



THE WORLD BANK

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Operations Policy & Country Services

Setting Standards for Sustainable Development

Update and Review of the World Bank's Safeguard Policies

Country Case Studies

*Phase 3 Consultation in
Vietnam
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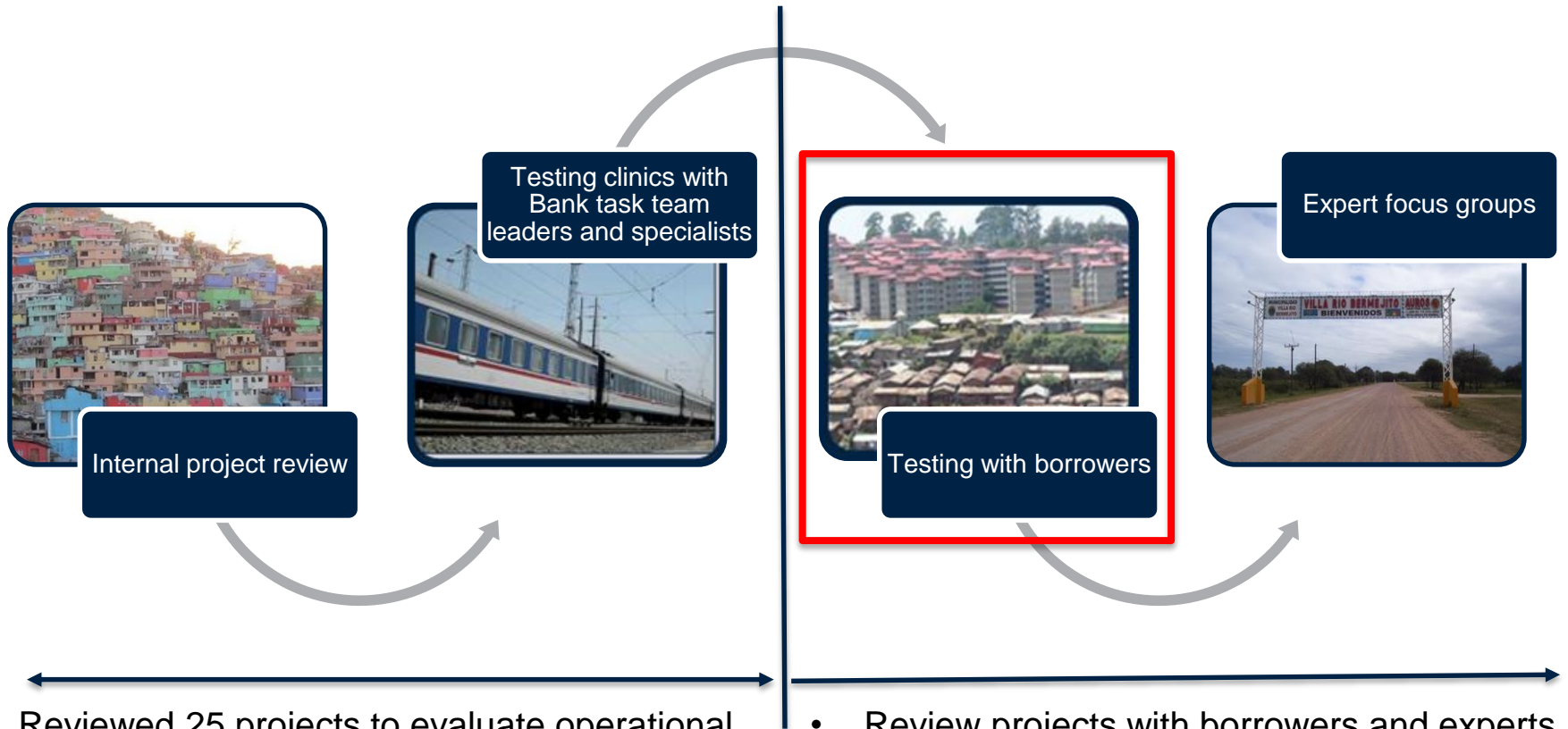


Objective

Testing the proposed Framework for Operational Implications

- identify implementation challenges and opportunities
- identify aspects that require additional clarification/need for additional operational guidance

Approach



- Reviewed 25 projects to evaluate operational implications of the proposed Framework for Borrowers and Bank
- More reviews to be added throughout consultation phase

- Review projects with borrowers and experts throughout consultation phase
- Case studies (2-3 projects) base on country portfolio, exploring how the proposed Framework might or might not differ from the Bank's current policies

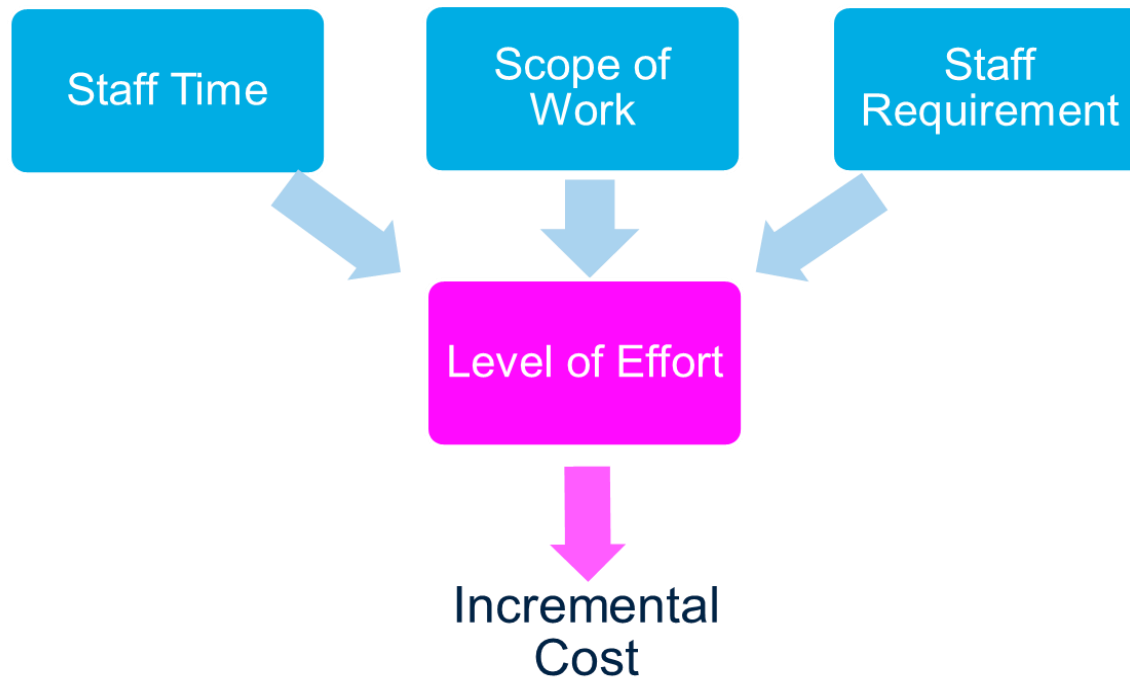
Methodology [1/2]

- Comparison of current safeguard policies as applied to existing projects with provisions of proposed Framework. **Incremental changes to the scope of work** for Bank and Borrowers are specified as below:

Incremental Level of Effort	Incremental Staff Time	Scope of Work	Staff Requirement
NO CHANGE/COST SAVINGS	--	--	--
LOW	Hours	Limited work, building on existing analysis already done for the project with fine tuning	Environmental and social qualified staff
MODERATE	Days	Minor additional works, also based on existing analysis already done for the project.	Environmental and social qualified staff supplemented by credible external staff
HIGH	Weeks	New analytical work, not considered before, based on collecting secondary data and synthesizing existing information or generating new and specific knowledge	External subject matter expert on specific issues

Methodology [2/2]

- Incremental cost will depend on the staffing and expertise of the PIU, and the availability of other studies not aimed particularly as safeguards studies, but which may provide cost savings (e.g. maternal health or gender study).



Projects to be discussed today

- Mekong Delta Region Urban Upgrading Project
- Haiphong Urban Transport Project

Mekong Delta Region Urban Upgrading Project

Mekong Delta Region Urban Upgrading Project

- **Objectives:** To improve infrastructure services in Low Income Areas in the Project Cities in the Mekong Delta Region.
- **Financing (US\$):** 398 million, including IDA \$292 million and Borrower \$106 million
- **Environmental Category:** B
- **Safeguards Triggered:** Environment Assessment (OP 4.01); Indigenous Peoples (OP 4.10), Physical Cultural Resources (OP 4.11); Involuntary Resettlement (OP 4.12); International Waterways (OP 7.50)
- **Safeguards Instruments:** An consolidated Environment Impact Assessment (EIA); six city-specific EIAs, Resettlement Policy Framework (RPF), six city-specific Resettlement Plans (RAPs) and four Ethnic Minority Development Plans (EMDPs) for four cities
- **Approved:** March 2012

Context

- Six rural project cities in Mekong Delta Region (Can Tho, My Tho, Cao Lanh, Ca Mau, Rach Gia and Tra Vinh) with **substantial number of Low Income Areas with high residential densities and low living standards and quality of life.**
- Components include (i) Tertiary Infrastructure Upgrading in Low Income Areas (**roads and lanes; drains and sewers; water supply; electricity; canal dredging; river and canal embankment; and social infrastructure such as schools, markets, community halls and green space**); (ii) Supporting Primary and Secondary Infrastructure; and (iii) Resettlement Sites.
- The project interventions are **primarily upgrading of existing infrastructure and require only small-scale earthworks.** The project will have **mostly positive environmental and social impacts, but also some potentially negative impacts.**

ESS 1: Assessment and Management of Environmental and Social Risks and Impacts

- **Possible cost savings:**
 - **Possibility of relying on Borrower's framework.** If the use of Borrower Framework is requested, the Bank would need an up-to-date assessment of the Borrower framework. The major effort falls upon the Bank. The Borrower would be requested to provide guidance to the Bank of accessing published documents related to the Borrower's framework.
- **The key aspect of the Environmental and Social Framework is “proportionality”:**
 - **High risk subproject:** in accordance with the ESSs
 - **Non-high risk subproject:** in accordance with national law and relevant ESSs.
- **Under the proposed ES Framework, the requirement of social impact assessment becomes more focused with specific reference to vulnerable groups.** Since this project targets low income areas, a lot of efforts were already made for social impact assessment and poverty mapping, participatory and community-based planning; and measures were proposed to help the poor and vulnerable people to improve their living conditions. So no additional effort from the Borrower would be required in this aspect.
- **The preparation of the ES Commitment Plan (ESCP) would entail only minor effort, as it would be similar to the preparation of ESMP under the project.**
- **Management of contractors for ES risks has been already done by the Borrower.**
- **The expected additional level of effort is low to moderate.**

ESS 2: Labor and Working Conditions

- This standard includes prohibition of forced labor and child labor, the principle of non-discrimination, occupational health and safety, and recognition of the workers' right to organize.
- While labor standard has not been applied in the past in WB safeguards, the country is a signatory of relevant ILO conventions. It is expected to need efforts on the part of the borrower to provide baseline information to the Bank and assist with Bank due diligence process.
- For this project, this standard would apply, in varying degrees, to direct workers and contracted workers.
- The principles of Occupational Health and safety (OHS), including the national Labor Law and relevant regulations, have been applied in this project.
- A grievance redress mechanism for all project workers would be required to be established.
- The borrower would be responsible to have in place procedures for monitoring of this standard.
- The expected additional level of effort is moderate to high.

ESS3: Resource Efficiency and Pollution Prevention and Management

- In terms of pollution prevention and management, no additional effort would be required, as the EMPs prepared for the project include measures for pollution control at work sites.
- Annual estimation of Greenhouse Gas (GHG) emissions would be required, if the emissions exceed the threshold to be established by the Bank.
- Promotion of efficient use of resources, including energy and water were limited in the EIAs. This would require some additional effort, where applicable.
- The expected additional level of effort is low.

ESS4: Community Health and Safety

- **The EMP already contains measures related to risks and impacts on community health and safety, including traffic and road safety, hazardous materials, and emergency preparedness. These have been already incorporated in the contractual documents.**
- **The project area is among the most at-risk globally to climate change impacts. Under the proposed ES Framework, the structural design of a project needs to take into account climate change considerations, as technically and financially feasible. While this is not discussed in the EMP, the design and implementation of project infrastructure investments have taken into account the adaptation to climate change.**
- **The expected additional level of effort is low.**

ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

- There is no significant change in this standard from the current policy (Operational Policy 4.12).
- The project is expected to have land acquisition, especially for primary and secondary infrastructure. The project meets all the requirements of the standard, such as holding of consultation with stakeholders, preparation of resettlement framework and plan, provision of grievance redress mechanism, disclosure of information, etc.
- Regarding ensuring consultation with women, the project would have to pay more attention to the issue, especially in documenting the participation and voice of the women.
- Possible cost savings:
 - “Associated Facilities” under the proposed ES Framework provides clearer and narrower project boundary than “linked project”. Assessment of “linked projects” conducted under the project would not be required under the new standard, such as:
 - ✓ the past land acquisition for the Waste Water Treatment Plan and Sewage funded by KFW in Can Tho; and
 - ✓ the past land acquisition for the Bach Nha channel upgrading project funded by the government in MyTHo.
- The expected additional level of effort is low.



ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources

- **The project is carried out in an urban setting and do not cause impact on any critical habitat. Measures to avoid impacts to natural habitats have been included in the ES Management Plan (ESMP).**
- **There are no threats from alien species etc. and hence no need to prepare a Biodiversity Management Plan or consider biodiversity offsets etc.**
- **Consequently, the requirement related to “ecosystem services” is not relevant in this case.**
- **No additional effort is required for this standard.**

ESS7: Indigenous Peoples

- Approach in this standard is broadly the same as the current Bank Policy (OP4.10). More precise requirements regarding ensuring meaningful consultation with Indigenous Peoples.
- Change is the application of Free, Prior and Informed Consent (FPIC), if the project (i) has impact on land or natural resources subject to traditional ownership or under customary use or occupation of Indigenous Peoples, (ii) cause relocation of IP; or (iii) have significant impacts on IP's cultural heritage.
- The Ethnic Minority Development Plans for Can Tho, Ca Mau and Tra Vinh clarify that all 27 households of the Khmer ethnic minority to be relocated under the project have agreed on the resettlement measures. The consultation minutes with ethnic minority communities have been signed and documented.
- The expected additional level of effort is low.

ESS8: Cultural Heritage

- Current policy on Physical Cultural Resources has been applied for the project due to its potential impacts on pagodas, graves and chance-finds.
- The proposed standard is applied to intangible cultural heritage, which is not covered under the current policy. The Borrower has a comprehensive Law on Cultural Heritage which also regulates intangible cultural heritage, and with detailed regulations for implementation.
- Thus, the only potential low incremental effort would be to ascertain whether “intangible heritage” exists in the area of the project.
- Additional effort required for this standard is low.

ESS 9: Financial Intermediaries

- Presently there are no Financial Intermediaries (FIs) in the project and hence no incremental efforts would be required.
- No additional effort is required for this Standard.

ESS10: Stakeholder Engagement and Information Disclosure

- Under the proposed ESS 10, stakeholder engagement for the E&S impacts and their mitigation would be more systematic and an on-going activity over the life of the project.
- While the current approach is instrument-based, the design of the project and the practice in the country have enabled extensive stakeholder engagement, such as inclusive consultation and participation and community monitoring at each stage of the project.
- Some effort would be required to prepare and implement a Stakeholder Engagement Plan (SEP), where currently stakeholder consultation is covered in the ES assessment and the mitigation plans.
- The project already has a three-tier grievance redress mechanism in place for persons affected by land acquisition (district level, city level and city court). Some minor effort would be required to make this mechanism available to all project-affected people and disclose information about the status of resolution of all grievances.
- Other relevant activities would also help implement this standard (e.g., WB's Citizen's Engagement)
- The expected additional level of effort is moderate.

Haiphong Urban Transport Project

Haiphong Urban Transport Project

Project facts

- **Objectives:** To improve urban accessibility and strengthen capacity for urban transport management and planning in Haiphong.
- **Financing (US\$):** 276.61 million (IDA 175 million; Borrower 101.61 million)
- **Environmental Category:** A
- **Safeguards Triggered:** Environment Assessment (OP 4.01), Physical Cultural Resources (OP 4.11), and Involuntary Resettlement (OP 4.12)
- **Safeguards Instruments:** An Environment Impact Assessment (EIA), Environment Management Plans – 3 volumes (EMP), Resettlement Policy Framework (RPF) and Resettlement Plans (RPs)
- **Approved:** March 2011

Context

- Components: (A) **Urban Main Road Development** to facilitate integrated urban development through improvement of strategic urban roads to alleviate port and inter-city traffic movements, (B) **Public Transport Improvement** to improve city public transportation service and road traffic safety, especially in the urban core and high-density corridors; and (C) **Capacity-building** to enhance capacity and operational performance of transport administration agencies.
- The project will finance **the construction of new urban road and bridges**. Therefore, project related environmental impacts from these activities on what are generally environmentally sensitive areas in terms of land use, human activity and watershed management, during construction, operation and maintenance of these highway and bridge links will be significant and potentially widespread and will **require robust and carefully planned management/mitigation measures**.

ESS 1: Assessment and Management of Environmental and Social Risks and Impacts

- Possible cost savings: possibility of relying on Borrower Framework. If the use of Borrower Framework is requested, the Bank would keep an up to date assessment of the Borrower framework. The major effort falls upon the Bank.
- Under the proposed ES Framework, the requirement of social impact assessment becomes more focused, and includes specific reference to vulnerable groups. This would need more effort from the Borrower.
- The national EA regulation does not require an Environmental Audit in EIA, which would be an additional effort.
- The preparation of the ESCP would entail minor effort as this is basically a procedural aspect, and it specifies/refers to other instruments. That is, this is a process of formalizing in a different manner elements/documents that we already have now.
- Management of contractors for ES risks has been already done by the Borrower.
- The expected additional level of effort is moderate.

ESS 2: Labor and Working Conditions

- This standard includes prohibition of forced labor and child labor, the principle of non-discrimination, occupational health and safety, and recognition of the workers' right to organize.
- While labor standard has not been applied in the past in WB safeguards, the country is a signatory of relevant ILO conventions. It is expected to need efforts on the part of the borrower to provide baseline information to the Bank and assist with Bank due diligence process.
- For this project, this standard would apply, in varying degrees, to direct workers and contracted workers.
- The principles of Occupational Health and safety (OHS), including the national Labor Law and relevant regulations, have been applied in this project.
- A grievance redress mechanism for all project workers would be required to be established.
- The borrower would be responsible to have in place procedures for monitoring of this standard.
- The expected additional level of effort is moderate to high.

ESS3: Resource Efficiency and Pollution Prevention and Management

- In term of pollution prevention and management, no additional effort is required for applying technically and financially feasible pollution control measures, as the EMPs prepared for the project includes measures for pollution control at work sites.
- Annual estimation of GHG emissions would be required, if the emission level exceeds threshold to be established by the Bank.
- Promotion of more sustainable use of resources, including energy, water and raw materials, and avoidance or minimization of project-*related* emissions of short and long-lived climate pollutants were limited in the EIA. This would require additional effort.
- The expected additional level of effort is moderate.



ESS 4: Community Health and Safety

- The EIAs and EMPs already contain requirements related to risk and impacts on the public from the project.
- Minor additional work would be needed to meet the requirements of structural design safety in accordance with EHSR and GIP, as currently the EIA does not refer to either.
- Grade-separated junctions have been adopted to avoid the need for level crossings where pedestrians and all local vehicles must cross tracks. This improves safety since conflict points are reduced.
- Impact from climate change was not discussed in the EMPs. This would require additional work.
- Some additional work would be needed for communities exposure to water borne communicable & non-communicable disease that could result from project activities.
- Emergency preparedness and preparation of Risk Hazard Assessment (RHA) and Emergency Response Plan (ERP) would be required.
- The expected additional level of effort is moderate.



ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

- There is no significant change in this standard from the current policy (Operational Policy 4.12).
- The project is expected to have extensive civil work and land acquisition. It meets all the requirements of the standard in terms of work already completed under the current policy, such as holding of consultation with stakeholders, preparation of resettlement framework and plan, provision of a grievance redress mechanism, disclosure of information, etc.
- Regarding ensuring consultation with women, the project would have to pay more attention to the issue, especially in documenting the participation and voice of the women.
- The expected additional level of effort is low.



ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources

- **The project design and components do not lend to any appreciable impact on the ecosystem, and no critical habitat has been affected. Avoidance of impacts on natural habitat is built-in in the project.**
- **There are no threats from alien species etc. and hence no need to prepare a Biodiversity Management Plan or consider biodiversity offsets, etc.**
- **Consequently, the requirement related to “ecosystem services” is not relevant in this case.**
- **No additional effort is required for this standard.**

ESS 7: Indigenous Peoples

ESS 9: Financial Intermediaries

ESS7

- No ethnic minority people/community in the project areas.
- Approach remains the same.
- No additional effort is required for this standard.

ESS9

- Presently there are no FIs in the project and hence no incremental efforts would be required.
- No additional effort is required for this standard.



ESS8: Cultural Heritage

- Current policy on Physical Cultural Resources has been applied for the project due to its potential impacts on pagodas, cemeteries and graves.
- The proposed standard is applied to intangible cultural heritage, which is not covered under the current policy. The Borrower has a comprehensive Law on Cultural Heritage which also regulates intangible cultural heritage, and with detailed regulations for implementation.
- Thus, the only potential low incremental effort would be to ascertain whether “intangible heritage” exists in the area of the project.
- Additional effort required for this standard is low.

ESS 10: Stakeholder Engagement and Information Disclosure

- The current approach is instrument-based and extensive consultations have been held for the preparation of this project.
- Under the proposed ESS 10, stakeholder engagement for the E&S impacts and their mitigation would be more systematic and an on-going activity over the life of the project. Some effort would be required to prepare a Stakeholder Engagement Plan (SEP) where currently, stakeholder consultation is covered in the E&S assessment and the mitigation plans.
- Currently the project has a grievance redress mechanism (GRM) in place to provide increased civil society engagement in addressing potential disputes during implementation. Some minor effort would be required to disclose information about the status of resolution of all grievances.
- Other relevant activities would also help implement this standard (e.g., WB's Citizen's Engagement)
- The expected additional level of effort is moderate.



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Discussion

1. *Feasibility and resources for implementation?*

- What are the implementation and resource implications for Borrowers?
- What can the Bank do to mitigate additional burden and cost?
- How can the implementation of projects be made more efficient?

2. *Borrower capacity building and support for implementation?*

- How can the Bank support capacity building?
- Are there specific areas of focus, and approaches?
- Approach to implementing the ES Framework in situations with capacity constraints, e.g., Fragile and Conflict-affected Situations (FCS), small states and emergency situations?



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THANK YOU

More information available at:

<http://consultations.worldbank.org/consultation/review-and-update-world-bank-safeguard-policies>