type: none"> - Small repairs activities 	<p>Project to improve the environment</p>	<p>Require the proponent to comply with the Categorization A, B, C, D,</p>

Table 24.3.3.D: Classification of Telecommunication Projects

Category A	Category B	Category C	Category D	Category FI
	<ul style="list-style-type: none"> - Transmissions (mobile radio pylons, pylons of microwave, optical fiber) - Local Networks - Earth Stations - Extension works of transmission and local networks - Extension or repair work of earth stations 	<ul style="list-style-type: none"> - Commutation - Transmission Facilities - Repair work of earth stations 	<p>Project to improve the environment</p>	<p>Require the proponent to comply with the Categorization A, B, C, D,</p>

Table 24.3.3E: Classification of Urban, Housing and Planning Projects

Category A	Category B	Category C	Category D	Category FI
<ul style="list-style-type: none"> - Urbanization and subdivision of surface $\geq 10.000m^2$ - Clearing work for establishment of Category A industrial units 	<ul style="list-style-type: none"> - Policies and Plans of Planning and Urbanism - Urbanization and subdivision of surface $< 10.000 m^2$ - Campground Facilities - Construction of Ground Floor Buildings - Construction of buildings R + - Construction of Hospitals - Construction of markets and shopping centers - Clearing work for establishment of Category B industrial units 	-	Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

24.3.4. Industry Projects

Table 24.3.4A: Classification of mining and extractive Industry projects

Category A	Category B	Category C	Category D	Category FI
<ul style="list-style-type: none"> - Establishment and operation of a mine with a production capacity of $> 100t$ / day (metalliferous or no, oil, uranium) - Construction of treatment plants and refineries 	<ul style="list-style-type: none"> - Establishment and operation of any mine with a production capacity of $< 100 t/day$ (metalliferous or no, oil, uranium) - Salt Production 	-	Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

<ul style="list-style-type: none"> - Construction of Cement Unit and plants of quicklime production - Construction of plants of fertilizer production - Industrial production of mineral water 	<ul style="list-style-type: none"> - Extension work of installation of mine and extractive industry - Research and mineral exploration - Exploitation and artisanal mineral processing - Permanent or temporary establishment and operation of quarry substances (sand, gravel, granite, and other stones) - Construction of tile / brick factory - Extension work of Category A installation - Mining Policy 			
---	--	--	--	--

Table 24.3.4B: Classification of agro-food industry Project

Category A	Category B	Category C	Category D	Category F1
<ul style="list-style-type: none"> - Construction of slaughterhouses - Construction of Breweries - Construction of Canning - Industrial milk Productions 	<ul style="list-style-type: none"> - Construction of a Milling - Construction of Rice Mill - Construction of Bakeries - Construction of cold storage 		Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

- Industries of agro-food processing	- Refurbishment, extension and modernization of food processing units			
- Construction of oil unit	- Pastoral Farms			
- Productions of sugar	- Poultry Farms			
- Processing of fishery products				
- Tobacco Industries				

Table 24.3.4C: Classification of textile and clothing industry projects

Category A	Category B	Category C	Category D	Category FI
Textile Plants (dyeing and printing)	<ul style="list-style-type: none"> - Factories of sanitary products based on cotton - Spinning Plants (production of industrial cotton thread) - Clothing production Unit - Rehabilitation, modernization and expansion of Category B Projects - Fabric Plants - Cotton Ginning Plants - Rehabilitation, modernization and expansion of textile factories 	-	Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

Table 24.3.4D: Classification of projects of other production units

Category A	Category B	Category C	Category D	Category FI
<ul style="list-style-type: none"> - Wood industry (forestry) - Industry of leather (tanning factories) 	- Paper Industry (production of cartons and packaging, printing)		Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

- Steel / Metal	- Pharmaceutical Industry (drug production)			
- Plastic Industries (production of plastic materials)	- Manufacture and assembly of bicycles and mopeds			
- Production of soaps and detergents	- Production of Batteries / Battery			
- wood Industry (sawmills)				
- Construction of paint factories				

24.3.5. Services and others

Table 24.3.5: Classification of services projects and other

Category A	Category B	Category C	Category D	Category F1
	<ul style="list-style-type: none"> - Hotels, camping, holiday village, management of pastoral zone, - Road and transport equipment - management of hunting areas - Port Equipment - Aeronautical Equipment 	<ul style="list-style-type: none"> - Services – Miscellaneous - Cyber cafes, TV-centers 	Project to improve the environment	Require the proponent to comply with the Categorization A, B, C, D,

Appendix 25: List of Environmental and social impact assessment
Guidelines (EG)

- EG-01 Financial intermediaries loan
- EG-02 Natural sites
- EG-03 Forests management
- EG-04 Dams and reservoirs
- EG-05 Land and water resources management
- EG-06 Watershed planning
- EG-07 Involuntary resettlement
- EG-08 Indigenous people
- EG-09 Cultural resource
- EG-10 Pest management
- EG-11 Biological diversity
- EG-12 Planting and reforestation
- EG-13 Wetland
- EG-14 Coasts and coastal management
- EG-15 Natural risk
- EG-16 Prevention of flood
- EG-17 Irrigation and drainage projects
- EG-18 Fisher
- EG-19 Agricultural production management
- EG-20 Livestock and pasture management
- EG-21 Arid and semi-arid areas
- EG-22 Social issues in ecologically sensitive areas
- EG-23 Tourism development

- EG-24 Harbors and harbors facility
- EG-25 Petroleum refining
- EG-26 Pipeline and gas pipeline
- EG-27 Hydropower project
- EG-28 Electricity transmission network
- EG-29 Thermal Power Projects
- EG-30 Large residential construction project
- EG-31 Wastewater collection and treatment
- EG-32 Hazardous Materials Management
- EG-33 Agro-industry
- EG-34 Food Industry
- EG-35 Fertilizer plants
- EG-36 Chemical and petrochemical industry
- EG-37 Cement Industry
- EG-38 Steel industry
- EG-39 Iron industry
- EG-40 Industrial risk management
- EG-41 Public Health and Safety
- EG-42 Analysis of social issues
- EG-43 induced development
- EG-44 Capacity building

BIBLIOGRAPHIE

Agence Canadienne de Développement International (1997). *Manuel d'évaluation environnementale des programmes et projets des organisations et institutions non gouvernementales*. Hull, Canada.

Banque Africaine de Développement (2002). *Politique en matière de population et stratégies de mise en œuvre*.

Banque Africaine de Développement (2003). *Politique environnementale du Groupe de la Banque Africaine de Développement*.

Banque Africaine de Développement (1999). *Guide pratique – Exécution, supervision, achèvement, évaluation rétrospective de projet*.

Banque Africaine de Développement (1999). *Guide pratique – Identification, préparation et évaluation de projet*.

Banque Ouest Africaine de Développement (2003). *Politiques et procédures d'intervention de la banque ouest africaine de développement en matière de gestion environnementale et Sociale dans le financement des projets*.

Banque Ouest Africaine de Développement (2010). *Manuel de procédures environnementales et sociales de la Banque ouest africaine de développement*.

Banque Ouest Africaine de Développement (2006). *Manuel de classification Environnementale des projets*.

BANQUE MONDIALE. *Politiques opérationnelles en matière d'environnement*.

BANQUE MONDIALE. *Procédures opérationnelles en matière d'environnement.*

BANQUE MONDIALE. *Manuels opérationnels de la banque Volume I, Volume II et Volume III*

BANQUE MONDIALE. *Project Supervision, Washington, Banque mondiale, 1989*

BANQUE MONDIALE. *Funding for the Global Environment, Washington (D. C.), 1990. Document de travail 12.*

AHMAD, Y.J., S. EL SERAFY et E. LUTZ, éd.. *Environmental Accounting for Sustainable Development: A UNEP-World Bank Symposium, Washington, 1989.*

ANONYME. « The International Development of Environmental Impact Assessment », *The Environmentalist*, vol. 8, n° 2, p. 143 (1988).

DRAGGAN, S., J. J. COHRSSON et R. E. MORRISON, éd. *Environmental Monitoring, Assessment and Management, New York (New York), Praeger, 1987.*

BA QADIR, A.B.A. *Meteorology and Environmental Protection Administration, Gland (Suisse), Union internationale pour la conservation de la nature et de ses ressources, 1983.*

BURHENNE-GUILMIN, F., C. DE KLEMM, M. FORSTER et B. LAUSCHE. « Legal Implementation of the World Conservation Strategy-Problems and Progress », *Environmental Policy and Law*, vol. 16, p. 189-205 (1986).

CERNEA, M.M. *Social Methodology for Community Participation in Local Investment: The Experience of Mexico's PIDER Program, Washington (D. C.), Banque mondiale, 1983. Document de travail 598 p.*

DE KLEMM C., et B. LAUSCHE. *African Wildlife Laws*, Gland (Suisse), UICN Environmental Law Center, 1986.

DUPUY, R.J., éd. *The Future of the International Law of the Environment*, vol. XXII, Dordrecht (Pays-Bas) et Boston (Massachusetts), The Hague Academy of International Law et Université des Nations Unies, Martinus Nijhoff Publishers, 1984.

GIBBS, M.J., et coll. *Reducing Methane Emissions from Livestock: Opportunities and Issues*, Washington (D. C.), United States Environmental Protection Agency, 1990.

UNITED STATES. ENVIRONMENTAL PROTECTION AGENCY. *Policy Options for Stabilizing Global Climate*, Washington (D. C.), EPA, 1990. Rapport préliminaire au Congrès.

TABLE OF CONTENTS

LIST OF TABLES	iii
APPENDIX LIST	iv
ACRONYMS AND ABBREVIATIONS	v
INTRODUCTION	1
1. OP_01 WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT OF PROJECTS	5
1.1. Introduction	5
1.2. Environmental and social Screening and definition of the ESIA Scope 10	
1.3. Assessment of cumulative effects in ESIA of projects and issues global and transboundary	12
1.4. Environmental and Social Impact Assessment for Special Project Types	14
1.4.1. Projects Involving Subprojects	14
1.4.2. Projects Involving Financial Intermediaries.....	15
1.4.3. Institutional Capacity	16
1.4.4. Public Consultation	16
1.5. Execution.....	19
Appendix 1.A: Definitions on environmental and social assessment	20
Appendix 1.B: Content of an Environmental and Social Impact Assessment Report for a Category A Project	24
Appendix 1.C: Environmental and Social Management Plan	28
Annex 1.D: Elements of the ESIA report for a Category B project.....	32
2. BP_01 : PROCEDURES OF THE WEST AFRICAN DEVELOPMENT BANK ON ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT OF PROJECTS	33
2.1. Introduction	33
2.2. Description of BOAD E&S Procedures.....	34
2.2.1. Entry into portfolio.....	34
2.1.	35
2.2.1.1. Step 1 - Checking the exclusion list	35

2.2.1.2.	Step 2 – Project Categorization	35
2.2.1.3.	Step 3 - Preliminary information for the client	36
2.2.1.4.	Step 4 - “Comité des engagements”/project entry into portfolio	37
2.2.2.	Analysis and evaluation of projects	38
2.2.2.1.	Step 1 - Environmental and Social Due Diligence (DD E&S)	38
2.2.2.2.	Step 2 - “Comité des engagements” - Consideration of proposed loan	45
2.2.2.3.	Step 3 - Loan Agreement.....	46
2.2.3.	Supervision	46
	Annex A : Exclusion list of BOAD for projects	50
2.2.4.	Appendix 2.B - Summary of E&S procedures of BOAD	51
2.2.5.	Appendix 2.C: Environmental and Social Impact Assessment (ESIA) of dams and reservoirs projects.....	58
2.2.6.	Annex 2.D: Environmental and Social Impact Assessment of projects involving pest management activities	60
3.	OP_02: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON NATURAL HABITAT	64
3.1.	Applying Precautionary Approach	64
3.2.	Economic and Sector Work	64
3.3.	Project Design and Implementation	65
3.3.1.	Appendix 3. Definitions of natural habitat.....	68
4.	BP_02: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON NATURAL HABITATS	71
4.1.	Procedures applicability.....	71
4.2.	Procedures on natural habitats in project cycle	71
4.2.1.	Project Preparation	71
4.2.2.	Documentation	72
4.2.3.	Appraisal Reports.....	73
4.2.4.	Role of Bank Staff.....	73
5.	OP_03: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON FOREST MANAGEMENT	74
5.1.	Generality	74

5.2.	Policy objectives	75
5.3.	Scope of Policy	76
5.4.	Bank Financing.....	77
5.4.1.	Plantations	77
5.4.2.	Commercial Harvesting.....	78
5.5.	Project Design	81
5.5.1.	Appendix 5: Definitions of forests	83
6.	BP_03: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON FORESTS MANAGEMENT	86
6.1.	Project Preparation	86
6.2.	Project implementation and supervision	89
7.	OP_04: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON SECURITY OF DAMS.....	90
7.1.	New dams.....	90
7.2.	Existing dams and dam under construction.....	92
7.3.	Economic policy dialogue.....	94
8.	BP_04: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON SECURITY OF DAMS.....	95
8.1.	Introduction	95
8.2.	Application of the procedure in the operational cycle of the project	95
8.2.1.	Preparation.....	95
8.2.2.	Evaluation	96
8.2.3.	Supervision	97
9.	OP_05: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON INTERNATIONAL WATERWAYS.....	99
9.1.	Scope of the policy	99
9.2.	Agreements/Arrangements	100
9.3.	Notification	100
9.4.	Exceptions to Notification Requirement	101
9.5.	Presentation of Loans to the Executive Directors	102
10.	BP_05: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PROJECTS RELATED INTERNATIONAL WATERWAYS	103
10.1.	Application of those procedures in the project cycle	103

10.1.1.	Preparation and evaluation of the project.....	103
10.1.2.	Documentation and information of the riparian States.....	104
10.1.3.	104
10.1.4.	Supervision, responses/objections	105
10.1.5.	Retrospective assessment	107
10.2.	Support maps.....	108
11.	OP_06: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON DISPUTED AREAS	109
11.1.	Introduction.....	109
11.2.	Presentation of Loans to the Executive Directors.....	109
12.	BP_06: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PROJECTS IN DISPUTE AREAS	111
12.1.	Application of those procedures in the project cycle	111
12.1.1.	Preparation and appraisal of the project	111
12.1.2.	Documentation and information of the riparian States.....	112
12.1.3.	Retrospective appraisal.....	112
12.2.	Maps.....	113
13.	OP_07: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON INVOLUNTARY RESETTLEMENT	114
13.1.	Introduction	114
13.2.	Objectives.....	114
13.3.	Impacts covered by the policy.....	115
13.4.	Required Measures	116
13.5.	Eligibility for Benefits	121
13.6.	Resettlement Planning, Implementation and Monitoring.....	124
13.7.	Resettlement Instruments	126
13.7.1.	Resettlement Plan.....	126
13.7.2.	Resettlement Policy Framework	126
13.7.3.	Process framework	128
13.7.4.	Assistance to the Borrower.....	128
13.7.5.	Annex 13: Involuntary Resettlement Instruments	130
13.7.6.	Resettlement Plan.....	130

13.7.7.	Summary resettlement Plan	138
13.7.8.	Resettlement Policy Framework	139
13.7.9.	Functional framework	141
14.	BP_07: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON INVOLONTARY RESETTLEMENT	144
14.1.	Introduction	144
14.2.	Application of procedures in project cycle	144
14.2.1.	Preparation	144
14.2.2.	Appraisal	147
14.2.3.	Supervision	150
15.	OP_08: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON INDIGENOUS POEPLS	152
15.1.	Generality	152
15.2.	Application of the policy to the project cycle	153
15.2.1.	Project identification	153
15.2.2.	Project Preparation	155
15.2.3.	Social Assessment	156
15.2.4.	Indigenous Peoples Plan/Planning Framework	158
15.2.5.	Disclosure	160
15.3.	Special Considerations	161
15.4.	Commercial Development of Natural and Cultural Resources	162
15.5.	Indigenous Peoples and Development	165
15.5.1.	Appendix 15.A: Social Assessment	167
15.5.2.	Appendix 15.B: Indigenous Peoples Plan	169
15.5.3.	Appendix 15.C: Indigenous Peoples Planning Framework	171
16.	BP_08: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON INDIGENOUS POEPLS	172
16.1.	Generality	172
16.2.	Application of procedures in project cycle	173
16.2.1.	Project Identification	173
16.2.2.	Project preparation	174
16.2.3.	Project appraisal	178

16.2.4.	Negotiations and Disclosure	179
16.2.5.	Supervision	179
16.2.6.	Implementation Completion Report	180
17.	OP_09: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON PHYSICAL CULTURAL RESOURCES	181
17.1.	Introduction and definition	181
17.2.	Objectives.....	181
17.3.	Physical Cultural resource and Environmental and Social Impact Assessment.....	182
17.3.1.	Consultation	184
17.3.2.	Dissemination	184
17.4.	Emergency reconstruction project.....	185
17.4.1.	Appendix 17.A: Currents examples of cultural resource physical	186
17.4.2.	Appendix 17.B: Procedures for fortuitous discoveries.....	188
17.4.3.	Appendix 17.C: International conventions and cultural heritage list of cultural physical.....	193
18.	BP_09: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PHYSICAL CULTURAL RESOURCES	195
18.1.	Introduction.....	195
18.2.	Physical cultural resource and environmental and social impact assessment.....	195
18.2.1.	Screening of environmental and social impact assessment.....	195
18.2.2.	Initial evaluation of the project	199
18.2.3.	Monitoring and retrospective assessment.....	199
19.	OP_10: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON PEST MANAGEMENT	201
	201
19.1.	Generality	201
19.2.	Pest control in agriculture	201
19.3.	Pest public health.....	202
19.4.	Selection and use of pesticides	202
20.	BP_10: WEST AFRICAN DEVELOPMENT BANK PROCEDURES ON PEST MANAGEMENT	204

22.2.3.	Global problem posed by boundary waters	226
22.3.	International agreements on the environment and natural resources	226
22.3.1.	Commitment BOAD in the implementation of international agreements.....	226
22.3.2.	Scope of the international law of the environment.....	227
22.3.3.	230
22.3.4.	Appendix 22.A: Air pollution definition	230
23.	OP_13: WEST AFRICAN DEVELOPMENT BANK OPERATIONAL POLICY ON PUBLIC PARTICIPATION IN ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT PROCESS	232
23.1.	Public participation in environmental and social impact assessments	232
23.2.	Types of public participation	233
23.2.1.	Dissemination of information	235
23.2.2.	Consultation	236
23.2.2.1.	Consultation in the framing of the environmental and social impact assessment.....	237
23.2.2.2.	Consultation during the making of the environmental and social impact assessment	237
23.2.2.3.	Consultation during the making of the environmental and social impact assessment	238
23.2.3.	Projects that require the involuntary displacement of populations.	238
23.2.3.1.	Projects aimed at certain types of recipients	239
23.2.3.2.	Local development projects	239
23.2.4.	Participation	239
23.2.4.1.	Choice of participants.....	240
23.2.4.2.	Elements for a fruitful consultation	243
23.2.5.	Consultation Framework	244
23.2.6.	Importance of an enabling environment.....	245
23.3.	Principles of the Bank regarding the disclosure of documents of an environmental and social impact assessment	246

23.4.	Legislation relating to environmental and social impact assessments	246
23.5.	Need for broadcasts and information	247
23.6.	Problems and risks	248
23.7.	Plan of consultation or participation.....	249
24.	Manual_01: WEST AFRICAN DEVELOPMENT BANK MANUAL FOR SCREENING	251
24.1.	Summary of different types of projects.....	252
24.1.1.	Category A:.....	252
24.1.2.	Category B:	253
24.1.3.	Category C:.....	253
24.1.4.	Category D:.....	253
24.1.5.	Category FI:.....	254
24.2.	Notes on lines of credit and guarantees in the private sector	254
24.3.	Classification of projects in various sectors of Bank interventions ...	255
24.3.1.	Projects in the transport sector	255
24.3.2.	Projects of Rural Development.....	257
24.3.3.	Projects in the field of public services	259
24.3.4.	Industry Projects	262
24.3.5.	Services and others	265
	Appendix 25: List of Environmental and social impact assessment Guidelines (EG)	266
	BIBLIOGRAPHIE	268
	TABLE OF CONTENTS.....	271