

Review & Update of World Bank's
Environmental & Social Safeguard Policies
Phase 3 Consultation Meetings
February 2016 – Nairobi, Kenya

**“Road Testing” the new ESF--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?**

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Greater Maputo Water Supply Expansion Project



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

Approved July 25, 2013 – US\$178 million IDA

Project objectives: To increase access to clean water for residents in the Greater Maputo Area

Project description: (a) investment in the water supply network system; (b) investment in the water supply distribution system; (c) technical assistance to the Water Supply Asset Holding and Investment Fund (FIPAG); and, (d) capacity-building and operational support to the Water Regulatory Council (CRA)

RISKS

The overall risk rating for the project was low, with moderate ratings for delivery monitoring and sustainability and some of the financial arrangements.

Key risks during implementation are related to delays in procurement and impacts from climate change (long-term drought affecting the viability of the water supply by the Corumana Dam).

EA Category A

Safeguard Instruments: ESIA, 2 ESMPs ((i) raw water extraction, raw water pipeline and water treatment plant and (ii) clean water pipeline), RAP, Public Participation Process Report, Technical Studies on: bio-physical impacts, socio-economic impacts, health and safety impacts, and surface water impacts

Minimal land acquisition – basically for the pipeline corridor. Twelve houses may require relocation and another 28 houses may be partially affected. Some 300 infrastructures, such as latrines, rooms, kitchens, fences, drains, sheds, roads and power lines. In the agricultural areas, 233 households are affected, mostly losing some bushes and trees, many fruit-bearing.

Funds for implementation of ESMP and RAP are included in construction contracts; IDA financed preparation of the instruments and consultation.

Consultations Strategy:

- Methodical approach to consultations, with good documentation and disclosure. Workshops and meetings held in several key locations.
- Consultations explained project and its benefits to stakeholders
- Focus groups on community leaders and women.
- Establishment of communication flows with affected and host communities

Socio-Economic Impacts

- Affected area includes rural and urban areas. At the time of project appraisal, roads were poor and public transportation is scarce. Electrical power distribution was expensive and power cuts occurred frequently.
- Little risk of fatalities or accidents related to the project.
- Risky interactions between the construction workers and local communities.
- Temporary disturbances for businesses for a day or two at most.
- Some physical relocation of households.
- Employment of up to 300 local skilled and unskilled workers.

Potential Environmental and Social Impacts Identified in ESIA

Positive Impacts: accessible potable water; employment opportunities during construction and during operation

Negative Impacts:

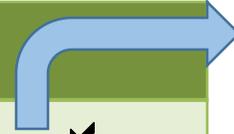
- Some loss of vegetation cover and plant diversity; some of the pipelines are being placed in seasonal wetland areas
- Health and safety impacts related to construction of buildings (injuries from construction, traffic, machinery, electric shocks, pits, falling objects, noise); possible significant risks if allowances are not made for firefighting equipment and storage areas for chemicals, hazardous and flammable materials
- Liquid and solid waste from workers' camps
- HIV/AIDS risks from interactions between the construction workers and local populations; other safety and social risks
- Adverse health impacts from green-blue algae in Corumana Dam

Mitigation:

- ESMP measures incorporated in construction contracts to minimize environmental and social impacts; oversight by Supervising Engineer

From Safeguards to E&S Standards

SAFEGUARDS POLICY	
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	Specific Applicability to project
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	✓

CATEGORY A

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SUBSTANTIAL ENVIRONMENTAL IMPACTS (BUT, LOW TO MODERATE RISK)

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

New Requirements/ Approaches?	Actual (under WB OPs)	Changes under ESF
Use of Borrower's E & S Framework to the extent possible	No explicit gap analysis or discussion in ESIA; However, there are tables describing applicable legislation and their relevance to the project; ESIA/ESMP describes framework and responsibilities for environmental monitoring and compliance during operational phase	<ul style="list-style-type: none"> • Presumption is to use national systems to achieve ESS, assessed by and at discretion of WB • Bank and Borrower jointly identify measures to fill gaps.
E & S Assessment	Positive and negative social impacts included in ESIA, ESMP as well as in project design	No change
E & S Commitment Plan	No ESCP	Time-bound ESCP, covering life of project; part of Legal Agreement; emphasis on monitoring and adaptive management
Project Monitoring & Reporting	ESMP provides monitoring indicators, responsibilities and estimated costs E&S Unit established in FIPAG	No change
Stakeholder Engagement & Info Disclosure	Public consultations on Safeguards documents; Consultation process throughout life of project	Preparation, disclosure, reporting on Stakeholder Engagement Plan – likely little substantive change from actual Communications Strategy but might be more explicitly interactive

ESS2: Labor & Working Conditions

New Requirements?	Actual (under WB OPs)	Changes, additional effort/expense under ESF
Working Conditions & Management of Worker Relationships	PS 2 mentioned, but no explicit requirements beyond routine OHS requirements in contracts	Explicit requirements and Borrower responsibilities across broader range of issues, for direct hires, contracted and subcontracted workers
Protecting the Work Force	No explicit requirements	Explicit requirements relating to non-discrimination; child/forced labor
Grievance Mechanism	Only in RAP	Separate GM for workers
Occupational Health & Safety (OHS)	OHS included in ESMP and contracts (HSE Plan); special care in avoiding land mines	Explicit requirements for WBG Environment, Health & Safety Guidelines or other international standard
Contracted Workers	OHS provisions in contracts, as above	Expanded requirements in contracts; application to subcontractors; enhanced Borrower responsibility for monitoring
Workers in Community Labor	No requirement	Not applicable (no community labor in project)
Primary Supply Workers	No requirement	Explicit requirements for primary supply workers

ESS3: Resource Efficiency & Pollution Prevention & Management

New Requirements?	Actual (under WB OPs)	Changes, additional effort/expense under ESF
Resource Efficiency	ESIA considers most economic option for water treatment (chlorination); Corumana Dam can provide some hydroelectric power	ESIA explicitly address any opportunities for efficiencies during construction and operation: water, energy and materials
Pollution Prevention & Management	ESIA/ESMP includes specific pollution prevention measures (construction and operation phases) No greenhouse assessment	<ul style="list-style-type: none"> General analysis of Greenhouse gas emissions (probably below threshold for detailed analysis); potential climate change impacts on project sustainability

ESS4: Community Health & Safety

New Requirements?	Actual (under WB OPs)	Changes, additional effort/expense under ESF
Community Health & Safety	ESMP addresses: worker camp/influx issues, including HIV/AIDs and potential increase in human trafficking and exploitation; increased pressure on local services and local air/water/noise pollution; road and rail traffic injuries or fatalities related to trucks/machinery and construction works; malaria; noise	<ul style="list-style-type: none"> • Consideration of other potential impacts, e.g. other communicable & non-communicable diseases; • Preparation of emergency response plan (which is included in this project)
Security Personnel	No requirement	Not mentioned. Is this an issue in the project?

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

New Requirements?	Actual (under WB OPs)	Changes, additional effort/expense under ESF
General	Resettlement Action Plan	Consideration of gender-specific impacts in land acquisition (this project included special outreach to women)
Displacement	RAP covers physical & economic, permanent & temporary displacement, reduced access	No change
Collaboration with Other Responsible Agencies or Subnational Jurisdictions	RAP describes responsibilities of PIU, local authorities, contractors	RAP/ESCP might require more explicit, written agreements among parties involved in land acquisition
Technical & Financial Assistance	<p>Land acquisition costs included in construction contracts</p> <p>ESMP includes general para on need for training and capacity building, to be provided by E&S Unit</p>	<p>ESCP would specify time-bound plan for needed capacity building for project implementation, including cost estimates and progress indicators</p> <p>Would also promote strengthening of Borrower capacity beyond project needs (sectoral, policy level)</p>

ESS6: Biodiversity Conservation & Sustainable Management of Living Natural Resources

New Requirements?	Actual (under WB OPs)	Changes, additional effort/expense under ESF
General	OP 4.04 not triggered: ESIA stated no flora/fauna of conservation importance likely to be affected. It did mention biodiversity issues related to the Corumana Dam.	<p>More detailed assessment of potential impacts on biodiversity values and ecosystem services (considering both natural and modified habitats;</p> <p>More detailed assessment of potential indirect impacts, e.g. fuelwood collection; increased access to National Park and other conservation areas)</p>
Primary Suppliers	No requirement	Not applicable (no sourcing of primary living natural resources)

ESS7: Indigenous Peoples, ESS9 Financial Intermediaries

New Requirements?	Actual (under WB OPs)	Changes, additional effort/expense under ESF
General	Not applicable	Not applicable
Circumstances Requiring Free, Prior & Informed Consent (FPIC)		
Mitigation & Development Benefits		
Grievance Mechanism		
Indigenous Peoples & Broader Development Planning		
FI Environmental & Social Procedures	Not Applicable	Not Applicable
Stakeholder Engagement		
Reporting to the Bank		

ESS8: Cultural Heritage

New Requirements?	Actual (under WB OPs)	Changes, additional effort/expense under ESF
General	Not applicable (no physical cultural heritage affected following a check after the ESIA was prepared)	EIA would consider potential for impact on intangible cultural heritage
Stakeholder Consultation & Identification of Cultural Heritage	No requirement	Likely not applicable
Legally Protected Cultural Heritage Areas		
Provisions for Specific Types of Cultural Heritage		
Commercialization of Cultural Heritage		

ESS10: Stakeholder Engagement & Information Disclosure

New Requirements?	Actual (under WB OPs)	Changes, additional effort/expense under ESF
Engagement during Project Preparation	Project included a Public Participation report and consultation strategy. Many consultations during preparation; special outreach to women and local community representatives.	Preparation of Stakeholder Engagement Plan to ensure continued strong engagement throughout life of project
Engagement during Project Implementation & External Reporting	Project emphasizes ongoing process of community engagement during implementation.	Implementation of SEP Regular reporting to public and WB on all aspects of implementation
Grievance Mechanism	Relating to RAP only	Covering all aspects of project; separate GM for workers
Organizational Capacity & Commitment	Institutional roles set out in ESIA's and RAP; provisions for Implementing Agencies to engage E&S staff but safeguards documents are less clear about how community engagement has been managed during project implementation.	ESCP includes detailed requirements and commitments for implementation, detailed capacity assessment and specific, time-bound capacity building measures

Operational Implications of Proposed Framework

Environmental and Social Standard	Prospective Change in Effort/ Resources
ESS 1: Assessment and Management of Environmental and Social Risks and Impacts	Moderate
ESS 2: Labor and Working Conditions	Moderate to Substantial
ESS 3: Resource Efficiency and Pollution Prevention and Management	Low to moderate
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	Low
ESS 7: Indigenous Peoples	None
ESS 8: Cultural Heritage	Low
ESS 9: Financial Intermediaries	None
ESS 10: Stakeholder Engagement and Information Disclosure	Low to Moderate