

Review & Update of World Bank's  
Environmental & Social Safeguard Policies  
Phase 3 Consultation Meetings  
Nov. 2015

**“Road Testing” the new ESSF--Project Case Studies:  
what changes, what does not?**

- 1. What are the new requirements if any?**
- 2. What requirements are dropped, if any?**
- 3. Change in effort or expertise required?**
- 4. Added Value?**

Standard	Building on	Modernizing
ESS1: Assessment and Management of ESS Risks and Impacts	OP/BP4.01(Environmental Assessment)	Non-discrimination, adaptive management, time frame for compliance
ESS2: Labor and working conditions	OP/BP4.01 and EHS Guidelines	Prohibiting child labor and forced labor, focus on OHS, grievance mechanism
ESS3: Resource Efficiency and Pollution Prevention	OP4.09 (Pest Management) and EHS Guidelines	Efficient management of energy, water, and other resources and materials
ESS4: Community Health and Safety	OP/BP4.37 (Safety of Dams) and EHS Guidelines	Focus on risks and impacts on communities through design and safety of infrastructure, equipment, products, services, traffic, and hazardous materials
ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	OP/BP4.12 (Involuntary Resettlement)	Greater clarity on treatment of state land, land titling, access to common resources, voluntary transactions, force evictions
ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	OP/BP4.04 (Natural Habitats) and OP/BP4.36 (Forests)	Requirement to assess and mitigate impacts on biodiversity
ESS7: Indigenous Peoples	OP/BP4.10 (Indigenous Peoples)	Clearer definitions, introduction of FPIC in specified circumstances
ESS8: Cultural Heritage	OP/BP4.11 (Physical Cultural Resources)	Adopt chance find procedure, enhanced consultation with affected communities
ESS9: Financial Intermediaries	OP/BP 4.01	Establish E&S procedures commensurate with FI nature, risk level and impact
ESS10: Information Disclosure and Stakeholder Engagement	Consolidates WB engagement provisions	Meaningful consultation, access to information and grievance redress



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TAJIKISTAN SECOND PUBLIC EMPLOYMENT FOR  
SUSTAINABLE AGRICULTURE AND WATER RESOURCES  
MANAGEMENT PROJECT

## **Project objectives:**

- provide employment to food insecure people (employment under project)
- increase crop production through rehabilitation of irrigation and drainage infrastructure
- development of improved policies and institutions for water resource management (to improve food availability and access for low-income people in poor rural areas)

**Project description:** repeater project: scaling up (EU financed; WB executed) 2010-2012 \$10 million emergency food security project

**Component 1: Public Works and Rehabilitation of Irrigation and Drainage Infrastructure:** (i) employment of food insecure people from the project districts for manual cleaning of secondary and tertiary irrigation canals; (ii) mechanized and other works (machinery, irrigation gates, structural repair of canals, pipelines, pump stations, vertical drainage wells); (iii) emergency restoration of flood channel to protect Kulyab city and downstream areas

### **Component 2: Technical Assistance to Support Policy and Institutional Reform for Water Resource**


**Management:** (i) national level policy/legal/institutional framework for water sector reform and integrated water resource management and preparation of national IWRM Strategy; (ii) river basin management planning in Kafernigan river basin; (iii) develop and strengthen irrigation and drainage institutions (autonomous irrigation/drainage service providers, transform regional and district institutions, establish/strengthen water user associations)

**Component 3:** Project implementation (Project Management Unit, responsible for all aspects of implementation)

**PRACTICAL IMPLICATIONS OF APPLYING  
ENVIRONMENTAL AND SOCIAL SUSTAINABILITY FRAMEWORK**

# From Safeguards to E&S Standards



**CATEGORY B**  
  
**MODERATE RISK**

SAFEGUARDS POLICY	FVWRM-1
4.01 ENVIRONMENTAL ASSESSMENT	✓
4.04 NATURAL HABITATS	
4.36 FORESTS	
4.09 PEST MANAGEMENT	
4.11 PHYSICAL CULTURAL RESOURCES	
4.37 SAFETY OF DAMS	
7.50 PROJECTS ON INTERNATIONAL WATERWAYS	✓
7.60 PROJECTS IN DISPUTED AREAS	
4.12 INVOLUNTARY RESETTLEMENT	
4.10 INDIGENOUS PEOPLES	

ESS STANDARD	FVWRM-1
ESS1: Assessment and Management of ESS Risks and Impacts	✓
ESS2: Labor and working conditions	✓
ESS3: Resource Efficiency and Pollution Prevention	✓
ESS4: Community Health and Safety	✓
ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	✓
ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	
ESS7: Indigenous Peoples	
ESS8: Cultural Heritage	
ESS9: Financial Intermediaries	
ESS10: Information Disclosure and Stakeholder Engagement	✓
<b>Projects on International Waterways</b>	<b>✓</b>

# Implementation of Safeguard Policies (actual)

**OP 4.01:** Government prepared **Environmental Assessment including Environmental Management Plan** (team of national & international consultants). **ISSUES:** construction impacts, disposal of waste materials & excavated soil, worker Operational Health and Safety. Included Environmental Management training program (for PIU, State Committee for Nature Protection, WUAs, farmers)

**OP 4.12:** Resettlement Policy Framework and Resettlement Action Plan (for known sites) for:

- Permanent acquisition of 42 ha agricultural land leased to 38 farmers (construction of new interceptor drains) under original plan (some increase later)
  - Temporary acquisition, economic displacement (due to rehabilitation of existing surface and subsurface drains)
  - Limited economic impacts for people who had planted trees illegally along roadways, canals, collector drains
- National law didn't envisage compensation for unlawful/unregistered land occupation or use, but under OP 4.12 all who suffered financial impact were compensated regardless of status/legality of affected crops/trees (had to prove ownership of trees or other assets and demonstrate decrease in income)
- RPF specified local authorities would not prosecute/fine owners of illegally planted trees in project area.

OP 7.50: GoU notified riparians (Kazakhstan, Kyrgyz R., Tajikistan) due to initial/temporary increases in drainage flows into international rivers

# Social Assessment/Risk Analysis

Government prepared separate **Social Assessment:**

- Phase 1 = household survey, focus group discussions;
- Phase 2 preparation of Resettlement Policy Framework/Resettlement Action Plan

Phase 1 included stakeholder analysis (4 categories of stakeholders (leasehold farmers, dehkhan farmers, hired labor, Government/national economy).

- Leasehold farms cover 90% of arable land; grow mainly State Order crops (cotton, wheat)
- Dekhan farms are mainly garden plots situated within settlements



## ESS1: Assessment & Management of E & S Risks & Impacts

New Requirements/Approaches?	Actual	ESSF	Value?
<b>Use of Borrower's E &amp; S System to the extent possible</b>	Start with use of Borrower systems for all or any of the Standards (option at Borrower request)	Borrower prepare ESS Framework assessment to demonstrate own system can deliver results materially consistent with ESSF; reviewed by WB; use Borrower system at WB discretion (with gap filling/capacity building as needed; WB monitoring responsibility)	
<b>E &amp; S Assessment</b>	Separate SIA (somewhat limited- mainly stakeholder analysis)	integrated SIA/EIA, including broader range of social impacts... note indirect impacts (child and forced labor, relating to with State Order crops more detailed assessment of and measures for enhancing distribution of benefits, analysis of child/forced labor issues, addressing issue of farmer incentives to support WUA, etc. Include cumulative and indirect impacts (e.g. on vulnerable groups, e.g. child and forced labor). More detailed plan for mitigating social impacts	
<b>E &amp; S Commitment Plan</b>	None – project EMP only, prior to Appraisal	ESCP, limited incremental requirements compared with EMP; specific timeline for studies, actions Limited additional, e.g. social impact monitoring	
<b>Project Monitoring &amp; Reporting</b>	Part of EMP, RPF – focused mainly on soil salinity,	ESCP call for ESMP for life of project, more on social impact monitoring; emphasis on stakeholder/3 <sup>rd</sup> party	9

## ESS2: Labor & Working Conditions

New Requirements?	Actual	ESSF	Value?
<b>Working Conditions &amp; Management of Worker Relationships</b>	OHS aspects covered in EMP; incorporate into Contracts	Cover range of issues in relationship between employers/employees; extend to subcontractors by contractors; Borrower monitors compliance by all. Not extended to indirect impacts/activities, e.g. cotton picking	
<b>Protecting the Work Force</b>	SIA says project will make positive impact on C/F L	Detailed conditions for working conditions, e.g. minimum age	
<b>Grievance Mechanism</b>		one GRM for all aspects of project; separate one for workers	
<b>Occupational Health &amp; Safety (OHS)</b>	In contract: based on national standards	Use international standards or Borrower propose to use national standards	
<b>Contracted Workers</b>	OHS included in contracts	extend to subcontractors; possible 3 <sup>rd</sup> party monitoring	
<b>Workers in Community Labor</b>		Not applicable – no community labor	
<b>Primary Supply Workers</b>		N/A no primary suppliers	10

## ESS3: Resource Efficiency & Pollution Prevention & Management

New Requirements?	OP	ESSF	Value?
<b>Resource Efficiency</b>	<ul style="list-style-type: none"> <li>Improved efficiency of water use is an objective</li> <li></li> </ul>	consider energy efficiency of irrigation pumps; but no GHG estimation (insignificant)	
<b>Pollution Prevention &amp; Management</b>	EMP applies  OP 4.09 was not triggered officially but there was farmer training on pest management	Analysis of CC impact on long term project results  ESCP would include pest management training/capacity building plan	

## ESS4: Community Health & Safety

New Requirements?	OP	ESSF	Value?
<b>Community Health &amp; Safety</b>	EIA/EMP includes mitigation of noise impacts, construction site safety	include specific measures in ESCP, broader range, e.g. increased risk of impact of pesticide spraying due to increased active growing area	
<b>Security Personnel</b>	none	Not applicable	

## ESS5: Land Acquisition, Restrictions on Land Use & Involuntary Resettlement

New Requirements?	OP	ESSF	Value?
<b>General</b>	RPF and RAP	No change	
<b>Displacement</b>	Permanent & temporary, legal and illegal, vulnerables	Incremental: attention to gender issues	
<b>Collaboration with Other Responsible Agencies or Subnational Jurisdictions</b>	RPF includes description of institutional framework, roles of PIU, state agency on property assessment, local authorities (land acquisition and reducing State Order for cotton prdxn to reflect reduced area)	Explicit, written agreements re respective rights, responsibilities of different parties, timelines, costs...	
<b>Technical &amp; Financial Assistance</b>	Project-oriented capacity strengthening, often through ST...	Borrower can request broader assistance to strengthen institutional...	13

## ESS6: Biodiversity Conservation & Sustainable Management of Living Natural Resources

New Requirements?	OP	ESSF	Value?
<b>General</b>	Not triggered, no natural habitats	ESIA to consider potential biodiversity impacts in modified habitats; potential ecosystem services (e.g. ground water storage); include indirect impacts from pest management in expanded area	
<b>Primary Suppliers</b>	No requirement	N/A: no primary suppliers, no sourcing of living natural resources	

## ESS7: Indigenous Peoples

New Requirements?	Scope?	Effort? Expertise	Value?
<b>General</b>	N/A		
<b>Circumstances Requiring Free, Prior &amp; Informed Consent (FPIC)</b>			
<b>Mitigation &amp; Development Benefits</b>			
<b>Grievance Mechanism</b>			
<b>Indigenous Peoples &amp; Broader Development Planning</b>			

## ESS8: Cultural Heritage

New Requirements?	OP	ESSF	Value?
<b>General</b>	no PCH	ESIA should consider non-tangible CH	
<b>Stakeholder Consultation &amp; Identification of Cultural Heritage</b>			
<b>Legally Protected Cultural Heritage Areas</b>			
<b>Provisions for Specific Types of Cultural Heritage</b>			
<b>Commercialization of Cultural Heritage</b>			



## ESS9: Financial Intermediaries

New Requirements?	Scope?	Effort? Expertise	Value?
<b>FI Environmental &amp; Social Procedures</b>	N/A		
<b>Stakeholder Engagement</b>			
<b>Reporting to the Bank</b>			

## ESS10: Stakeholder Engagement & Information Disclosure

New Requirements?	OP	ESSF	Value?
<b>Engagement during Project Preparation</b>	consultations on SG documents during preparation only	S.E.P. preparation, implementation over life of project, reporting by Borrower; possible 3 <sup>rd</sup> party identification of stakeholders (PAPs, "other stakeholders")	
<b>Engagement during Project Implementation &amp; External Reporting</b>	ditto	Actively engage stakeholders throughout project; regular public reporting by Borrower	
<b>Grievance Mechanism</b>	RAP only	All project (separate one for workers)	
<b>Organizational Capacity &amp; Commitment</b>	not applicable beyond holding	ESCP identify roles and responsibilities	

# Operational Implications of Proposed Framework: FVWMP-1

**Borrower:** overall low incremental change in scope of work and resources; decreasing marginal costs as capacity increases

**Bank:** similar low incremental change

Environmental and Social Standard	Prospective Change in Effort/ Resources
ESS 1: Assessment and Management of Environmental and Social Risks and Impacts	Moderate to Substantial
ESS 2: Labor and Working Conditions	Moderate to substantial
ESS 3: Resource Efficiency and Pollution Prevention and Management	Low to none
ESS 4: Community Health and Safety	Low to none
ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	No change
ESS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	Low
ESS 7: Indigenous Peoples	No change
ESS 8: Cultural Heritage	No change
ESS 9: Financial Intermediaries	No change
ESS 10: Stakeholder Engagement and Information Disclosure	Moderate