

# COMPLAINT ON THE ABIDJAN URBAN TRANSPORT PROJECT (CÔTE D'IVOIRE)



**SUMMARY OF THE CLOSED PROBLEM-SOLVING EXERCISE**

Septembre 2021



## I. THE PROJECT

In December 2016, the Board of Directors of the African Development Bank Group (AfDB) approved a two-phase loan to Cote d'Ivoire in support of The Abidjan Urban Transport Project (hereafter referred to it French acronym 'PTUA'). The PTUA aims to improve the living conditions of the population in its impact area. More specifically, it aims to significantly improve traffic flow in Abidjan, reduce air pollution, address youth unemployment, and improve the income of the population, particularly female business operators. One of the key components of the PTUA is the construction of the "4th bridge" over the Ebrié Lagoon linking the communes of Yopougon Attécoubé, Adjamé and Plateau over a total length of 7.5 km and the development of its connecting expressways.



## II. THE COMPLAINT

On 28 December 2018, IRM registered a request regarding the 4<sup>th</sup> bridge construction project. In fact, three complaints against the project were received and registered under a single complaint with the mutual agreement of all complainants:

(i) the first complaint was filed by a civil society organisation: The Mouvement Colombe Ivoire and the Civil Society Platform (MCI/PSC) representing the interests of people and property of affected persons in the municipalities of Attécoubé and Yopougon;

(ii) the second complaint was signed by the group of Boribana resident owners (the Boribana Collective); and

(iii) the third complaint was submitted by the traditional chieftaincy of Adjamé village.

According to the authors of the first and second complaints, they viewed the project's handling of certain key issues relating to the compensation and resettlement of PAPs as being inadequate and lacking in transparency. The complainants claimed that these issues ran afoul of the provisions contained within AfDB's resettlement policy which borrowers are obliged to respect. The grievances revolved around the following allegations:

- flaws in the census of affected persons;
- lack of clarity in the calculation of compensation;
- disagreement on the choice of resettlement sites;
- misinformation from officials requesting that PAPs not register their children in schools before they were resettled; and
- threats of reprisals against PAP representatives, (particularly those of the Colombe Ivoire Movement (MCI)).

As for the traditional chieftaincy of Adjamé, the author of the third complaint, the construction of the bypass of the access road to the 4<sup>th</sup> bridge, which passes through the village, would allegedly lead to the destruction of their cultural and religious heritage. In addition, they claimed that the Government and the project sponsors refused to make project documents available to them and that project officials failed to engage them appropriately in the consultation phases.

### III. IRM ACTION

In order to help the stakeholders (Complainants and the Project Implementation Unit - PIU-PTUA) to clear up misunderstandings, overcome disagreements and find solutions to compensation and resettlement issues, IRM organised five separate mediation meetings on 12 March, 8 May 2019, 5 May and 8 August 2020 and 11 March 2021 respectively. The mediation meetings brought together the complainants, the PIU- PTUA, the AfDB project team. These meetings served as a forum to identify issues and address them in a systematic manner. The following 9 issues were raised and discussed by the parties:

**1) The uncertainty related to the situation of the Agdoua Fadette public school in Yopougon**, whose owner complained that she had no information about her situation as an impacted person. According to the complainant, no notification was made, no compensation offered, and no paperwork filed indicating that her school was affected. In the face of so much uncertainty, her school had been operating at a loss during that year (2018). The owner wanted to have a document proving that her school was impacted and where the school would be moved to.

**2) The challenges to the compensation amounts provided to the PAPs** represented by the MCI/PSC, who claimed that the planned amounts were inadequate.

**3) The situation of fifty-one resident landowners** in the municipalities of Attecoubé and Yopougon who were to be relocated while the resettlement sites were not yet built.

For the BORIBANA Resident Owners Collective (Complaint 2), the problems centred around:

**4) The non-availability of the methodology** used to calculate RAP compensation amounts and the lack of responsiveness by the project authorities despite request letters sent to the CE-PTUA.

**5) The failure to take into account the status of their lands in the calculation of the compensation.** According to the collective, CE-PTUA considered their lands to be in the public domain, which they disputed.

**6) The case of the fourteen PAPs who are resident owners living in Boribana** and who refused to sign the negotiation records on the grounds that the amounts offered to them were lower than what they claimed was the real values of their houses.

The traditional chieftaincy (Complaint 3), identified the following problems and concerns:

**7) The failure to provide the PAPs with the project's technical documents**, despite complaints to the project team to this effect. This would have included a list of PAPs, environmental and social impact assessment documents, environmental and social management plan, and other documents).



**8) The lack of information on the future of the village** if the project works were implemented. The PAPs were especially concerned that the access road that crosses the village would go ahead without the village benefiting from the project and with a risk of them losing their cultural heritage.

**9) Concerns about the fate of PAPs who would be forced to lose their homes** with the construction of this access road and who are culturally very attached to the village.

Each meeting discussed the points of contention and reviewed the status of implementation of the actions on the points agreed upon at the previous meeting. At the end of these various meetings, the misunderstandings related to the request for the provision of compensation scales, the modalities for calculating compensation, and the situation of the Agdoua Fadette public school were resolved. At the request of the traditional chieftaincy of Adjame, the complainants also received the list PAPs in Adjame, and the documents related to the impact study. The PAPs who are resident-owners in Complaint 1 agreed to vacate their homes pending completion of the construction of resettlement sites in Songon and Ebimpé and CE-PTUA agreed to pay for temporary rental housing. The PAPs in Adjame (Complaint 3) also agreed to move to the resettlement sites. The only issue that was not resolved concerned the 14 owners of Boribana (Complaint 2) and this issue was eventually brought before the national courts. As a result of the legal proceedings, IRM excluded this aspect from consideration within the scope of its problem-solving mandate in accordance with its Rules (2015).





#### IV. OUTCOME

With the misunderstandings addressed and successful agreements reached by the parties<sup>2</sup> on all the 8 issues, IRM decided, in consultation with the stakeholders, to close the problem-solving/mediation exercise as there was no further issues outstanding to resolve.

<sup>2</sup> These 'parties' did not include the complainants from the 14 resident owners of BORIBANA who were contesting the method of calculating the scale of their buildings, and brought their complaint before the national courts, which made it ineligible to be considered by the IRM.