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**Inspection Panel Case:**  
**Cameroon: Lom Pangar Hydropower Project**  
*A case study*

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## **1. Introduction**

Two workers who were formally working at the construction site of the Lom Pangar Hydropower project in Cameroon, a project that was co-financed by the International Development Association of the World Bank, handed in a request for inspection at the Inspection Panel (IP) of the World Bank in December 2017, reporting about their bad working conditions (Anonymous requestors, 2017). This case study will outline and critically reflect how the request for inspection was handled. Therefore, first, the Lom Pangar Hydropower project will be presented, and the request will be contextualised. Subsequently, the official steps of the process at the IP will be outlined. On this basis, the outcome of the request on the project will be explored before the case will be situated in the general discourses on the IP.

## **2. The Project**

In March 2012, the World Bank approved to co-finance the Lom Pangar Hydropower Project (LPHP), located in Eastern Cameroon, with a Specific Investment Loan in the amount of 132 Mio. US-\$ (The World Bank, 2012a). The total project costs were calculated at 494 US-\$ (The World Bank, 2012c). It was reportedly the largest infrastructure project in the energy sector of the history in Cameroon at that time whose overarching aim was “to increase hydropower generation capacity and reduce seasonal variability of water flow in the Sanaga River and to increase access to electricity” (The World Bank, 2012c, p. 4). While most of the construction works were finalised by 2017, the World Bank project was officially closed in June 2019 (Rainforest Foundation UK, 2021, pp. 42–43; The World Bank, 2022).

The LPHP was, besides the World Bank, co-financed by the African Development Bank, the Agence Francaise de Developpement (AFD), the Central African States Development Bank, the European Investment Bank, as well as the government of the Republic of Cameroon (Rainforest Foundation UK, 2021, pp. 42–43; The World Bank, 2012c, p. 7). The World Bank (co-)finances four different project components: The first and second components are the construction of a regulating dam and a power plant and transmission line. The third one consists of several environmental and social measures. Those inter alia aim to compensate people that are displaced because of the project and to improve access to health and education facilities in the region. Furthermore, negative environmental impacts of the constructions shall be mitigated. In addition, some monitoring measures like audits to ensure the proper implementation of the Environmental and Social Management Plan of the project are included

in this component. The fourth component finances technical assistance and project management activities (The World Bank, 2012c, pp. 5–6).

The coordination of the project was done by the Electricity Development Corporation (EDC), a state-owned company whose mandate is to manage the electricity infrastructure of the country and who constitutes the official borrower of the World Bank loan. The construction of the dam itself was done by the China International Water and Electricity Corporation (CWE) who had the official responsibility for worker rights at the construction site. The CWE was chosen through a tender because it offered the least expensive project implementation (Chen and Landry, 2016, p. 11; Electricity Development Corporation, 2011b, p. 372; RECODH, 2013, p. 22; The World Bank, 2012a, pp. 4–6).

### **3. Contextualisation of the Complaint**

The request for inspection outlined bad working conditions at the construction site of the LPHP for workers employed by the CWE. Inter alia, the requesters claimed that the CWE failed to pay for overtime work, provided indecent accommodations, discriminated against Cameroonian workers and dismissed workers who got injured or sick at the construction site instead of providing medical treatment (Anonymous requestors, 2017). These claims were consistent with several previous reports and complaints about working conditions at the LPHP construction site. Already in the Environmental and Social Assessment of the project, done by the EDC, deficient housing conditions were noticed (Electricity Development Corporation, 2011a, p. 25). Furthermore, a report by the Cameroon Network of Human Rights Organizations (RECODH) from 2013 described deficient working conditions, including aspects also deplored in the request for inspection, like deficient housing conditions or the partly deprivation of a weekly rest day (Anonymous requestors, 2017, i-ii, 2; RECODH, 2013, pp. 50–68). The CWE followed a call by the Business and Human Rights Resource Center to reply to the RECODH report, thereby denied some of the claims, justified others and reported on some improvement measures that they claimed to be partly already implemented (Business & Human Rights Resource Centre, 2014; Chen and Landry, 2016, p. 15; CWE, 2014). Besides this, several strikes emerged at the construction site especially in 2012, but also later, that were according to newspaper reports partly mediated with the intervention of the government of Cameroon. The World Bank Management was aware of these strikes (Chen and Landry, 2016, p. 15; Olnga B, 2012; RECODH, 2013; The World Bank Management, 2018b, 28, 52). Moreover, also the then Director of the United Nations Centre for Human Rights and Democracy in Central Africa

reported of deficient working conditions after visiting the construction site of the LPHP in 2014 (Nsom, 2014).

These numerous reports and indications of deficient working conditions emerged despite several safeguard measures that were integrated in the project design of the LPHP. In general, the environmental and social assessment by the EDC showed that they were aware of the risk that the low possibilities at the Cameroonian labour market might induce an exploitation of this situation through keeping the working conditions low. Therefore, they stressed that it needs to be ensured that Cameroonian labour law as well as related international standards are respected at the construction site (Electricity Development Corporation, 2011b, pp. 370–372). Besides the assessment by the EDC, also the Independent Panel of Environmental and Social Experts that was set up for the LPHP inspected the preparatory construction works in 2010 and gave recommendations for ensuring worker’s safety during the construction phase. This panel also supervised the construction phase (The World Bank, 2011, 2012c, p. 8). Furthermore, an obligation of the CWE to implement environmental and social safeguard measures, also related to the health and safety of the employees, was integrated in the communication during the tender process and in the works contract. In addition, worker’s transport to the construction site and food were to be provided by CWE and the company was contractually bound to submit a proper Environmental and Social Management Plan for their constructions whose compliance was to be supervised by the EDC as well as relevant governmental departments and ministries (Electricity Development Corporation, 2011b, p. 417; RECODH, 2013, p. 43; The World Bank, 2012b, pp. 122–124, 2012a, pp. 6–12).

#### **4. The Request for Inspection**

The request for inspection was handed in to the IP on 1 December 2017 by two former workers of the LPHP who stated to “represent others who worked in the Lom Pangar Hydropower Project” (Anonymous requestors, 2017). It is not specified if and in how far those workers they claim to represent were involved in the process of formulating the request. Besides a letter by the requesters, the request includes a report named “World Bank Project Exploiting Human Labour: Lom Pangar Hydropower Project in Cameroon” of September 2015 (Anonymous requestors, 2017). The exact authors of this report are unknown but according to the World Bank Management, the same report was handed in by “managerial employees” to the World Bank Grievance Redress Service (GRS) in March 2016 and was discussed in the Social Dialogue Committee that was set up for worker’s concerns at the construction site (The World Bank Management, 2018b, iv, 6). According to the report, its findings are based on “thorough

desktop research, interviews, focus group discussions and literature review” (Anonymous requestors, 2017, p. 2).

The requesters assert that to “have suffered human rights violations as a result of the World Bank’s failure or omissions” (Anonymous requestors, 2017). They claim that the deficient working conditions they are describing are violating Cameroonian labour laws and are neither in compliance with the Environmental and Social Management Plan of the LPHP, nor with the obligations of the CWE towards their workers enshrined in the contracts of the CWE with the EDC. Thereby, the Environmental, Health and Safety Guidelines of the World Bank that include guidelines on occupational health and safety as well as the World Bank’s Operational Manual / Bank Procedure 4.01 on Environmental Assessment might be violated (Anonymous requestors, 2017; The Inspection Panel, 2018, p. 6; The World Bank Group, 2007).

It is outlined that the requesters already addressed their complaints in 2016 under involvement of the World Bank. Nevertheless, they assess the outcome of the related discussions and agreements were not satisfying (Anonymous requestors, 2017, i-ii, 38). The detailed claims will be outlined in the following, sorted by the thematic areas of working time, accommodation and food, social security dues, (occupational) health and safety, discrimination, and further issues of concern. It will be differentiated between claims that were included in the report attached to the request letter only and the ones that were also included in the letter. This is important as the report was already discussed with the World Bank (Anonymous requestors, 2017) and according to the management, corrective actions have been taken after that (The World Bank Management, 2018b). Therefore, those issues not included in the letter but only in the report potentially might already have been corrected at the time of the complaint or are not relevant anymore given that most workers were no longer working at the construction site anymore.

#### *4.1. Working Time*

The report included in the request states that workers were required to do excessive overtime beyond the limits of working time per day and week prescribed by the Cameroonian labour law. Furthermore, it is claimed that doing overtime is not voluntarily but enforced. Besides, the CWE is accused of not having ensured that every worker has at least one day off per week as required by law and did not provide the mandatory annual leave to all workers, neither upon request (Anonymous requestors, 2017, pp. 2–6). While the claims of excessive overtime and incompliances with the mandatory annual leave and weekly rest days were not mentioned again in the letter of the requesters, the letter mentions continuing failures to pay for overtime work. The requesters state that CWE made payments to senior staff in reaction to the GRS process

and that the CWE misled the receivers of those payments who thought that it constitutes the salary for their overtime work. Instead, these payments were done to ensure and under the condition that the requestors will “withdraw all complaints before national courts” (Anonymous requestors, 2017).

#### *4.2. Accommodation and Food*

In the report, the requestors state that after Cameroonian law, they are entitled to decent accommodations provided by CWE or housing allowances. The accommodations provided to them during their employment was in their perspective not in line with the legal requirements. For example, they shared a room with 2-3 other workers instead of having a private one. According to the report, related improvements were promised but not implemented so that compensatory housing allowances are called for what the report assesses to be a legal requirement (Anonymous requestors, 2017, pp. 8–10). The letter of the request states that even after the GRS process, they received no housing allowances and the living conditions were not adequately improved (Anonymous requestors, 2017). Besides this, the report outlines how the food provided by the CWE was not enough and that the refectory is inadequate what was not repeated in the letter (Anonymous requestors, 2017, pp. 18–19).

#### *4.3. Unpaid Social Security Dues*

Social security dues were not paid properly according to the report. It is stated that the CWE only started to pay some of the contributions to the national social insurance fund in reaction to strikes that requested it but that still not all payments are done like prescribed by law. Also the letter repeats this allegation, specifying that family allowances and retirement contributions were missing (Anonymous requestors, 2017, i-ii, 31).

#### *4.4. Accidents and Occupational Health and Safety*

The report furthermore states that medical treatments are to be paid for by the employer according to the Cameroonian labour law and the relevant Collective Bargaining Agreement which was not always done by CWE. Moreover, it outlines that people who got infected with Hepatitis B or got injured at the workplace were dismissed or “misled to quit with meagre compensation dues” (Anonymous requestors, 2017, p. 11), were not provided with medical treatment by CWE and that the respective accidents were not always reported to the national security fund like prescribed (Anonymous requestors, 2017, pp. 11–12). The letter alluded to all these infringements as well (Anonymous requestors, 2017, i-ii). Besides this, the report claims that international standards for occupational health and safety were not adhered to at the

production site. For example, adequate personal protective equipment was not provided to the employees (Anonymous requestors, 2017, pp. 16–18). This is not repeated in the letter.

#### *4.5. Discrimination*

Inter alia related to the complaints about the deficient accommodation, the report claims that the CWE was discriminating against the workers based on race and nationality. According to the report, these discriminatory patterns impacted also chances for promotion, sanctions applied to workers, how conflicts were treated and how the workers were treated during their daily work. Also health care and food provisions for Cameroonian workers were claimed to be inferior to those done to foreign workers (Anonymous requestors, 2017, pp. 20–26). This accusation was not repeated in the letter but substantiated by a press report (Nsom, 2014).

#### *4.6. Further Issues Raised*

The report states that even if the end of the construction work was imminent, no retrenchment plan was shared with the workers so that they were uncertain about their future employment (Anonymous requestors, 2017, pp. 27–30). Furthermore, it claims that the CWE broke the law in employing many non-Cameroonian workers even if Cameroonian workers would have been available. Moreover, the authors presume that some of the non-Cameroonian workers might be forced to work at the construction site (Anonymous requestors, 2017, pp. 12–16). These points were repeated in the letter.

In the end of the report, some recommendations are given to the Cameroonian government, the EDC, the workers, civil society organisations and the CWE. The authors for example ask to include human rights aspects and environmental considerations in contracts with foreign companies and to publish those contracts. Furthermore, they request compensation of the workers who suffered under the deficient working conditions, to re-employ unlawful dismissed workers and to provide adequate medical treatment to those who had a work accident or got infected with Hepatitis B (Anonymous requestors, 2017, pp. 34–35).

## **5. The Process at the Inspection Panel**

In the following, the individual steps at the IP in reaction to the request for inspection will be outlined.

### *5.1. The Panel Evaluation*

On 22 December 2017, the IP assessed that the request was eligible and officially registered it. It confirmed that the issues raised might constitute a violation of the Environmental, Health and



Safety Guidelines of the World Bank as well as of the Operational Manual / Bank Procedure 4.01 on Environmental Assessment (The Inspection Panel, 2017, pp. 1–2). In the evaluation, the IP describes their initial due diligence process. They outline that the annual report of the World Bank’s GRS confirms that concerns about labour conditions at the construction site of the LPHP were treated in 2016 like stated by the requesters and that the complaints were found to be legitimate by the GRS. According to this annual report, an action plan to address these shortcomings was successfully implemented and the GRS staff confirmed that all complaints were handled and closed in consultation with the complainants. Nevertheless, they acknowledge that “some issues that were raised in the complaint were not followed up upon as key information was not provided by the complainant” (The Inspection Panel, 2017, p. 4). Besides this, the IP reports about conversations with the requesters to clarify the points raised. Furthermore, they had a meeting with the World Bank’s management. On that occasion, the management stressed the safeguard measures implemented in the project, like the Social Dialogue Committee or an audit of November 2017 that “did not identify any pending complaints” (The Inspection Panel, 2017, pp. 3–4).

### *5.2. The Management Reaction*

The World Bank’s management reacted in written to the registration of the request for inspection on 9 February 2018 after they asked for a prolonged deadline for their response (The Inspection Panel, 2017, p. 4, 2018, p. 1). The management summarises the state of the project and the request for inspection, outlines how the project’s Social Dialogue Committee and the GRS responded to the raised grievances in the past before responding to the individual claims included in the request. In general, they argue that “Management believes its commitment to working with the Borrower to address the issues raised in the Request has been demonstrated” (The World Bank Management, 2018b, v) and that some of the concerns are related to different interpretations of Cameroonian law so that they locate the responsibility for treating those aspects in the judicial system of Cameroon (The World Bank Management, 2018b, v). The latter argument relates for example to the need to pay housing allowances as compensations for deficient conditions; or to the payment of overtime work as this might not apply to managerial staff while it assesses that this claim has been resolved for non-managerial staff (The World Bank Management, 2018b, pp. 9–12). Other allegations, like discrimination of potential forced labour, are assessed to be unfounded (The World Bank Management, 2018b, pp. 39–43).

The management extensively outlined which safeguard measures were included in the project design “to support comprehensive and adequate implementation, oversight and monitoring of

compliance with the Project’s environmental and social requirements and health and safety requirements” (The World Bank Management, 2018b, p. 3). They argue that many of the concerns raised in the request were already known and that the existing project mechanisms and the GRS responded to those so that improvements have been implemented (The World Bank Management, 2018b, pp. 6–16). For example, reportedly, higher food allowances and additional hygienic measures were agreed upon, social security dues were paid, the accommodations for workers improved and a retrenchment plan was developed (The World Bank Management, 2018b, 7, 12-14). The safeguard measures that arguably were designed to prevent and treat such complaints included inter alia contractual provisions regulating related obligations and responsibilities, the Environmental and Social Management Plan of the project, the collaboration with an auditor, the assessments of the Independent Panel of Environmental and Social Experts or the project-specific Grievance Redress Mechanism (GRM). For the latter, the management’s response states that this was initially not designed to address worker’s concerns but rather those of the local population (The World Bank Management, 2018b, pp. 3–4). Moreover, they explain that staff of the World Bank was also involved as an observer in some meetings of the Social Dialogue Committee, being constituted of “representatives from the regional office of the Ministry of Labor, the Contractor, EDC and its Supervision Engineer, workers’ unions, and the workers’ representatives” (The World Bank Management, 2018b, p. 6). According to the management, in the context of this committee, many of the issues raised in the request for inspection were resolved. Since 2016, no request for a meeting of the committee was handed in by any worker, according to the management (The World Bank Management, 2018b, p. 6). Furthermore, the management states that EDC employed a Supervision Engineer who several times stopped construction works and imposed penalties on CWE due to non-compliances with the agreed terms. The reasons for these actions are not further detailed (The World Bank Management, 2018b, p. 4). Besides this, the management outlines that regular visits and meetings for supervising the project were done by the World Bank (The World Bank Management, 2018b, p. 4).

Besides the outline of the safeguard measures in the project, the management states that the project faced a high turnover of workers without reflecting on the reasons for it (The World Bank Management, 2018b, p. 5), which might be related to deficient working conditions. For the process of the complaint handed in at the GRS, the management reports that an action plan has been implemented and that “the representative of the complainants confirmed, on behalf of the complainants, to the GRS in writing that the GRS case should be closed” (The World Bank Management, 2018b, p. 8). Some aspects of the complaints, that are not further detailed by

management, could not be treated because of missing information, others because the affected workers could not be identified and some because different interpretations of the Cameroonian law were its basis so that the management referred to national courts (The World Bank Management, 2018b, pp. 7–8).

As a consequence of the request for inspection, the management promises to widen the mandate of the project specific GRM to also treat workers' complaints and to uphold the GRM beyond the end of the official project. All existing complaints shall be reviewed, concerned workers identified to provide compensation where applicable and new grievances accepted (The World Bank Management, 2018b, 16–17, 26-51). Especially, it shall be investigated “whether there are unresolved issues” (The World Bank Management, 2018b, p. 14) related to illicit dismissals of workers who got infected with Hepatitis B or injured at work. Infected or injured workers shall be identified to provide them with medical treatment if not already done (The World Bank Management, 2018b, pp. 14–15).

On 13 March 2018, the management published an addendum to its reply to the request. While it is untransparent what has happened between the publication of the initial response and the publication of the addendum, the addendum “provides information on the outcome of the Bank supervision mission that took place from January 25 to February 2, 2018, [so before the publication of the initial response, author’s note] and various discussions held with counterparts” (The World Bank Management, 2018a, p. 1). Furthermore, the plan for action is specified further. For example, it is specified that the Cameroonian government and the ECD will provide staff as well as financial resources to resolve all claims by the end of 2018. Alike, new employees and additional financial resources were added to the GRM to facilitate the review of all complaints and the continuation of the mechanism beyond the actual project phase. Moreover, through a communication campaign, affected workers that might be entitled to compensation shall be addressed to raise awareness of the possibility to file a claim at the GRM. Thereby, it shall also be investigated whether there were cases of dismissals being based on health problems like claimed by the requestors. A consultant of the World Bank shall facilitate the supervision and implementation of these measures and review the processes of mechanisms that treated those aspects included in the request for inspection, like for example of the Social Dialogue Committee. In addition, the management envisages to extend the operation of the Independent Panel of Environmental and Social Experts and an independent auditor. All the envisaged actions were planned to be completed within one year and the management promised to then publish an update (The World Bank Management, 2018a, pp. 1–4).

### *5.3. The Inspection Panel Report and Recommendation*

On 16 March 2018, the IP provided its report and recommendation to the Board. Even though the Operating Procedures for the IP envisages a visit to the project after receiving the management's response to build a solid basis for the decision whether an investigation should be conducted or not (The World Bank, 2014, p. 15), the IP decided against such a visit. This is reasoned by the assessment that the available information is sufficient and that most of the workers are no longer working at the construction site as the project is close to an end. Instead, they consulted with the requestors, the management of the World Bank and the GRS staff that was involved in concerns related to the LPHP. In those consultations, inter alia, the requestors confirmed that they received bonus payments as a result of the GRS process. Besides, they added that unlawful dismissals did not only happen because of infections with Hepatitis B but also due to other infections such as HIV/AIDS (The Inspection Panel, 2018, p. 5).

The IP concludes that an investigation is not necessary despite that the request is technically eligible, thus that World Bank's procedures and policies were potentially severely violated with negative consequences for the requestors. This decision is justified by the efforts taken throughout the whole project to prevent and mitigate grievances by workers and by the proposed action plan by the management. Furthermore, the IP endorses the argumentation of the management that many improvement measures have already been implemented and that some aspects of the request for inspection should be subject of Cameroonian jurisdiction (The Inspection Panel, 2018, pp. 5–14). The recommendation to not investigate was approved by the Board on 30 March 2018 (The Inspection Panel, 2022).

### *5.4. The Management Update*

The update that the World Bank's management announced was published on 23 April 2019, about a month later than promised (The World Bank Management, 2018a, p. 4). They inform that the LPHP was extended until end of June 2019 and that by then, all grievances that were brought to the GRM should be resolved and all measures of the action plan implemented (The World Bank Management, 2019, p. 2). In general, it is stated that the action plan is implemented like planned with the exception of some delay of 1-2 months (The World Bank Management, 2019, p. 10).

The management reports that the GRM was equipped with further staff and financial resources like planned and that several complaints were reviewed. In reaction to those complaints, the GRM for example instructed CWE to start negotiations with the respective people, to report all information necessary to the national social insurance fund and to verify that payments by this

fund were rightfully done (The World Bank Management, 2019, p. 6). While most of the grievances handed in at the GRM reflected issues that were already raised in the request for inspection, some grievances addressed the new concern of family members of workers who died due to work accidents at the LPHP construction site. A list included in the management's update shows that this claim was found to be legitimate so that compensation payments were done (The World Bank Management, 2019, pp. 6–9). A list included in the response shows that many aspects of the request for inspection seemed to be correct and not conclusively resolved before the request was handed in. Therefore, for example new compensation payments for workplace accidents were disbursed. The management claims that seven of 13 of the complaints that were closed were resolved to the satisfaction of the complainants. For the others, there was either no feedback by the complainant or they stated to be partially or not satisfied. The complaints of which the complainants were not satisfied were related to housing and food allowances for which the GRM stated that the respective workers were not entitled to. Seven grievances were still not closed and the GRM shall persist to handle those which is expected to be done by June 2019 (The World Bank Management, 2019, pp. 6–9). Beyond that period, the “AFD will continue supervising the Project and the Bank will continue to regularly follow up with AFD should there be any unresolved grievances” (The World Bank Management, 2019, p. 11).

The management also reports on the communication activities that have been implemented to inform former workers about the possibility to file complaints through the GRM, including two workshops and a “‘caravan’ mission” (The World Bank Management, 2019, p. 9) that visited seven cantons. Besides, the consultant was hired by the World Bank like planned in the Action Plan to supervise the GRM. Additionally, World Bank staff accompanied some of the actions of the GRM (The World Bank Management, 2019, p. 10).

## **6. Outcome of the Request for Inspection**

The request for inspection was handed in at a point at which most of the workers of the LPHP were no longer working at the construction site because of the advanced stage of construction (The World Bank Management, 2018b, v, 2). Inter alia due to this, the impact on the project can be assessed to be rather low as many of the raised issues were related to working conditions throughout the main construction phase that could not be corrected anymore but at most compensated through payments. Nevertheless, for those former workers who received compensations for their loss of family members, their injuries or infections, the request for inspection and the subsequent set-up of the specialised GRM was key to get access to those

payments (Bissoli, 2019; The World Bank Management, 2019, pp. 8–9). It is difficult to assess whether the workers that received these compensations represent a significant share of the people that would have been entitled to such payments. The management of the World Bank reports that twelve grievances since the GRM was set up in May 2018 of which one was filed by a group of unknown number of people (The World Bank Management, 2019, pp. 8–9). This number of grievances seems rather low compared to the about 3,000 people that were employed by CWE throughout the construction (The World Bank Management, 2018b, p. 5).

Besides this, it is striking that it is not the actual outcome on the workers (like paid compensations or the provision of medical treatment) that was the basis for the IP's decision to not investigate, but rather the intentions and degree of efforts made by management. This becomes especially apparent in the formulation of “the Bank’s compliance *or evidence of intention to comply*” (The Inspection Panel, 2018, p. 14, emphasis added by the author). The actual effect of the measures on the ground is difficult to assess due to these evaluation benchmarks, the by majority processual nature of the measures included in the action plan of the management and the missing knowledge about how many people were affected by the deficient working conditions. This difficulty is reinforced by often vague specifications in the management response on implemented improvements, for example through describing a measure as follows: “distribution of employees in the existing accommodation (number of people per room)” (The World Bank Management, 2018b, p. 12), without specifying whether the demand of having one room per person was met. In light of a letter that the Cameroonian union Syntdoptre addressed to the World Bank in June 2019, at a time for which the management promised that a solution would be found for a majority of the claims (The World Bank Management, 2019), it seems doubtful that the GRM described in the action plan of the management was as effective as claimed: Syntdoptre repeats many of the issues that were raised in the request for inspection, like missing compensation for the non-granted weekly rest days or that medical treatment for 22 workers who got infected with Hepatitis B at the construction site is not provided. They conclude that the GRM was not able to find solutions for a plethora of justified claims. Therefore, they request the World Bank to ensure compensations that Syntdoptre estimates to sum up to about 800 million CFA (1,219,593 Euro) to about 800 former workers. In response to these claims by the union, the World Bank again referred to the GRM (Andzongo, 2019; Zogo, 2019). Still in July 2020, demonstrations of former workers claiming compensations took place (Bivana, 2020; Nzesseu, 2020).

Apart from the request for inspection itself, the Independent Evaluation Group of the World Bank argues that by addressing deficient working conditions through the various mechanisms that were part of the project design, the conditions improved since the onset of constructions (Independent Evaluation Group, 2020, pp. 12–13). Slight improvements were also attested by a newspaper article of the Cameroon Postline but according to that, at least in 2014, the general shortcomings remained (Nsom, 2014). Chen and Landry (2016, pp. 16–17) as well as Che (2021, p. 670) confirm that sanctions were applied to CWE for non-compliances and that the World Bank intervened to solve incompliances. Nevertheless, the efficiency of those mechanisms seems rather doubtful, also in light of continuing reports of deficient working conditions throughout the project period as well as reports about violently disposed demonstrations because of the outstanding compensations in July 2020 (Andzongo, 2019; Bivana, 2020; Nsom, 2014; Nzesseu, 2020; Zogo, 2019).

## **7. Discussion**

The role of the IP, its power within the World Bank and its adequacy to address concerns of people that are affected by World Bank projects has been subject to academic discussions (see e.g. Kim (2011), Park (2017), Sovacool, Naudé Fourie and Tan-Mullins (2019) or Ziai (2016)). Debates for which the presented case has explanatory power will be briefly outlined in the following to situate the case within.

Sovacool, Naudé Fourie and Tan-Mullins (2019) describe how the IP has undergone different phases of struggles over its position, mandate and power within the World Bank (Sovacool, Naudé Fourie and Tan-Mullins, 2019, p. 874). The authors argue that these phases were inter alia shaped by the balancing act of the IP between the demands of the World Bank's management to remain efficient in the projects, rather inducing a cautious approach by the IP on the one hand, and calls by civil society for ensuring credible accountability on the other hand (Sovacool, Naudé Fourie and Tan-Mullins, 2019, p. 876). The LPHP case seems to be an indicator that the IP at that time rather responded to the internal demands, acting rather restrained instead of as a strong advocate of civil societies' concerns: its decision to not investigate mainly endorsed the argumentation of the management, claiming to have proven the effort to ensure compliance (The Inspection Panel, 2018, pp. 5–14) even if it seemed apparent that those efforts did not lead to an effective prevention of harm (see chapter 6). Considering the Panel's operating procedures, this decision was by far not exploiting the full potential of the IP as the criteria for an investigation could have been assessed as being met (The World Bank, 2014). Therefore, the criticism of Bugalski (2016, pp. 41–42) that the IP is often abstaining

from recommending an investigation to allow the management to implement action plans in their own way, applies to this case. Thus, the offensive approach that Sovacool, Naudé Fourie and Tan-Mullins (2019, p. 880) attested the IP for the 2001 Petroleum Development and Pipeline Case in Chad where the IP advocated for human rights despite its missing legal integration in World Bank's policies, seems to be a thing of the past. The reluctant approach of the Inspection Panel furthermore strengthens the argumentation that the IP acts rather in favour of the management. Thus, the LPHP case can be assessed as an example of the IP yielding to the superiority of the management. This might be reasoned in the strive of the World Bank to get re-involved in great infrastructural projects as a major funder after a phase of related reluctance that was reasoned by the difficulties of implementing those projects in compliance with the Bank's environmental and social policies and without major IP cases (Chen and Landry, 2016, p. 17; Rainforest Foundation UK, 2021, p. 25). Thus, for the LPHP case, the IP did not exploit its full potential to get involved in grievance and widely endorsed the argumentation of the management, even if third sources indicate that the assessment of the management is in parts doubtful, like the denial of instances of discrimination (Chen and Landry, 2016, p. 15). Therefore, the question "whether the IP provides an effective mechanism to ensure that the voice of the subaltern is heard and acted upon" (Ziai, 2016, p. 263) needs to be negated for this case. The IP could not rectify the imbalance between the World Bank's management and the requestors (Bugalski, 2016, pp. 43–44).

Despite this rather passivated role of the IP, the assessment of Park (2017) that the existence of the IP changed the way how concerns of project-affected people were integrated in the project design was confirmed by the LPHP case. The EDC explicitly stated in its Environmental and Social Assessment (ESA) prior to the project that "the existence and operation of the World Bank's IP has clearly influenced practice and Panel's rulings have been used as lessons learned for the design of the present ESA [...] to ensure maximum policy compliance at the present design stage" (Electricity Development Corporation, 2011a).

The missing mandate of the IP to monitor the implementation of action plans after a request for inspection is often criticised as a major shortcoming of the IP (Clark, 2003, p. 17; Kim, 2011, 27, 40) and was also relevant for the LPHP case. First, the IP waived its option to at least de facto monitor the implementation of the promised GRM for a limited time through an investigation (Singh, 2020) and secondly, the effectiveness of the action plan and the statement of the management in its update of 2019 could never be assessed by a third party. Furthermore, the case is exemplary for the warning of Sovacool, Naudé Fourie and Tan-Mullins (2019,



p. 883) that “the avoidance of an investigation could mean that serious policy non-compliance would remain unchecked and might indeed result in missed opportunities for institutional learning”. For example, the CWE was according to the requestors already known for their non-compliance with Cameroonian labour law (Anonymous requestors, 2017, p. 38) what opens the question why they could still get the works contract for the LPHP, raising doubts on the tender processes of World Bank projects.

To sum up, the “more conventional (mainstream) view of a heroic IP fighting to expose and reform” (Sovacool, Naudé Fourie and Tan-Mullins, 2019, p. 889) the World Bank can be clearly refuted for the LPHP case. Though, the characterisation of the IP as a predominantly bureaucratic body is well reflected in the LPHP case, especially due to the focus on processes as remediation instead of on actual outcomes (see page 12) and because the decision to not investigate and rather point to the GRS can be assessed as a measure “to ensure its own internal survival” (Sovacool, Naudé Fourie and Tan-Mullins, 2019, p. 889) through avoiding confrontation with the management. Also the third perception of the IP as an institution designed to capture any resistance against World-Bank-funded projects and the affiliated “imperialist Western agenda” (Sovacool, Naudé Fourie and Tan-Mullins, 2019, p. 889) can be applied to the LPHP case: Even though demonstrations and strikes against working conditions took place (Bivana, 2020; Nzesseu, 2020; RECODH, 2013, p. 53), Che (2021, pp. 669–670) states that social uprisings were significantly less intensive than in comparable projects of funders in Cameroon who did not establish a dialogue on the complaints despite the dissatisfaction of workers with the outcome of those dialogues in the LPHP case that is *inter alia* demonstrated by the Request for Inspection. Furthermore, also the reliance on creating *processes* to address grievances instead of on outcomes (see page 12) substantiate this interpretation, as thereby, affected people might be calmed without addressing root causes. It needs to be noted that this assessment only applies to the specific LPHP case and is not an assessment of the IP’s role in general.

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