



**IFI Synergy Group**

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17th of March, 2021.

**The General Manager of  
NHPC-Yaounde**

**Response: NHPC letter of December 23, 2020**

Dear Sir/Mme;

We thank you for your detailed response to our concerns expressed in our letter and during our meeting with your company's Environmental and Social Department staff. However we still have a number of concerns that have not yet been properly addressed in your letter to us dated December 23, 2020. In addition, the demands of the communities that we raised in our correspondence of October 09, 2020 as well as the recommendations that we made during the meeting of November 20, 2020 have not been sufficiently addressed. We hereby wish to clarify the concerns of the communities affected by the construction of the Nachtigal Dam regarding consultation, compensation, access to information, and employment, and hope that these concerns will be taken into account in the implementation of the Nachtigal Hydroelectric Dam project.

### **1. Community Consultations**

Although we take note of the information you have provided regarding stakeholder consultations, we would like to inform you that your assertion that "the populations had the opportunity to formulate their questions and express their opinions" remains to be unverified because the communities raised, among other things, the following problems:

- The fact that they were influenced or even intimidated during the consultation meetings by the authorities and the elites of their localities;
- The lack of knowledge about the functioning of the NHPC complaint mechanism;

- Sandminers and fishermen do not have the same level of information as NHPC on the concepts of "red zone", "blue zone" and "green zone", yet all of them no longer have access to the water to carry out their fishing or sand activities;
- The undervaluation of their property (cocoa plantation/stems of 0 to 5 years and 5 to 25 years undervalued and their sand quarries);
- Lack of information on the implementation steps of the livelihood restoration plans and the resettlement plan.

In this regard, the communities are eager for NHPC to hold further consultation meetings with them to discuss the many ongoing issues.

## 2. Complaint Mechanism

We are aware that there is a complaint mechanism for the project. We thank you for providing information on the number of complaints received through this mechanism to date. Following IFI Synergy Group's last field visit in February 2021, the communities reported that they are not satisfied with the functioning of the NHPC complaint mechanism. This is because since 2015, they have filed requests with this body but none has received a favourable response except for an acknowledgement of receipt. The table below illustrates some of the requests filed individually or collectively by the communities and which are yet to receive a response to date, among others. They are:

Date of the request	Sender	Recipient	Subject of the request
15-01-2021	Chiefs of the villages Nachtigal, Ndji, Olembé and Ekombitié	The Sub-divisional officer of the Batchenga Sub-division copied to the Director General of NHPC, Public Security Commissioner of Batchenga, Commander of the Batchenga Gendarmerie Brigade	Warning to NHPC
03-11-2020	EKASSI Oloua	The Divisional	Whistle-blower for



	(sandminer)	officer of the Lekie Division copied to the General Manager of NHPC	attempted embezzlement and wilful refusal to identify quarry deposits
16-04-2019	OLINGA Pierre (Fisher man)	Environmental and Social Director of NHPC	Claim for compensation
29-05-2019	Fishermen's Association	General Manager of NHPC	Claim for compensation

We recommend that NHPC provide details on how it handled these community requests and when the community received responses. With regards to the information provided on the number of grievances received by the complaints mechanism in your letter to us, we kindly request that NHPC provide more detail on what these grievances were related to, how they were dealt with by the company, and what the resolutions of these grievances were.

### **3. Compensation, resettlement and livelihood restoration**

We noted that you refer to the IFC's Performance criteria for restoring the livelihoods of project-affected people. IFC's Performance Standard 5 requires that the project improves or restores the livelihoods of displaced people.

In this regard, below are some issues raised by the communities:

#### **3.1. The problems concerning compensation and livelihood restoration**

With respect to compensation, IFC's Performance Standard 5 states that compensation for "loss of property at full replacement cost and other assistance" should be provided to displace communities. In addition, compensation standards should "be transparent and consistently applied to all communities and individuals affected by displacement. However, during our field visits, we gathered the following:

##### **❖ The sandminers**

They informed us that most of them were yet to receive any compensation and for reasons they do not know. For those who had received some compensation (some from the red zone and the green zone), they claimed that the compensations were insufficient compared to all that they lost with the installation of the dam. For example, the sandminers claimed that, per truckload of sand, the quarry owner had 10,000 FCFA/ dugout, the diver had 3,500 FCFA/

dugout, the off-loader had 1,000 FCFA/ dugout and the loading team (04 to 06 people) had 6,000 FCFA/ dugout. They estimated that receiving:

- 6,600,000 FCFA as a sand quarry owner;
- 3 800 000 FCFA as a quarry leader;
- 1 800 000 FCFA as a diver and;
- 1,200,000 FCFA as dugout off-loader or truck loader;

For a lifetime as compensation is low. The latter want NHPC to give them the means to retrain for other activities and to compensate them fairly.

#### ❖ **Fishermen**

As far as the fishermen are concerned, before the construction of the dam, their average daily income was 16,700 FCFA, the monthly income was 500,000 FCFA and the quarterly income was 1,500,000 FCFA. As for compensation, there are fishermen who opted to continue fishing. They received compensations amounting up to 150,000 CFA francs in order to buy fishing equipment, and this amount could not cover a third of the cost given how expensive the equipment is. The promised cold rooms have not been built by the NHPC. The fishermen who decided to convert to other activities have so far not received any compensation from the NHPC. The fishermen want NHPC to compensate them properly and let them live as they did before the dam came.

#### ❖ **The fishmongers**

They are the former restorers of the sand quarries. These women feel that they have no source of income since the sand mining and/or fishing activities are no longer functional in the area. Since they were surveyed in 2015, none of them have received any compensation. Some of them complained that their names did not appear on the final lists of fishmongers surveyed by NHPC. To this end, these women want to be compensated and also sell the food at the Nachtigal Dam construction site.

According to "Maman Contenaire" from the village Ndji, "NHPC had asked us to form a cooperative to be able to win contracts for the sale of food or the delivery of foodstuffs. Today, the cooperative has been created, but we do not have access to the sale of foodstuffs or to the delivery of foodstuffs to NHPC construction sites.



### ❖ **Realization of social works in the localities affected by the construction of the dam**

The communities affirm that the dam has not yet carried out the social works contributing to the development of their locality, negatively affecting their standard of living which has significantly reduced.

### **3.2. The problems concerning resettlement of displaced persons**

We are very grateful for the insights that NHPC made available to us during our interview on November 20, 2020; they are commendable but the complaints of communities persist at this level. During our last mission in February 2021, the resettled people, notably:

❖ Biloa Lewono, (an indigene from the village of Ndji) raised numerous complaints related to his resettlement, such as:

- Lack of belt and easement: He said, "I myself was responsible for creating my easement. I paid someone with my own money to cut down the trees but I don't know how to uproot the tree stumps and have a practicable road to my home".

- Narrowness of his new space: He said, "My impacted land space covered 25m/30m2 and NHPC just gave me back the space on which my house was placed, that is 20/20m2. Today, I don't have a space to put my manure. Also the fruit trees that were in front of the old house were not taken into account during the compensation and the current land does not allow me to plant other fruit trees because the space is not large enough".

❖ NYASSA Cathérine, (an indigene from the village Ndokoa and a traditional practitioner) who used to live on the banks of the Sanaga River has been displaced and is not happy about her displacement. With tears in her eyes she told us, "the roof of the house that NHPC put at my disposal is leaking, it lacks a belt, and the water point is unusable. Also, I no longer have easy access to the plants I use to treat my patients, I am forced to pay the children on the dugout to go and get these plants from the other side of the Sanaga, which is very expensive for me and my patients suffer enormously.

These displaced persons and others wish that the problems they encounter in their new homes be solved by NHPC.

### **4. Access to Information**

IFC Performance Standard 5 states that the operating company should engage with affected communities and that "disclosure of relevant information and participation of affected

communities and individuals will continue during the planning, implementation, monitoring and evaluation of compensation payments, livelihood restoration activities and resettlement." Some affected communities indicated during our field visits that they had not been consulted since the construction of the dam began.

Papa Ekassi Oloua, a sandminer from Ondondo village said, "Before, we had meetings with NHPC, but since NHPC started making decisions, they don't have meetings with us anymore. We are subject to NHPC decisions. On the ground, communities do not have information on the implementation process of the livelihoods restoration plan".

His Majesty Bikele, 3rd degree Chief of Olembé village said, "We have lost everything with the arrival of the dam. When will the restoration plan be implemented? We no longer have money to live on and to send our children to school. The communities would like to have regular information on the project, their compensation and their requests".

## **5. Local Employment**

While we recognize that the project has employed some workers for the construction of the dam, there are still problems regarding the employment of local people.

Specifically, many women who used to earn a living by preparing and selling food to fishermen and sandminers can no longer do so. They are all unemployed with no income. The young ex-sandminers and fishermen of the affected areas are unemployed and as a result banditry has increased in the area.

His Majesty Bono Fils, 3rd Chief degree of the village Mebassa affirmed, "During the consultation meetings, NHPC told us that the young people of the localities affected by the project will be privileged. Today we see that to work, you have to give a sum of 50,000 FCFA and you are not sure of being recruited. We are farmers, where will we take 50,000 FCFA? It is the people from other localities who are privileged as workers in the dam, our children are at home yet they have the necessary skills (civil engineering, computer science, accounting, management, etc.). The community wishes to be recruited to work in the construction of the dam in order to provide for its basic needs as in the days when sand and fishing activities were functional in the area.

## **Other actions**



As you already know, we collaborated with “BankTrack”, a Netherlands-based international civil society organization that monitors projects financed by international financial institutions that have negative impacts on human rights and the environment, to create a "dodgy deal profile" on the Nachtigal hydroelectric project. This profile highlights the negative impacts of the dam on affected communities. In addition, we continue to engage with the financial institutions that funded the project to further NHPC's implementation of our recommendations and consideration of community recommendations. You can view our correspondence filed with the financial institutions on the BankTrack website :

([https://www.banktrack.org/project/nachtigal\\_hydropower\\_plant#](https://www.banktrack.org/project/nachtigal_hydropower_plant#))

### **Recommendations**

During the meeting between the IFI Synergy Group and NHPC, we made clear recommendations that have not yet been taken into account. Once again, we recommend that NHPC:

- Establishes and make functional a sustainability council made up of civil society, community members, for NHPC to better monitor the current and future socio-environmental claims and impacts that the Nachtigal Dam project will generate;
- Organize a meeting between affected community members, NHPC and IFI Synergy Group to discuss community grievances;
- Share detailed environmental and social action plans (not just summaries) with affected community members and interested parties, such as us. This includes: full environmental and social impact assessments; environmental and social management plan; resettlement and compensation action plans; livelihood restoration plan; biodiversity action plan; archaeological resource management plan; and any other relevant assessment documents.
- The NHPC should clearly indicate when each “promise” made to the impacted communities and socio-professional bodies would be realized.

For the IFI Synergy Group Secretariat

EKANE NKWELLE

