WEST AFRICAN DEVELOPMENT BANK (BOAD)

Accountability and Grievance mechanisms (BOAD-AGM)

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The West African Development Bank (BOAD) is the regional development finance institution for the member countries of the West African Monetary Union (WAMU). It was established by an Agreement signed on 14 November 1973 and became operational in 1976. BOAD's member countries include Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal, and Togo. Its mandate is to promote balanced development across its member states and to foster economic integration within the West African region. As an Implementing Agency of the Global Environment Facility (GEF), BOAD has established an Accountability and Grievance Mechanism (BOAD-AGM) to support the effective implementation of its social and environmental safeguard policies.

STANDARDS AND SAFEGUARDS

The **Environmental and Social Safeguard Framework (ESSF)** (*Cadre de sauvegarde environnementale et sociale*)[1] of the BOAD outlines the Bank's commitment to promoting sustainable and inclusive development across the WAEMU region. The framework is grounded in BOAD's **Environmental and Social Policy**, its **Gender Policy and Strategy**, and a comprehensive set of nine **Environmental and Social Safeguard Standards (ESSS)**. These standards provide a systematic approach for identifying, assessing, and managing environmental and social risks and impacts associated with projects financed by the Bank. The ESSS cover a wide range of thematic areas, including environmental and social assessment and management systems; labor and working conditions; pollution prevention and resource efficiency; community health, safety, and security; land acquisition and involuntary resettlement; biodiversity and sustainable natural resource management; vulnerable and disadvantaged groups; cultural heritage; and stakeholder engagement and information disclosure.

LAND TENURE

BOAD's environmental and social safeguard standards, **NSES n°5** and **NSES n°7**, form the institution's policy framework for managing risks and impacts related to **land tenure** in the context of development projects. These standards apply to all initiatives involving land acquisition, restrictions on access to or use of land and natural resources, and involuntary resettlement. They are designed to ensure that legitimate land tenure rights—whether formally documented or recognized through customary or informal arrangements—are identified, respected, and protected throughout the project lifecycle.

NSES n°5 provides detailed guidance on managing land-related impacts, with a primary objective of avoiding displacement wherever possible. When displacement is unavoidable, the standard requires that adverse impacts be minimized and that affected persons receive compensation at full replacement

[1] BOAD. 2022. *Cadre de sauvegarde environnementale et sociale*. Cadre-de-sauvegarde-ES-BOAD-VF-002.pdf

cost. Where appropriate, land-based compensation is prioritized—especially for individuals and communities whose livelihoods depend on land. The standard also mandates that resettlement processes preserve or enhance tenure security, including through the allocation of secure, conflict-free land at resettlement sites. It further requires the implementation of gender-responsive measures, such as joint land titling. Transparent procedures, inclusive consultations, and access to grievance redress mechanisms are integral to the standard's application.

NSES n°7 reinforces these commitments by requiring heightened attention to individuals and groups who may be particularly vulnerable to land-related impacts due to structural marginalization. This includes persons and communities with collective, customary, or informal tenure systems. The standard calls for the early identification of such groups, a thorough assessment of risks to their land rights, and the adoption of context-specific measures to prevent or mitigate harm. In cases involving Indigenous-like groups, such as *minorités rurales très vulnérables* (MRTV), the safeguard requires that Free, Prior, and Informed Consent be obtained before initiating any activity likely to affect their land, natural resources, or cultural identity.[2]

OUTREACH AND ADMISSIBILITY

BOAD maintains a website that provides basic information about its grievance mechanism, including an online contact form for submitting complaints.[3] To be considered admissible under BOAD's grievance mechanism, a complaint must relate to a project or program in which BOAD is involved—whether as a funder, arranger, guarantor, or advisor. The complaint must be submitted by, or on behalf of, individuals affected by the project and must raise concerns specifically regarding the application of BOAD's policies, particularly its environmental and social safeguards.

Complaints fall outside the scope of the mechanism if they concern procurement-related disputes (which are handled through separate procedures), allegations of fraud or corruption, matters already decided by BOAD or its Board of Directors (unless new and material evidence is presented), issues raised more than twelve months after the project's closure or cancellation, or disputes that involve only third parties without any direct involvement from BOAD.[4] Additionally, BOAD's grievance mechanism does not process complaints that are currently under review by judicial or similar appeal bodies. Such cases are explicitly excluded from its mandate.[5]

FILING A COMPLAINT

Any individual or group potentially affected by a project supported by BOAD may submit a complaint. Complaints may be filed via mail, email, fax, or through the dedicated DILC telephone hotline. While anonymous complaints are not accepted, the identities of complainants will be kept confidential upon request.[6]

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[2] BOAD. 2022. *Cadre de sauvegarde environnementale et sociale*. Cadre-de-sauvegarde-ES-BOAD-VF-002.pdf
[3] BOAD. n.d. Grievance Service. Grievance Service - La BOAD
[4] Paragraph 4.2. BOAD. 2013. Manuel de Politique et Procédures de vérification de la conformité de la BOAD. https://admin.boad.org/wp-content/uploads/2024/04/Manuel-de-politique-et-procedures-de-verification-de-la-conformite-de-la-BOAD-1.pdf
[5] Paragraph 4.2. BOAD. 2013. Manuel de Politique et Procédures de vérification de la conformité de la BOAD. https://admin.boad.org/wp-content/uploads/2024/04/Manuel-de-politique-et-procedures-de-verification-de-la-conformite-de-la-BOAD-1.pdf
[6] Paragraph 7.1. BOAD. 2013. Manuel de Politique et Procédures de vérification de la conformité de la BOAD. https://admin.boad.org/wp-content/uploads/2024/04/Manuel-de-politique-et-procedures-de-verification-de-la-conformite-de-la-BOAD-1.pdf .

At a minimum, a complaint must clearly identify the project in question and describe the harm or adverse impact it has caused. It must also include the name(s) of the complainant(s) and specify whether the submission is being made directly by the affected individuals or through a designated representative. In cases where a representative is submitting the complaint, it must include the representative's full name, signature, contact information, and written proof of authorization to act on behalf of the affected person(s) or community.[7]

DESCRIPTION OF THE PROCESS

BOAD offers two avenues for addressing complaints: **Compliance Review**, which investigates adherence to the Bank's policies, and **Problem-Solving**, which facilitates dialogue to resolve underlying issues and restore stakeholder engagement.[8] [9]

BOAD's grievance resolution (problem-solving) process complements project-level mechanisms by providing additional expertise when needed. In cases where such mechanisms are absent or ineffective, BOAD assumes a more proactive role. The primary responsibility for ensuring effective grievance management in BOAD-financed projects rests with the Resident Missions. Heads of Resident Missions oversee the process in close coordination with the Compliance and Regulatory Organizational Unit.[10]

Complaints are registered within five working days, with acknowledgment sent to the complainant and copies shared with the executing agency and BOAD headquarters. Within 20 working days, BOAD assesses the admissibility of the complaint and notifies all parties of its decision. If the complaint is deemed admissible, the Bank evaluates potential resolution pathways within 25 working days and may recommend the use of project-level grievance mechanisms as a first step if appropriate.

The **Problem-Solving process** is voluntary and case-specific, relying on the active participation of all stakeholders. BOAD supports resolution through tools such as mediation, conciliation, and negotiation. The process continues as long as all parties remain engaged. Upon conclusion, the Compliance Unit submits a report to the President outlining the outcome—either an agreement reached or, if unresolved, the steps taken and follow-up recommendations.[11] As a non-judicial and voluntary mechanism, the outcomes are not legally binding but are monitored by BOAD's Compliance and Regulation Unit to ensure appropriate follow-through.[12]

The **Compliance Review function** investigates allegations that BOAD has failed to comply with its operational policies and procedures, resulting in—or likely to result in—direct and material harm to individuals affected by a BOAD-supported project. This function is overseen by a Compliance Officer at the Director or Deputy Director level, within the Compliance and Regulation Division (Division de la Conformité et de la Réglementation – DCR), part of the Legal Affairs Department (Direction des Affaires

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[7] BOAD. n.d. Grievance Service. Grievance Service - La BOAD
[8] Paragraph 4.1. BOAD. 2013. Manuel de Politique et Procédures de vérification de la conformité de la BOAD. https://admin.boad.org/wp-content/uploads/2024/04/Manuel-de-politique-et-procedures-de-verification-de-la-conformite-de-la-BOAD-1.pdf
[9] Paragraph II. BOAD. 2013. Manuel de politique et procédures de règlement des griefs. https://admin.boad.org/wp-content/uploads/2024/04/pg_05_reglement_des_griefs_final.pdf
[10] Paragraph 3.4. BOAD. 2013. Manuel de politique et procédures de règlement des griefs. https://admin.boad.org/wp-content/uploads/2024/04/pg_05_reglement_des_griefs_final.pdf
[11] Paragraphes 3.3.4. to 3.3.8 BOAD. 2013. Manuel de politique et procédures de règlement des griefs. https://admin.boad.org/wp-content/uploads/2024/04/pg_05_reglement_des_griefs_final.pdf
[12] Paragraph 3.5. BOAD. 2013. Manuel de politique et procédures de règlement des griefs. https://admin.boad.org/wp-content/uploads/2024/04/pg_05_reglement_des_griefs_final.pdf

Juridiques – DAJ). The Compliance Officer is responsible for managing the review process, including the recruitment of expert consultant panels when necessary.[13]

Within 20 working days of a complaint being deemed admissible, the Compliance Division drafts and publishes Terms of Reference (ToR) and a proposed timeline for the compliance review. Stakeholders are given 10 working days to provide comments on the draft ToR. If substantial revisions are made, an additional comment period may be granted before the ToR is finalized.

The Compliance Division conducts the investigation, which may involve site visits, interviews, and document review, and may engage external consultants as appropriate. The duration of the review is not fixed, as it depends on the complexity of the case. Once the investigation is completed, a draft report is submitted to the Director of Legal Affairs. Upon approval by the President, the draft report is shared with relevant stakeholders and made public. Stakeholders are then given 20 working days to provide comments.

Within 25 working days of receiving stakeholder feedback, the Compliance Officer finalizes the report—integrating findings and recommendations—and submits it to the President. The President has a further 25 working days to determine and approve any corrective actions. The final decision is communicated to the complainant and published. If delays occur at any stage, BOAD must inform stakeholders and provide an updated timeline.[14]

The Compliance and Regulation Division is responsible for monitoring the implementation of any decisions issued following a compliance review. Monitoring and reporting should occur annually or biannually and continue until full implementation is confirmed. The monitoring period is formally concluded once compliance is achieved.[15]

[13] Paragraph 6.1. BOAD. 2013. Manuel de Politique et Procédures de vérification de la conformité de la BOAD. https://admin.boad.org/wp-content/uploads/2024/04/Manuel-de-politique-et-procedures-de-verification-de-la-conformite-de-la-BOAD-1.pdf

[14] Paragraphs 7.5.2. to 7.5.8. BOAD. 2013. Manuel de Politique et Procédures de vérification de la conformité de la BOAD. https://admin.boad.org/wp-content/uploads/2024/04/Manuel-de-politique-et-procedures-de-verification-de-la-conformite-de-la-BOAD-1.pdf

[15] Paragraph 7.7. BOAD. 2013. Manuel de Politique et Procédures de vérification de la conformité de la BOAD. https://admin.boad.org/wp-content/uploads/2024/04/Manuel-de-politique-et-procedures-de-verification-de-la-conformite-de-la-BOAD-1.pdf