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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
Jordan & Iraq
December 13, 2015*

Content

- “Road Testing” the new ESSF for operational implications
- Project Case Studies:
 - Jordan Second Education Reform for Knowledge Economy II
 - Discussion
 - Iraq Transport Corridors Project
 - Discussion



Objective

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?

From Safeguards to Standards

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

Jordan Second Education Reform for Knowledge Economy II (ERfKE II)

Jordan Second Education Reform for Knowledge Economy

Project facts:

Objectives: The development objective of the Second Education Reform for the Knowledge Economy Project (ERfKE II) is that "Students enrolled in all streams of pre-tertiary education in Jordan will acquire skills necessary for participation in the knowledge economy".

Financing (US\$): 370m (IBRD 60m) USAID 117m, CIDA 17m, JICA 2.5m

Environmental Category: B

Safeguards Triggered: Environment Assessment (OP 4.01), Involuntary Resettlement (OP 4.12)

Safeguards Instruments: Environmental and Social Impact Assessment (ESIA), which includes ESMP, and Resettlement Action Plan

Approved: May 2009

Project Description:

Component 1: Establishment of a National School-based Development System - establish a well functioning, school-based development process

Component 2: Policy, Planning, M&E and Organizational Development - build upon ERfKE I investments related to policy, planning and M&E

Component 3: Teaching and Learning Resources - review and further develop teacher employment, utilization and professional development policies and practices; and fine-tune curriculum and student assessment

Component 4: Special Focus Program Development - improve inclusive access to learning for all children in Jordan through special focus on three critical subsectors: Early Childhood Education, Special Education and Vocational Education.

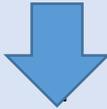
Component 5: Quality Physical Learning Environments - improved provision of quality education facilities in a cost effective and sustainable manner so that students have access to environmentally friendly and efficiently operated quality physical learning environments.

PRACTICAL IMPLICATIONS OF APPLYING ENVIRONMENTAL AND SOCIAL SUSTAINABILITY FRAMEWORK

From Safeguards to E&S Standards

SAFEGUARDS POLICY	2 nd Ed
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	

CATEGORY B



LOW

ESS STANDARD	2 nd Ed
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	✓

Implementation of Safeguard Policies (actual)

Key environmental impacts/risks: EMP and LAP were prepared. Focus of the safeguards review was very much limited to civil works such as construction, rehabilitation, maintenance and extension of schools. Impacts related to school construction were expected to be minor, site-specific and temporary in nature. These minor adverse environmental impacts were mitigated with the implementation of mitigation measures within an EMP. Issues of water supply and waste water and solid waste disposal (waste management) are also included in the EMP.

The project benefited from previous engagement with Bank projects in the sector. As such the MOE had prepared a generic EMP for ERfKE I and this was used and updated for the purposes of this project.

Key social impacts/risks: Social impacts largely related to include land take for the construction of schools. It was expected that 82 new schools would be constructed and E&S dimensions were part of the site selection process. A land acquisition plan (LAP) was prepared for some of the sites.

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

New Requirements/Approaches?	Scope?	Effort? expertise?	Value?
Use of Borrower's E & S System to the extent possible	Applicable elements of Borrower's Framework (EIA, etc.)	WB assessment of applicable laws, regulations, practices, based on information provided by Borrower: <ul style="list-style-type: none"> • can it deliver outputs consistent with the ESS? • capacity building investments? 	Minimize incremental requirements, recognize and strengthen country systems
E & S Assessment	Assessment of social issues more explicitly integrated into EMP and LAP	<ul style="list-style-type: none"> -Some additional effort beyond EMP and LAP. -Some form of scoping in terms of the social issues whether through a Social Assessment or more detailed analysis around Comp 4 on "more inclusive access to education" would be required. -This analysis should review issues around physical accessibility to schools based on needs, for example. -Objective of "inclusive access to learning for all children" should review and adapt mechanisms to ensure both physical access and effective participation (comp already includes gifted schools and schools for children with special needs). 	Social issues more focused, specific reference to vulnerable groups
E & S Commitment Plan	Expanded version of EMP, including both E & S	Limited additional, as EMP includes many of the issues and some of the social issues could be addressed through project design.	Consolidated Plan for E&S requirements
Project Monitoring & Reporting	More explicit requirements, throughout life of project		Risk classification changes over project implementation, no need for formal restructuring
Common approach	Common approach for joint financing with other multilaterals and bilaterals	<ul style="list-style-type: none"> -the Bank's assessment of the partner's E&S frameworks would require moderate effort. -establishment of due diligence and supervision modalities required 	Avoid duplication of safeguards effort for both the Borrower and donors

ESS2: Labor & Working Conditions

New Requirements?	Scope?	Effort? Expertise?	Value?
Working Conditions & Management of Worker Relationships	Applies to people engaged in work on project activities, including contracted workers	Assess applicable national laws/regulations; provisions in ESCP for any gap filling (implementation and monitoring)	
Protecting the Work Force	Applies to all project workers	Effort level low as principles of OHS are included in bidding/contract documents and EHSGs.	
Grievance Mechanism	Applies to all project workers	May be added to ESMP or SEP	
Occupational Health & Safety (OHS)	Applies to all project workers	OHS measure generally included ESMP and EHSGs. However, application is more explicit.	
Contracted Workers	Applies to workers engaged by contractors doing civil works	PIU to ensure relevant protections in contracts, monitor compliance	
Workers in Community Labor	No community labor on project activities	N/A	
Primary Supply Workers	Applies to workers of primary suppliers of construction materials (building aggregate, sand and clay, etc.)	Additional work required to ascertain any significant risk of harmful child labor or forced labor. PIU to ensure relevant protections in contracts, monitor compliance	

ESS3: Resource Efficiency & Pollution Prevention & Management

New Requirements?	Scope?	Effort? Expertise?	Value?
Resource Efficiency	Significant user of energy, water and raw materials.	-Limited incremental effort -ESIA/EMPs already address issues related to water supply and sanitation i.e. health hazards, land and water pollution, groundwater contamination, etc.	
Pollution Prevention & Management	As before		Clearer requirement to apply EHSGs

ESS4: Community Health & Safety

New Requirements?	Scope?	Effort? Expertise	Value?
<p>Community Health & Safety</p>	<ul style="list-style-type: none"> -Impacts of project activities on community H&S -Particular reference to traffic and road safety 	<ul style="list-style-type: none"> -The current EMP takes ESS 4 issues into account. For example “<i>vulnerability to natural hazards (flash floods, landslides, etc) and social and cultural heritage impacts</i>” are integrated into the site selection process, design and implementation of civil works. -Effort level low-moderate as the EMP should consider more explicitly traffic and road safety around schools. 	
<p>Security Personnel</p>	<p>N/A</p>		

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

New Requirements?	Scope?	Effort? Expertise	Value?
General	No change		
Displacement			
Collaboration with Other Responsible Agencies or Subnational Jurisdictions			
Technical & Financial Assistance			

ESS8: Cultural Heritage

New Requirements?	Scope?	Effort? Expertise	Value?
General	PCR addressed in ESIA	Implementation Plan and chance finds in coordination with General of Antiquities	
Stakeholder Consultation & Identification of Cultural Heritage			
Legally Protected Cultural Heritage Areas			
Provisions for Specific Types of Cultural Heritage			
Commercialization of Cultural Heritage			

ESS10: Stakeholder Engagement & Information Disclosure

New Requirements?	Scope?	Effort? Expertise	Value?
Engagement during Project Preparation	Preparation of Stakeholder Engagement Plan	-Little or no additional- project and RAP included extensive consultation (GRM, citizen engagement, etc.) -currently the main stakeholders include MOE, MOPWH, concerned municipalities and NGOs, community at large and beneficiary population (parents, teachers and students)	More formal mechanism with roles and responsibilities outlined (MOE, MOPWH, others)
Engagement during Project Implementation & External Reporting	Active engagement throughout project, beyond establishing Grievance Mechanism		
Grievance Mechanism			
Organizational Capacity & Commitment			

Operational Implications of Proposed Framework: 2nd Ed

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	Low to Moderate
ESS 2: Labor and Working Conditions	Moderate
ESS 3: Resource Efficiency and Pollution Prevention and Management	Low
ESS 4: Community Health and Safety	Low
ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	Low
ESS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	
ESS 7: Indigenous Peoples	
ESS 8: Cultural Heritage	
ESS 9: Financial Intermediaries	
ESS 10: Stakeholder Engagement and Information Disclosure	Low

Iraq Transport Corridors Project

From Safeguards to E&S Standards



CATEGORY A



HIGH RISK

SAFEGUARDS POLICY	BISRI
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	Bisri
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	✓

Iraq Transport Corridors Project

Project facts

Objectives: The Project Development Objective is to improve road transport connectivity and safety on selected road sections along Expressway 1 and the North-South transport corridor in Iraq.

Financing (US\$): \$400 million

Environmental Category: Category A

Safeguards Triggered: Environment Assessment (OP 4.01) and Involuntary Resettlement (OP 4.12)

Safeguards Instruments: Environment and Social Impact Assessment Framework (ESIAF) for **KRG North-South Corridor**, Resettlement Policy Framework (RPF) for **KRG North-South Corridor**, Environment and Social Impact Assessment (ESIA) for Expressway 1, Environmental and Social Management Plan (ESMP) for Expressway 1, Resettlement Action Plan (RAP) for Expressway 1, Environmental and Social Audit for R6 of Expressway 1, Environmental and Social Audit for Segments 1 and 4 of KRG North-South Corridor

Approved: November, 2013

Context

Components: (i) Transport Corridors Improvement: Rehabilitation of Expressway No. 1; Upgrading the existing corridor between Ibrahim Khalil and Duhok, linking KRG and the rest of Iraq and with Turkey and Syria; Fiber optics network for Expressway No. 1; and (ii) Institutional Strengthening and Capacity Building in the Road Sector.

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

- Possible cost savings:
 - new definition of associated facilities
 - common approach or deferral when other multilateral or bilateral agencies financing associated facilities;
 - possibility of relying on Borrower Framework in certain circumstances
- The requirement of the social impact assessments becomes more focused and detailed, and includes specific reference to vulnerable groups. Additional efforts may be required to widen the scope of the social assessment including identification of vulnerable/disadvantaged groups and their inclusion in the project benefits.
- Clear requirement to apply EHSG.
- Requirement to assess risks and impacts linked to primary suppliers.
- The preparation of the ESCP will entail minor effort as this is basically a process of formalizing in a different manner elements/documents that we already have now
- If the assessment of the borrower framework was requested, the major effort falls upon the Bank. Borrower would meet with the Bank team and provide guidance to the Bank of accessing published documents and laws and regulations.
- Use of independent experts for the E&S assessment
- **The expected additional level of effort is moderate.**

ESS2: Labor and Working Conditions

- ESS 2 has not been applied in the past and is expected to need efforts on the part of each of the Borrower to provide information to the WB and assist the WB due diligence process.
- This ESS applies, in varying degrees, to direct workers, contracted workers (for work related to core functions of the project), primary supply workers (for materials essential for core functions of the project).
- ESS2 contains requirements regarding clear terms of conditions of employment, measures related to non-discrimination and equal opportunity, recognition of the workers right to organize, and prohibition of forced labor and child labor.
- ESS2 requires Occupational Health and safety (OHS) principles to be applied and a grievance redress mechanism for all project workers to be established.
- **The expected additional level of effort is moderate.**

ESS3: Resource Efficiency and Pollution Prevention and Management

- Potential incremental effort to apply resource efficiency measures: energy, water, raw materials.
- Appropriate measures have been identified for pollution management.
- If production GHG emission in excess of threshold, annual estimation of GHG emission would be required.
- More specific requirement regarding management of project waste and hazardous materials: already applied by Project
- **The expected additional level of effort is moderate.**

ESS4: Community Health and Safety

- Minor additional work may be needed to meet the requirements of structural design safety in accordance with EHSG and GIIP, taking into account climate change considerations;
- Minor additional work needed to identify, evaluate and monitor potential road and traffic safety risks for workers and communities
- Express requirement to identify in EA project risks and impacts on ecosystem services, in particular those that may be exacerbated by climate change
- Requirements regarding management and safety of hazardous materials, communities exposure to water borne, water based, communicable & non-communicable disease that could result from project activities or associated with presence of project labor: incremental effort needed
- Requirements regarding emergency preparedness and preparation of Risk Hazard Assessment (RHA) and Emergency Response Plan (ERP)
- Requirements regarding proper management of security personnel
- **The expected additional level of effort is low to moderate.**

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

- Requirements remain the same.
- Requirements clearer on voluntary land acquisitions, land already purchased by Gvt and prohibition on forced evictions.
- Consultations would require more specific effort to ensure involvement of vulnerable groups
- **The expected additional level of effort is low.**

ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources

- New ESS takes into account Modified Habitat with biodiversity value, Natural Habitat and Critical Habitat
- New: need to consider impacts on ecosystem services and living natural resources as related to affected communities
- **The expected additional level of effort is low**

ESS 7: Indigenous Peoples

N/A

ESS8: Cultural Heritage

- There is no cultural property identified in the project area.
- **No additional effort is required for this ESS.**

ESS9: Financial Intermediaries

- There are no FIs in the project and hence no incremental efforts would be required.
- **No additional effort is required for this ESS.**

ESS10: Stakeholder Engagement and Information Disclosure

- The current approach is instrument-based and consultations have been held for the preparation of the safeguards instruments for this project
- Under the new ESS 10, stakeholder engagement for the E&S impacts and their mitigation is 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 GRM in place to respond to complaints related to resettlement. It would need to be expanded to all claims and include disclosure of information regarding status of resolution of claims.
- **The expected additional level of effort is moderate.**

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?



THANK YOU

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