

# Draft Environmental and Social Management Framework

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## Pakistan: Emergency Flood Assistance Project

Prepared by the Asian Development Bank.

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## ABBREVIATIONS

|          |   |   |
|----------|---|---|
| ADB      | – | Asian Development Bank                        |
| AP       | – | Affected Person                               |
| COVID-19 | – | Coronavirus Disease                           |
| DP       | – | Displaced Person                              |
| E&S      | – | Environmental and Social                      |
| EA       | – | Executing Agency                              |
| EAL      | – | Emergency Assistance Loan                     |
| EFAP     | – | Emergency Flood Assistance Project            |
| EIA      | – | Environmental Impact Assessment               |
| EM       | – | External Monitor                              |
| EMP      | – | Environmental Management Plan                 |
| ESIA     | – | Environmental and Social Impact Assessment    |
| ESMF     | – | Environmental and Social Management Framework |
| ESU      | – | Environmental and Social Unit                 |
| GRC      | – | Grievance Redress Committee                   |
| GRM      | – | Grievance Redress Mechanism                   |
| IEE      | – | Initial Environmental Examination             |
| IR       | – | Involuntary Resettlement                      |
| IP       | – | Indigenous People                             |
| JFPR     | – | Japan Fund for Poverty Reduction              |
| KP       | – | Khyber Pakhtunkhwa                            |
| LAA      | – | Land Acquisition Act                          |
| LAR      | – | Land Acquisition and Resettlement             |
| NGO      | – | nongovernment Organization                    |
| PMU      | – | Project Management Unit                       |
| RC       | – | Replacement Cost                              |
| REA      | – | Rapid Environmental Assessment                |
| RP       | – | Resettlement Plan                             |
| SPS      | – | Safeguard Policy Statement                    |

## DEFINITION OF TERMS

|                                    |  |
|------------------------------------|--|
| <b>Displaced household (DH)</b>    | All members of a subproject affected household residing under one roof and operating as a single economic unit, who are adversely affected by the Project or any of its components; may consist of a single nuclear family or an extended family group.  |
| <b>Displaced persons (DPs)</b>     | In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. |
| <b>Compensation</b>                | Payment in cash or kind for an asset to be acquired or affected by a project at replacement cost at current market value.  |
| <b>Cut-off-date</b>                | Date after which people will not be considered eligible for compensation, i.e., they are not included in the list of DPs as defined by the census. Normally, the cut-off date is the date of the detailed measurement survey.  |
| <b>Detailed measurement survey</b> | The quantification and exact measurement of all impacted assets from which the detailed inventory of losses, after the final engineering design and marking of project boundaries on the ground, is derived.   |
| <b>Encroachers</b>                 | People who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project.   |
| <b>Entitlement</b>                 | The range of measures comprising cash or in kind for compensation or restoration of lost assets and incomes.   |
| <b>Land acquisition</b>            | The process whereby a person is compelled by a public agency to alienate all or part of the land she/he owns or possesses, to the ownership and possession of that agency, for public purposes, in return for fair compensation.   |
| <b>Non-titled</b>                  | Those who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant, i.e., those people without legal title to land and/or structures occupied or used by them. ADB's policy explicitly states that non-land assets of non-titled APs are to be compensated.   |
| <b>Recognizable claim to land</b>  | The project recognizes APs with customary ownership with or without the required legally valid customary deed as "legalizable" owners who must be compensated for both the loss of land and non-land assets.   |
| <b>Replacement cost</b>            | According to SPS, the calculation of full replacement cost is based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any.  |
| <b>Sharecropper</b>                | Same as tenant cultivator or tenant farmer; a person who cultivates land they do not own for an agreed proportion of the crop or harvest.  |
| <b>Severely impacted</b>           | DHs/DPs that are: (i) being physically displaced from housing, or (ii) losing ten per cent or more of their productive assets (income generating).   |
| <b>Squatter</b>                    | One who illegally occupies public or private land  |
| <b>Temporary displacement</b>      | Displacement from impacts on land and immovable property outside the right of way of the project caused temporarily by civil works related   |

**Vulnerable**

activities.

Any people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and includes: (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households (within the meaning given previously); (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; (vii) ethnic minorities; (viii) marginal farmers (with landholdings of five Jeribs or less); and (ix) adolescent girls and boys.

## EXECUTIVE SUMMARY

1. Pakistan has been enduring severe monsoon weather since 14 June 2022 causing widespread flooding and landslides, with severe repercussions for human lives, property, and infrastructure on an unprecedented scale. As of 30 September, 84 out of 160 districts across Pakistan have been declared 'calamity hit' by the Government of Pakistan. Southern and central Pakistan has been the most affected, particularly the Balochistan and Sindh provinces. Hill torrents occurred in Khyber Pakhtunkhwa (KP), Balochistan, Sindh, and south Punjab. According to the National Disaster Management Authority (NDMA), the higher rainfall in Balochistan represents a change in the monsoon pattern the province is not usually affected by the monsoon in the past.
2. ADB, with assistance from the financiers Japan Fund for Poverty Reduction (JFPR), is proposing emergency assistance to the Government of Pakistan (GoP) through the Emergency Flood Assistance Project (EFAP), or "the Project". The Project comprises three key outputs.
  - Output 1 will be rehabilitation of flood affected roads in Sindh province including a section of national highway (N-5) between Sukkur and Hyderabad and bridges on the national highways across the three provinces of Sindh, Khyber Pakhtunkhwa, and Baluchistan. The rehabilitation of the provincial highway and district roads of Sindh province are also included in Output 1.
  - Output 2 will be flood-damaged irrigation network, drainage, and flood risk management infrastructure rehabilitated and reconstructed in KP and Balochistan provinces.
  - Output 3 will restore and strengthen about 200 on-farm small storage tanks, 80 high efficiency irrigation systems, 500 farm channels, 100 diversion structures and farm embankments, 200 dug-wells and 13,000 hectares land damaged in the floods affected districts in Balochistan. It will also provide at least 60,000 farm households with higher quality rice seeds for increased productivity and 60,000 hectares of Kharif (Summer) rice sowing. It will also support women-led livelihood activities for securing the minimum household needs. These include (i) provision of safe and long-lasting small tools for farming work to women who lost their tools during the 2022 floods but cannot afford purchasing new or alternate tools, and (ii) provision of gum shoes that will increase women's safety in farming work to support easing women's rice planting work.
3. Project activities are focused upon the rehabilitation of critical infrastructure. All works will be confined to the areas of the infrastructure (within existing rights of way-ROW) to be rehabilitated. Environmental impacts are anticipated to be short-term and localized limited to the construction phase and will primarily relate to solid waste generation and disposal, elevated noise and air emissions (dust), localized water quality impacts, potential traffic delays (road projects), and occupational and community health and safety. Further, all sub-projects will be screened and categorized for environmental safeguards by using the customized Rapid Environmental Assessment (REA) Checklist, provided as Appendix 4 to confirm the category for environmental safeguards as 'C or 'B'. All ENV Category 'A' projects will be excluded. Sub projects are expected to be IR Category C, with some possibility for minor LAR in some cases, but with significant displacement considered unlikely. The overall project is categorized as B for IR. There are no IPs per SPS definition in the Project areas and the project is categorized as C for IP. However, all sub-projects

will be screened and categorized for IR and IP safeguards by using the impacts screening checklists, provided as Annex 2.

4. This Environmental and Social Management Framework (ESMF) maps general policies, guidelines, codes of practice, and procedures applicable for the activities funded under this Project. The document defines the processes and procedures for the assessment, monitoring, and management of environmental and social issues. The ESMF reviews safeguard policies at the national level, identifies gaps, if any, with ADB's SPS 2009 requirements, and describes the principles, objectives, approaches, and site-specific environmental and social mitigation measures that will be followed.



## I. INTRODUCTION

1. This document outlines the Environmental and Social Management Framework (ESMF) for the Asian Development Bank (ADB) financing of Proposed Emergency Flood Assistance Project (EFAP).

### A. Project Background

2. Pakistan has been enduring severe monsoon weather since 14 June 2022 causing widespread flooding and landslides, with severe repercussions for human lives, property, and infrastructure on an unprecedented scale. As of 30 September, 84 out of 160 districts across Pakistan have been declared 'calamity hit' by the Government of Pakistan. Southern and central Pakistan has been the most affected, particularly the Balochistan and Sindh provinces. Hill torrents occurred in Khyber Pakhtunkhwa, Balochistan, Sindh, and south Punjab. According to the National Disaster Management Authority (NDMA), the higher rainfall in Balochistan represents a change in the monsoons.
3. This ESMF is intended to ensure that activities implemented by ADB (and co-financiers Japan Fund for Poverty Reduction (JFPR)), are compliant with the relevant requirements of national policies, regulations and legislation, as well as ADB's Safeguard Policy Statement (SPS, 2009).
4. The EFAP scope will include agricultural and livelihood support, re-establishing water availability for agriculture, improved flood protection and re-connecting the damaged and destroyed communication infrastructure covering provinces of Sindh, Baluchistan and Khyber Pakhtunkhwa (KP). The EFAP will be implemented by PMUs/PMOs/PIUs of EAs of ongoing ADB projects, familiar with ADB project readiness and preparation requirements, monitoring processes, and with established and functioning grievance redress mechanisms.

### B. Project Objective and Description

5. The project is aligned with the following **impact objective: economic and social recovery from the 2022 floods by 2027**. The project outputs are discussed below in detail.
6. **Output 1: Flood-damaged roads and bridges in project areas rehabilitated and reconstructed.** This output will rehabilitate and reconstruct about 400 km of Sindh provincial highways and district roads, about 85 km of N-5—the busiest national highway in Pakistan—between Sukkur and Hyderabad in Sindh province, and about 30 bridges of various types on the national highways in Sindh, Khyber Pakhtunkhwa, and Balochistan, all are important for accessibility and connectivity of post-flood livelihoods and economic recovery. The design of roads and bridges will incorporate climate and disaster resilience measures and safer road design features. The output also includes the conduct of information campaigns on prevention and management of gender-based violence to enable women to prevent and address threats to personal security. They will also undergo skills training on good practices in sustainable agriculture and nutrition to build their capacity in increasing food production and provision of nutritious food for their families. Rehabilitation and reconstruction work will take place within the existing ROW. It does not involve any green field or new construction work.

7. **Output 2: Flood-damaged irrigation, drainage, and flood risk management infrastructure in Khyber Pakhtunkhwa and Balochistan rehabilitated and/or upgraded.** This output will strengthen, rehabilitate, and reconstruct priority irrigation diversions, storages, and conveyance systems, drainage channels, and flood risk management structures in the Khyber Pakhtunkhwa and Balochistan. Irrigation and flood control infrastructure will be upgraded incorporating multihazard-resilient design and nature-based solutions. Under the Khyber Pakhtunkhwa component, about 80 irrigation and drainage structures including main irrigation canals, distributary canals, minor canals, on-farm water channels, and drainage infrastructure will be restored and strengthened. About 43 flood risk management infrastructure will be strengthened to protect agricultural land, inhabitants, and assets. This will be by restoring, strengthening, and re-sectioning various protection embankments. Under the Balochistan component, similar scope will be covered for more than 43 irrigation systems including small reservoirs, and about 37 flood risk management infrastructure. As with Output 1, the women in the communities of Khyber Pakhtunkhwa and Balochistan will gain knowledge on prevention and management of gender-based violence, as well as skills on good practices and approaches in sustainable agriculture and nutrition. Rehabilitation and reconstruction work will take place within the existing ROW. It does not involve any green field or new construction work.
8. **Output 3: Rural livelihood systems in Balochistan restored.** This output will restore and strengthen about 200 on-farm small water storage tanks, 80 high efficiency irrigation systems, 500 farm channels, 100 diversion structures and farm embankments, 200 dug-wells and 13,000 hectares land damaged in the floods affected districts in Balochistan. Rehabilitation and reconstruction work will take place within the existing ROW. It does not involve any green field or new construction work. Under the JFPR grant component,<sup>1</sup> it will support immediate needs for staple crop cultivation targeting the three districts of Nasirabad, Jaffarabad and Sohbatpur in Nasirabad Division which have been the largest rice and wheat production area in Balochistan. The component does not involve any civil works but will provide at least 60,000 farm households with higher quality rice seeds for increased productivity and 54,000 hectares of summer rice sowing. It will also support women-led livelihood activities for securing the minimum household needs. These activities beside providing skills training in agriculture management and entrepreneurship, will include (i) provision of safe and long-lasting small tools for farming work to women who lost their tools during the 2022 floods but cannot afford purchasing new or alternate tools, and (ii) provision of gumshoes that will increase women's safety in farming work to support easing women's rice transplanting work.
9. EFAP scope is summarized in Table 1. For each intervention, assistance will be channeled through using the existing implementation arrangements for ADB's ongoing project.

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<sup>1</sup> JFPR Grant (accessible from the list of linked documents in Appendix 2).

**Table 1. Summary EFAP Interventions**

| <b>Geography</b>   | <b>EFAP scope</b>  |
|--------------------|--|
| Sindh              | - Rehabilitate and reconstruct provincial and district highways/roads (~400km). This does not involve any green fields or new construction work.   |
| Baluchistan        | - JFPR grant for rural livelihood restoration (rice seeds, farm tools, gum shoes). Grant does not involve any civil works.<br>- Strengthen and rehabilitate irrigation and flood protection facilities. Does not involve any green fields or new construction work.<br>- Restore and strengthen small on-farm storage tanks. Does not involve any green fields or new construction work. |
| Khyber Pakhtunkhwa | - Strengthen, rehabilitate, and reconstruct priority irrigation diversions, storages, and conveyance system, drainage channels, and flood management structures  |
| National           | - rehabilitate and reconstruct N-5 damaged section (~85km) between Sukkur and Hyderabad in Sindh and national highway bridges (~30) in Sindh, Khyber Pakhtunkhwa, and Balochistan  |

### **C. Objectives and Methodology of the Environmental and Social Management Framework**

10. This ESMF (i) describes the program and its components; (ii) explains the general anticipated environmental and social impacts and mitigation measures for the proposed activities, which will be financed under the program after ADB Board approval; (iii) specifies the requirements that will be followed in relation to screening and categorization, assessment, and planning, including arrangements for meaningful consultation with affected people and other stakeholders and information disclosure requirements; (iv) specifies implementation procedures, institutional arrangements, and capacity development requirements; and (v) specifies monitoring and reporting requirements. All subprojects and their components of EFAP will follow the implementation procedures of SPS 2009 (Safeguard Requirements of appendices 1-3) and OM F1/OP and no deviations, whatsoever, will be exercised during implementation.
11. The ESMF was prepared based on select site visits to the flood damaged infrastructure; detailed damaged needs assessment jointly carried out with/by relevant government agencies and international financial institutions and development programs including international NGOs in the country and existing documents and reports and guidelines, including the ADB Operational and Safeguards Policies related to this project.

### **D. Categorization**

12. Each subproject will be individually categorized at the beginning of the environmental and social planning process, based on Rapid Environmental Assessment (REA) checklist (Annex 4) involuntary resettlement impacts and indigenous peoples screening checklists (Annex 2). These are expected to be either Category B or Category C for both Environment and Involuntary Resettlement, and Category C for Indigenous People.
13. Subprojects likely to have significant adverse environmental impacts that are irreversible, diverse, or unprecedented (subproject considered to be Category A), will not be considered under the project. The subprojects will be screened for sensitivity of the locations of the components such as critical habitats and protected areas, with a view to ensuring compliance with Category B criteria.

## II. LEGAL AND INSTITUTIONAL FRAMEWORK

14. All interventions that may be undertaken as part of the EFAP will be screened, classified, and assessed based on ADB's Safeguard Policy Statement (SPS), 2009, and Pakistan's environmental legislation. The following section summarizes the requirements of both which will be further elaborated through IEEs and Resettlement Plans as necessary.

### A. National Environmental Legislation

15. Before the 18<sup>th</sup> Amendment to the Constitution of Pakistan in 2010, the legislative powers were distributed between the federal and provincial governments through two 'lists' attached to the Constitution as Schedules. The Federal list covered the subjects over which the federal government had exclusive legislative power, while the 'Concurrent List' contained subjects regarding which both the federal and provincial governments could enact laws. The subject of 'environmental pollution and ecology' was included in the Concurrent List and hence allowed both the national and provincial governments to enact laws on the subject. However, because of the 18<sup>th</sup> Amendment, this subject is now in the exclusive domain of the provincial government. The main consequences of this change were as follows:

- The Ministry of Environment at the federal level was abolished. Its functions related to national environmental management were transferred to the provinces. To manage international obligations in the context of the environment, a new ministry—the Ministry of Climate Change—was created at the federal level.
- The PEPA 1997 was technically no longer applicable to the provinces. The provinces were required to enact their own legislation for environmental protection. However, to ensure legal continuity PEPA 1997 continued to be the legal instrument for environmental protection in the provinces till the enactment of the provincial law.

16. All four provinces have enacted their environmental protection laws. These provincial laws are largely based on PEPA 1997 and, hence, provide the same level of environmental protection as the parent law.

17. The provincial environmental protection laws are the basic legislative tool empowering the provincial governments to frame regulations for the protection of the environment in all provinces. The environmental protection agencies (the agencies) are responsible to implement the provisions of the applicable laws.

18. The IEE-EIA Regulations for enacted by provinces or Pakistan EPA's IEE/ EIA Regulations 2000 provide the necessary details on the preparation, submission, and review of the IEE and the EIA. The categorization of projects for IEE and EIA is one of the main components of the IEE-EIA Regulations.

19. EFAP proposed projects will require screening based applicable IEE/EIA Regulations and environmental assessment to be completed and submitted to relevant provincial agencies for seeking environmental approval or no objection certificate (NOC). Construction rehabilitation activities only be started after NOC received.

## B. National Social Legislation

20. The Pakistan law governing land acquisition is the LAA of 1894 and successive amendments. The LAA regulates the land acquisition process and enables the federal and provincial governments to acquire private land for public purposes and for companies through the exercise of the right of eminent domain. Land acquisition is a provincial responsibility, and each province has made/adopted province-specific implementation regulations and rules.
21. A brief description of the salient features of different sections of LAA is given in Table 2 below. The right to acquire land for public purposes is established when Section 4 of the LAA is triggered. The LAA specifies a systematic approach for acquisition and compensation of land and other properties for development projects. It stipulates various sections pertaining to notifications, surveys, acquisition, compensation and apportionment awards, along with disputes resolution, penalties and exemptions. Surveys for land acquisition are to be disclosed to the displaced persons.

**Table 2: Salient Features of the Land Acquisition Act 1894 and Successive Amendments**

| <b>Key Sections</b> | <b>Salient Features of the LAA (1894)</b>   |
|---------------------|---|
| Section 4           | Publication of preliminary notification and power for conducting survey.  |
| Section 5           | Formal notification of land needed for a public purpose. Section 5a covering the need for enquiry.  |
| Section 6           | The Government makes a more formal declaration of intent to acquire land.   |
| Section 7           | The Land Commissioner shall direct the Land Acquisition Collector (LAC) to take order the acquisition of the land.  |
| Section 8           | The LAC has then to direct that the land required to be physically marked out, measured and planned.  |
| Section 9           | The LAC gives notice to all displaced persons (DPs) that the Government intends to take possession of the land and if they have any claims for compensation then these claims are to be made to him at an appointed time. |
| Section 10          | Delegates power to the LAC to record statements of DPs in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgagee, and tenant or otherwise.                                       |
| Section 11          | Enables the Collector to make enquiries into the measurements, value and claim and then to issue the final "award". The award includes the land's marked area and the valuation of compensation.                          |
| Section 16          | When the LAC has made an award under Section 11, he will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances.   |
| Section 17          | Urgency acquisition. Not applicable to EAL due to its conflict with IR principles of SPS.   |
| Section 18          | In case of dissatisfaction with the award, DPs may request the LAC to refer the case onward to the court for a decision. This does not affect the Government taking possession of the land.                               |
| Section 23          | The award of compensation for the owners for acquired land is determined at its market value plus 15% in view of the compulsory nature of the acquisition for public purposes.  |
| Section 28          | Relates to the determination of compensation values and interest premium for land acquisition   |

|            |   |
|------------|---|
| Section 31 | Section 31 provides that the LAC can, instead of awarding cash compensation in respect of any land, make any arrangement with a person having an interest in such land, including the grant of other lands in exchange. |
|------------|---|

### C. ADB Safeguard Policies and Requirements

22. ADB's safeguard policy framework consists of three operational policies on the environment, indigenous people, and involuntary resettlement. A brief detail of all three operational policies has been mentioned below:

- SR-1. *Environmental Safeguard*: This safeguard is meant to ensure the environmental soundness and sustainability of projects and to support the integration of environmental considerations into the project decision-making process. The requirements apply to all ADB-financed and/or ADB-administered sovereign and non-sovereign projects, and their components regardless of the source of financing, including investment projects funded by a loan; and/or a grant; and/or other means, such as equity and/or guarantees (hereafter broadly referred to as projects). This policy and its requirements about environmental assessment, baseline, and impact assessment will apply to this project and the EIA will be undertaken to ensure that the project is designed to comply with the policy.
- SR-2. *Involuntary Resettlement Safeguard*: This safeguard has been placed to avoid involuntary resettlement whenever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups. This policy and its requirements will apply to this project and the EIA and Resettlement Plan (RP) will be undertaken to ensure that the project is designed to comply with the policy.
- SR-3. *Indigenous Peoples Safeguard*: This safeguard looks at designing and implementing projects in a way that fosters full respect for Indigenous Peoples' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Indigenous Peoples themselves so that they receive culturally appropriate social and economic benefits; do not suffer adverse impacts as a result of projects; and participate actively in projects that affect them. Based on the available information and project experience, no indigenous people live in the project area. This will be subject to screening during the project implementation..
- *Information, Consultation, and Disclosure*: Consultation and participation are essential in achieving the safeguard policy objectives. This implies that there is a need for prior and informed consultation with affected persons and communities in the context of safeguard planning and for continued consultation during project implementation to identify and help address safeguard issues that may arise. The consultation process begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle. It provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people and is undertaken in an atmosphere free of intimidation or coercion. Also, it is gender-inclusive and responsive and tailored to the needs of disadvantaged and vulnerable groups and enables the incorporation of all relevant views of affected people and other stakeholders into decision making. ADB requires the borrowers/clients to engage with communities, groups or people affected by proposed projects and with civil society through information disclosure, consultation, and informed participation in a manner commensurate with the

risks to and impacts on affected communities. For projects with significant adverse environmental, involuntary resettlement or Indigenous Peoples impacts, ADB project teams will participate in consultation activities to understand the concerns of affected people and ensure that such concerns are addressed in project design and safeguard plans.

23. Safeguard Requirements 1 and 2 are applicable to the Project. At this stage, Safeguard Requirement 3 is not known to be triggered by the Project, but this will be confirmed during subproject screening.
24. Under the EFAP projects selection criteria, safeguards category “A” subprojects will NOT be eligible for the funding under the loan.

#### D. JFPR Safeguard Policies and Requirements

25. The JFPR-financed project’s implementation, supervision, and monitoring will be conducted by the Executing Agencies following ADB’s applicable policies, procedures, and guidelines, including consulting services and procurement, disbursement, social and environmental safeguards, financial management and reporting, and anticorruption and governance.

#### E. Gap Analysis

26. The following tables provide a gap analysis of national involuntary resettlement requirements and environmental requirements with ADB SPS (2009). JFPR requirements are not included in this analysis as their requirements are fully aligned with ADB SPS (2009).

**Table 3: Environment Gap Analysis**

| SPS Policy Principle   | National Regulation  | Proposed Measures.  |
|--|--|---|
| 1. Use a screening process for each proposed project, as early as possible, to determine the appropriate extent and type of environmental assessment so that appropriate studies are undertaken commensurate with the significance of potential impacts and risks. | No proponent of a project shall commence construction or operations unless he has filled with the Agency an initial environmental examination or environmental impact assessment and has obtained from the Agency approval in respect thereof. | Screening of all proposed project activities will be conducted to determine potential environmental impacts.  |
| 2. Conduct an environmental assessment for each proposed project to identify potential direct, indirect, cumulative, and induced impacts and risks to  | The provincial environmental law has provision for two types of environmental assessment, the environmental impact assessment (EIA) <sup>2</sup> and the   | ADB classifies projects into category A (with potentially significant environmental impact); category B (with potentially less significant environmental impact); |

<sup>2</sup> Environmental Impact Assessment means an environmental study comprising collection of data, prediction of qualitative and quantitative impacts, comparison of alternatives, evaluation of preventive, mitigatory and compensatory measures, formulation of environmental management and training plans and monitoring arrangements and framing of recommendations and such other components as may be prescribed.

| SPS Policy Principle   | National Regulation   | Proposed Measures.   |
|--|---|--|
| <p>physical, biological, socioeconomic (including impacts on livelihood through environmental media, health and safety, vulnerable groups, and gender issues), and physical cultural resources in the context of the project's area of influence. Assess potential transboundary and global impacts, including climate change. Use strategic environmental assessment where appropriate.</p>   | <p>initial environmental examination (IEE).<sup>3</sup> The Review of Initial Environmental Examination and Environmental Impact Assessment Regulations 2000 (IEE-EIA Regulations 2000) describes the project categories in the form of two schedules attached to the regulations.</p>  | <p>or, category C (unlikely to have a significant environmental impact). An IEE is required for category B projects and an EIA, requiring greater depth of analysis, for category A projects. No environmental assessment is required for category C projects although their environmental implications nevertheless need to be reviewed.</p> <p>Projects with environmental safeguards of category of A (as determined through screening checklists) will not be funded by ADB.</p> |
| <p>3. Examine alternatives to the project's location, design, technology, and components and their potential environmental and social impacts and document the rationale for selecting the particular alternative proposed. Also consider the no project alternative.</p>  | <p>The local regulations require project evaluation on different alternatives including no project alternative. The best option to be adopted based technology, land selection, economic alternatives, and design.</p>  | <p>Alternatives will be assessed for the proposed project activity</p>   |
| <p>4. Avoid, and where avoidance is not possible, minimize, mitigate, and/or offset adverse impacts and enhance positive impacts by means of environmental planning and management. Prepare an EMP that includes the proposed mitigation measures, environmental monitoring and reporting requirements, related institutional or organizational arrangements, capacity development and training measures, implementation schedule, cost estimates, and performance indicators. Key considerations for EMP preparation include mitigation of potential adverse impacts to the level of no significant harm to</p> | <p>The local regulations require project to be assess for anticipated environmental impacts. Avoid, and where avoidance is not possible, minimize, mitigate, and/or offset adverse impacts and enhance positive impacts by means of environmental planning and management. Prepare an EMP that includes the proposed mitigation measures, environmental monitoring and reporting requirements, related institutional or organizational arrangements, capacity development and training measures, implementation schedule, cost estimates, and performance indicators.</p> | <p>An environmental management plan (EMP) that includes the proposed mitigation measures, environmental monitoring and reporting requirements, related institutional or organizational arrangements, capacity development and training measures, implementation schedule, cost estimates, and performance indicators to be prepared as part of any IEE.</p>  |

<sup>3</sup> Initial Environmental Examination means a preliminary environmental review of the reasonably foreseeable qualitative and quantitative impacts on the environment of a proposed project to determine whether it is likely to cause an environmental effect for requiring preparation of an environmental impact assessment.



| SPS Policy Principle   | National Regulation  | Proposed Measures.  |
|--|--|---|
| third parties, and the polluter pays principle.  |  |   |
| <p>5. Involve stakeholders, including affected people and concerned nongovernment organizations, early in the project preparation process and ensure that their views and concerns are made known to and understood by decision makers and taken into account. Continue consultations with stakeholders throughout project implementation as necessary to address issues related to environmental assessment. Establish a grievance redress mechanism to receive and facilitate resolution of the affected people's concerns and grievances regarding the project's environmental performance.</p> | <p>The local laws require stakeholders' consultations during IEE and EIA process to include suggestions, opinions, and reservations from stakeholders (community and institutions). A grievance redress mechanism is required to be developed for the project for the timely resolution of issues raised by the stakeholders during the design, construction, and operations of the project cycle.</p>                 | <p>Meaningful stakeholder consultations with all project stakeholders and any comments/concerns received by them are considered and addressed as part of any IEE. In addition, a grievance redress mechanism needs to be implemented to receive and resolve the people's concerns and grievances regarding the project.</p> |
| <p>6. Disclose a draft environmental assessment (including the EMP) in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected people and other stakeholders. Disclose the final environmental assessment, and its updates if any, to affected people and other stakeholders.</p>   | <p>The local laws require disclosure of environmental assessment on websites and offices of provincial environmental protection agency and proponent for three months before project approval granted by the agency.</p>   | <p>Any IEE and its EMP will be disclosed in accordance with ADB and national requirements.</p>  |
| <p>7. Implement the EMP and monitor its effectiveness. Document monitoring results, including the development and implementation of corrective actions, and disclose monitoring reports</p>  | <p>The provincial environmental protection agencies bind proponent through conditional approval for construction and operation phases, to implement EMP and report to the agency on a specified period. The law give right to the agency for entering to the premises and checking environmental performance of the proponent during construction and operations. If noncompliance found, then warnings are issues</p> | <p>Implementation of EMP and its monitoring and reporting on a semi-annual basis to be ensured.</p>   |

| SPS Policy Principle   | National Regulation   | Proposed Measures.  |
|--|---|---|
|  | or cancellation of approval after subsequent warnings.  |   |
| <p>8. Do not implement project activities in areas of critical habitats, unless (i) there are no measurable adverse impacts on the critical habitat that could impair its ability to function, (ii) there is no reduction in the population of any recognized endangered or critically endangered species, and (iii) any lesser impacts are mitigated. If a project is located within a legally protected area, implement additional programs to promote and enhance the conservation aims of the protected area. In an area of natural habitats, there must be no significant conversion or degradation, unless (i) alternatives are not available, (ii) the overall benefits from the project substantially outweigh the environmental costs, and (iii) any conversion or degradation is appropriately mitigated. Use a precautionary approach to the use, development, and management of renewable natural resources.</p> | <p>The local laws do not allow development activities in National Parks and other protected areas.</p> <p>Provincial wildlife acts and forest ordinances provide level of protection required for development activities.</p> | <p>Project activities being proposed in legally protected areas, critical habitats and other ecologically sensitive areas to be excluded.</p> |
| <p>9. Apply pollution prevention and control technologies and practices consistent with international good practices as reflected in internationally recognized standards such as the World Bank Group's Environmental, Health and Safety Guidelines. Adopt cleaner production processes and good energy efficiency practices. Avoid pollution, or, when avoidance is not possible, minimize or control the intensity or load of pollutant emissions and discharges, including direct and indirect greenhouse gases emissions, waste generation, and release of hazardous materials from their production, transportation, handling, and</p>   | <p>Provincial laws prohibit discharge or emission of any effluent or waste or air pollutant or noise in an amount, concentration, or level which is in excess of the Environmental Quality Standards.</p>                     | <p>As applicable, pollution prevention and control technologies and practices consistent with international good practices to be ensured.</p> |

| SPS Policy Principle  | National Regulation   | Proposed Measures.   |
|---|---|--|
| storage. Avoid the use of hazardous materials subject to international bans or phaseouts. Purchase, use, and manage pesticides based on integrated pest management approaches and reduce reliance on synthetic chemical pesticides.   |   |  |
| 10. Provide workers with safe and healthy working conditions and prevent accidents, injuries, and disease. Establish preventive and emergency preparedness and response measures to avoid, and where avoidance is not possible, to minimize, adverse impacts and risks to the health and safety of local communities.   | Factories Act 1934 provides Requirements for occupational health and safety at the workplace  | Occupational health and safety measures to be implemented at the work sites during project activities through implementation of the . construction code of environmental practice. |
| 11. Conserve physical cultural resources and avoid destroying or damaging them by using field-based surveys that employ qualified and experienced experts during environmental assessment. Provide for the use of “chance find” procedures that include a pre-approved management and conservation approach for materials that may be discovered during project implementation. | The Antiquities Act of 1975: The Act ensures the protection of Pakistan’s cultural resources. The Act defines ‘antiquities’ as ancient products of human activity, historical sites, or sites of anthropological or cultural interest, national monuments, etc. | Projects identified in cultural and heritage sites will not be carried out.  |

ADB = Asian Development Bank, E&S = environmental and social, EMP = environmental management plan

**Table 4: Involuntary Resettlement Gap Analysis**

| SPS Policy Principle (summary)   | National Regulation   | Proposed Measures  |
|--|---|--|
| 1. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Include a gender analysis, specifically related to resettlement impacts and risks.    | LAA does not cover such screening and analysis of IR impacts and risks including any gender analysis related to IR impacts and risks. LAA undertakes of impacts assessment of affected land and non-land assets only. | In screening, adopt ADB definition of IR, which is triggered for any displacement, temporary or permanent, even if impacts do not trigger physical displacement.                                 |
| 2. Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. | LAA involves engaging only those affected persons (APs) who have titles to their land. Untitled APs are not covered. Thus, only titleholder APs are consulted during impact assessment.                               | Screening of IR impacts will determine presence of any APs. All APs, regardless of whether titled or untitled, shall be meaningfully consulted in accordance with SPS’s principle of “meaningful |

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|  |   | consultations". Consultations will be required for any IR impacts.   |
| 3. Improve, or at least restore, the livelihoods of all displaced persons.   | LAA considers only compensation for affected land and non-land assets. It does not include provisions for restoration of livelihoods of those displaced physically or economically.   | Resettlement Plans (RP) prepared in accordance with SPS will have the necessary livelihood restoration measures in addition to the normal cash compensation for affected assets. RP implementation including the livelihood restoration measures/program will be monitored to assess APs livelihoods either restored and/or improved. In case of poor and vulnerable APs, RPs will be prepared and reviewed by ADB prior to contract awards for works involving LAR impacts. RPs will be implemented, verified by monitoring/LAR implementation reports prepared by implementing agencies and accepted by ADB prior to commencement of construction works. |
| 4. Provide physically and economically displaced persons with needed assistance, including: (i) if there is relocation, secured tenure to relocation land; (ii) transitional support and development assistance, (iii) civic infrastructure and community services, as required. | LAA does not consider providing assistance for relocation or alternate living.  | RPs will follow LAA and SPS and will have to ensure adequate assistance provided. However, EAL will implement only IR category B and C projects. Projects determined to be Cat A for IR will be with significant impacts including relocation are excluded. RPs will be prepared and reviewed by ADB prior to contract awards for works involving LAR impacts. RPs will be implemented, verified by third party monitors and accepted by ADB prior to commencement of construction works.  |
| 5. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.   | This is beyond LAA's provisions that are limited to payment of any damages caused during field surveys and inspection and cash compensation for only the affected/damaged assets including land and nonland assets.   | Social field surveys will include actions to identify vulnerable persons, who will be entitled to receive vulnerability and other allowances in case they will experience adverse LAR impacts due to project activities.   |
| 6. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement.   | LAA is silent on land acquisition through negotiated settlement, although provincial land guidelines of Khyber Pakhtunkhwa province explicitly provide for negotiated land acquisition. Expropriation of land is subject to failure of private negotiations between landowners and the negotiation committee. | In the case of EAL, projects involving significant permanent acquisition of private land are excluded from the scope. Screening will identify the presence, if any, of LAR and a plan prepared and cleared by ADB.   |
| 7. Ensure that displaced persons without titles to land or any   | LAA provides compensation to only the legal titleholders. It does   | Screening will identify the LAR impacts and the APs regardless of  |

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| recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.   | not consider people not having title to land as far as compensation is concerned.  | being titled or untitled. Both types of APs including any tenants (formal or informal) will be eligible for compensation and assistance depending upon the type of impact. presence, if any, of LAR and a plan prepared and cleared by ADB.  |
| 8. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.   | LAA does not require preparation of an RP or RP.   | Screening will identify any LAR impacts and an RP will be prepared in accordance with SPS in case of any LAR impacts. the presence, if any, of LAR and a plan prepared and cleared by ADB.<br><br>For all subprojects with civil works with no LAR impacts, social due diligence reports (SDDRs) will be prepared to confirm the same.   |
| 9. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders. | LAA does not require any RP or its disclosure. However, different sections of LAA are publicly issued to the titleholder landowners.   | Resettlement plans, if / where needed, will be disclosed.<br><br>All SDDRs will be disclosed after receiving concurrence from ADB.   |
| 10. Conceive and execute involuntary resettlement as part of a development project or program.   | N/A  | N/A  |
| 11. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.  | LAA allows APs to receive compensation after the announcement of land award under section 11. However, APs are required to fulfil all legal requirements including presenting the landownership certificate to the Land Acquisition Collector. | RP will be prepared in accordance with SPS and with commencement of construction made conditional to full disbursement of compensation to all APs. This will be monitored and verified in the field through RP compliance reports before handing over the sites for construction. Screening will identify the presence, if any, of LAR and a plan will be prepared and cleared by ADB.<br><br>The implementing agencies will ensure that no land shall be acquired for the purposes of the Project under the emergency acquisition provisions of Pakistan's Land Acquisition Act (1894). |
| 12. Monitor and assess resettlement outcomes, their impacts on the standards of living   | LAA does not require this.   | RPs will be monitored in accordance with SPS's requirement of monitoring and evaluation, which   |

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| of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports. |  | will present/verify how and to what extent the objectives of RP including the living standards of APs were restored/improved. Monitoring reports to be shared with ADB. Third party monitor will also be engaged by ADB to confirm impact assessment for all subprojects and RP implementation, where required. |
|--|--|---|

ADB = Asian Development Bank, E&S = environmental and social, EMP = environmental management plan, ESCP = environmental and social commitment plan, ESIA = environmental and social impact assessment, ESMF = environmental and social management framework, ESS = environmental and social safeguard, ESSF = environmental and social sustainability framework, FAO = Food and Agriculture Organization of the United Nations, IR = involuntary resettlement, LAR = land acquisition and resettlement, LARP = land acquisition and resettlement plan, N/A = not applicable, RAF = resettlement action framework, SPS = Safeguard Policy Statement, UNICEF = United Nations Children's Fund, WFP = World Food Programme

### III. ENVIRONMENTAL, SOCIAL AND INVOLUNTARY RESETTLEMENT IMPACTS

#### A. Environmental and Social Impacts

27. From an Environmental and social perspective, the project is likely to have small and limited-scale potential impacts and risks. No highly significant and/or irreversible adverse environmental issues are anticipated from the activities to be financed under the Project. Where significant potential risks and impacts are anticipated, the project will comply with the ADB's SPS (2009). In this case, the project will take measures commensurate to the risks to avoid, minimize, mitigate, manage or compensate for adverse environmental impacts. Additionally, the project will enhance positive impacts in project selection, planning, design, implementation and management, specifically through climate change adaptation. The anticipated environmental and social impacts and mitigation measures related to the construction and operation phases of the proposed program are summarized in Table 4 (note this is an indicative list and is not exhaustive).

**Table 5: Indicative Environmental and Social Impacts**

| #                            | Environmental Parameter          | Potential Environmental Impacts  | Mitigation Measures   |
|------------------------------|----------------------------------|--|---|
| <b>A. Physical Resources</b> |                                  |  |   |
| 1                            | Climate Risks                    | Project vulnerability due to climate risks   | <ul style="list-style-type: none"> <li>Integrate climate proofing measures into detailed design</li> </ul>  |
| 2                            | Topography (Land and Vegetation) | Potential adverse impact on valued receptors   | <ul style="list-style-type: none"> <li>Project sites / Right of Way (RoW) selected to avoid valued sensitive natural and human receptors</li> </ul>   |
|                              |                                  | Change in landscape / visual impacts   | <ul style="list-style-type: none"> <li>Finalize conceptual and design plan and optimize land area, clearance restricted to work sites</li> <li>Installation of movement sensors to reduce light effect at solar site</li> </ul>   |
|                              |                                  | Lack of sufficient design and planning to ensure long term sustainability of project and protection of assets created          | <ul style="list-style-type: none"> <li>Detailed design to integrate recommendations from geo-tech / topographical investigations; including extreme weather events in design project components</li> <li>Detailed design will include provisions for ensuring effective maintenance and protection of assets created</li> </ul> |
|                              |                                  | Change in the natural physical features and current aesthetics due to the construction and operation of the project components | <ul style="list-style-type: none"> <li>Minimize permanent and temporary land take for civil works; clearances restricted to works sites</li> <li>Maintain natural site drainage pattern; Drainage works designed to utilize and maintain natural drainage patterns and to blend in the environment</li> </ul>                   |
|                              |                                  | Stockpiling of materials   | <ul style="list-style-type: none"> <li>Storage of (construction) material confined to work sites</li> <li>Implement – Materials Management Plan (including warehouses / storage)</li> </ul>   |
|                              |                                  | Borrow pits / Spoils re-use / disposal   | <ul style="list-style-type: none"> <li>Maximize the re-use of earth-cut materials, spoils, and construction &amp; demolition debris / wastes for backfilling at site</li> <li>Implement –Spoils Re-use / Disposal Plan</li> </ul>   |

| #  | Environmental Parameter            | Potential Environmental Impacts  | Mitigation Measures   |
|--|------------------------------------|--|---|
|  |                                    | Resource materials   | <ul style="list-style-type: none"> <li>• Maximize the re-use of earth-cut materials, spoils, and construction &amp; demolition debris / wastes</li> <li>• Specify materials that are recycled, have recycled content or are from sustainable sources</li> <li>• In case required, use borrow pits licensed by the relevant authority, if the re-use options are not feasible</li> </ul>   |
|  |                                    | Hazardous materials  | <ul style="list-style-type: none"> <li>• Temporary and permanent secured area designed / set up for storage and handling of hazardous and polluting materials</li> <li>• Licensed vendors/ suppliers to collect transport and dispose used / unused hazardous materials / wastes, including broken / damaged PV modules</li> <li>• Implement – Hazardous Materials Control Plan</li> </ul>  |
|  |                                    | Waste generation (including construction & demolition debris / waste) and improper disposal                                  | <ul style="list-style-type: none"> <li>• Implement - Waste Management Plan (for all types of waste streams)</li> <li>• Hazardous Waste Disposal Plan</li> </ul>   |
| 3  | Physical Cultural Resources (PCRs) | Potential impact on archaeological, historical or cultural important sites   | <ul style="list-style-type: none"> <li>• Avoid sensitive receptors such as PCRs</li> <li>• Implement "Chance Find Procedures"</li> <li>• Consult with relevant stakeholders for sensitive periods for religious / spiritual activities</li> </ul>   |
| <b>B. Biological / Environmental Resources</b> |                                    |  |   |
| 1  | Air Quality                        | Impact on air quality during general project activities due to increase in dust emissions and vehicular emissions            | <ul style="list-style-type: none"> <li>• Work sites to be enclosed / barricaded</li> <li>• Periodic air quality monitoring at work sites / sensitive receptor</li> <li>• Implement - Dust Control and Management Plan</li> </ul>  |
| 2  | Noise                              | Noise/ vibration due to general construction activities and vehicular movement   | <ul style="list-style-type: none"> <li>• Work sites to be closed / barricaded</li> <li>• Periodic noise level measurements at work sites and at sensitive receptor locations</li> <li>• Restriction of noise generating activities at night or if required,</li> <li>• Deploy low noise equipment with sound insulation / soundproof structures</li> <li>• Use of Personal Protective Equipment (PPE) like ear plugs, mufflers, etc.</li> <li>• Implement – <ul style="list-style-type: none"> <li>○ Construction Noise and Vibration Management Plan</li> <li>○ Occupational Health and Safety (OHS) Plan</li> <li>○ Community &amp; Health Safety Plan</li> </ul> </li> </ul> |
| 3  | Surface Water Quality / Resources  | Pollution due to runoff from general construction activities, spills – fuel, lubricant                                       | <ul style="list-style-type: none"> <li>• Periodic surface water quality monitoring at irrigation channel at solar site and/or water body along ROW</li> <li>• Implement – <ul style="list-style-type: none"> <li>○ Construction Wastewater Management Plan</li> <li>○ Spills Response Plan</li> </ul> </li> <li>• Run-off during operation stage to adequate receiving body e.g., rainwater harvesting pits / tanks, without causing on-site / off-site adverse environmental impacts</li> </ul>  |
|  |                                    | If groundwater is identified as sensitive in the area where the subproject is to be located, then it is important to develop | <ul style="list-style-type: none"> <li>• Ensure all groundwater extraction licenses are in places prior to use.</li> <li>• Consult with the local community to agree on the use of local resources.</li> </ul>  |



| #                           | Environmental Parameter        | Potential Environmental Impacts   | Mitigation Measures   |
|-----------------------------|--------------------------------|---|---|
|                             |                                | mitigation measures that restrict and monitor abstraction to obliterate the possibility of over exploitation. |   |
|                             |                                | The drainage patterns in areas may have been damaged by the accumulation of debris and heavy silt.            | <ul style="list-style-type: none"> <li>• Consult with locals to ensure that all drainage systems are restored to their previous status.</li> <li>• Upgrade drainage systems where necessary to account for additional flows and storm intensity.</li> </ul>   |
|                             |                                | Competition in local water resources / supply   | <ul style="list-style-type: none"> <li>• Contractor to forecast water demand during construction and operation</li> <li>• Avoidance of groundwater abstraction</li> </ul>   |
| 4                           | Soil and Geology               | Damage due to seismic activity  | <ul style="list-style-type: none"> <li>• Site selection and design considering the geological conditions and seismicity as per national guidance on seismic design that calls for identification of a maximum credible earthquake scenario and associated ground acceleration parameters</li> </ul>   |
|                             |                                | Soil erosion  | <ul style="list-style-type: none"> <li>• Detailed design to integrate recommendations from geo-tech / topographical investigations</li> <li>• Soil quality testing as part of the detailed engineering design scope</li> <li>• Consideration of suitable slope and soil type</li> <li>• Proper land levelling and grading for stabilization and other erosion-prone working areas, at spoils disposal sites and permanent stabilization measures</li> </ul>                           |
| 5                           | Terrestrial Ecology            | Loss of ecology, change in landscape  | <ul style="list-style-type: none"> <li>• No use of chemicals (pesticides / herbicides)</li> <li>• Minimize vegetation clearing confined to the footprint of work (construction and construction staging) sites</li> <li>• Avoidance of dense tree clusters, cutting over 3 m along ROW</li> <li>• Maintain field margins; re-vegetate the site immediately after construction;</li> <li>• Restoring temporarily disturbed areas / land take to pre-construction conditions</li> </ul> |
| 6                           | Terrestrial Fauna              | Species vulnerability to anticipated change in habitat  | <ul style="list-style-type: none"> <li>• Prepare and implement a BAP and BMEP in detailed design, during construction and operation if required.</li> <li>• Undertake surveys to assess impacts of project activity</li> </ul>  |
| 7                           | Avifauna                       | Disturbance to the local avifauna   | <ul style="list-style-type: none"> <li>• Prepare and implement a BAP and BMEP in detailed design, during construction and operation if required.</li> <li>• Undertake surveys to assess impacts of project activity</li> </ul>  |
| 8                           | Aquatic Ecology                | Disturbance to surface water.   | <ul style="list-style-type: none"> <li>• Maintain buffer between tower footing and water bodies, for example river Karasu crossing</li> <li>• No placement of tower footings in water bodies</li> </ul>   |
| <b>C. Human Environment</b> |                                |   |   |
| 1                           | Occupational Health and Safety | Exposure to hazards for workers working at work sites, on asphalt mixing,                                     | <ul style="list-style-type: none"> <li>• Implement – Occupational Health and Safety Plan (including worker's facilities and work areas) and COVID-19 health and safety management plan</li> </ul>   |

| # | Environmental Parameter     | Potential Environmental Impacts                                     | Mitigation Measures   |
|---|-----------------------------|---|---|
|   |                             | concrete mixing, cement, etc.                                       | <ul style="list-style-type: none"> <li>Strictly enforce the use of PPE</li> <li>Employment of trained workers; additional training of workers for specific type of work engagement, e.g., electrical works, transformer operation and maintenance, pumping equipment operation and maintenance, Diesel genset operation and maintenance, etc.</li> </ul>  |
|   |                             | Fires, explosion and other accidents                                | <ul style="list-style-type: none"> <li>Same as above</li> </ul>   |
|   |                             | Provision of construction / workers accommodation                   | <ul style="list-style-type: none"> <li>Provide adequate workers accommodation in line with EHS Guidelines.<sup>4</sup></li> </ul>   |
|   |                             | Unhygienic conditions at construction / workers camps               | <ul style="list-style-type: none"> <li>Provide water and sanitation facilities (situated separately for men and women); regular cleaning and disinfection of camps</li> <li>Provide portable water / storage tanks</li> <li>Provide health check-up / access to medical care</li> <li>Provide waste bins and collection, no final disposal onsite</li> <li>Discharge construction / workers camp sewage / wastewater into onsite septic tanks or connect to local public sewer system</li> </ul>          |
| 2 | Community Health and Safety | Excessive disturbance to communities due to prolonged construction  | <ul style="list-style-type: none"> <li>Meaningful consultations with communities to keep them informed of anticipated activities,</li> <li>Identify and adhere to strict construction schedule</li> <li>Ensure communities are aware of Grievance Redress Mechanism (GRM) entry points</li> <li>Create awareness of health &amp; safety risks of transmittable diseases (HIV/AIDs / COVID-19), child labor, bonded labor or forced labor</li> <li>Implement – Community Health and Safety Plan</li> </ul> |
|   |                             | Temporary traffic management  | <ul style="list-style-type: none"> <li>Implement - Traffic and Road Management Plan</li> </ul>  |
|   |                             | Access to construction sites  | <ul style="list-style-type: none"> <li>Make all sites secure, and discourage access by members of the public through appropriate fencing, signage and/or security personnel, as appropriate</li> </ul>  |
|   |                             | Utility services interruptions                                      | <ul style="list-style-type: none"> <li>Assess construction locations in advance and identify potential for disruption to utility services and risks before starting construction</li> <li>If temporary disruption is unavoidable, develop a plan in collaboration with relevant local authorities and communicate the dates and duration in advance to affected communities / persons / businesses</li> </ul>   |
|   |                             | Information disclosure  | <ul style="list-style-type: none"> <li>Conduct meaningful consultations</li> <li>Dissemination of project information booklet</li> </ul>  |
|   |                             | Issues to land use and acquisition under ROW                        | <ul style="list-style-type: none"> <li>Gain additional consent and compensation for landowners as per Resettlement Plan (RP)</li> </ul>   |
| 3 | Social impacts (non LAR)    | Beneficial impacts / job opportunities<br>Influx of migrant workers | <ul style="list-style-type: none"> <li>Hiring for temporary construction jobs; emphasis to local hiring to avoid social conflict</li> <li>Overall economic growth of the region</li> </ul>  |
|   |                             | Impacts on crops and livestock                                      | <ul style="list-style-type: none"> <li>farmers access to their farmlands should not be blocked;</li> </ul>  |

<sup>4</sup> See footnotes **Error! Bookmark not defined.** and **Error! Bookmark not defined.**

| # | Environmental Parameter | Potential Environmental Impacts  | Mitigation Measures  |
|---|-------------------------|--|--|
|   |                         |  | <ul style="list-style-type: none"> <li>• the works commencement and operating procedures should be arranged in a way that farmers will be able to harvest crops;</li> <li>• farmers shall be given enough time to harvest crops;</li> <li>• farmers' access to irrigation should not be closed during the irrigation season; and</li> <li>• the types and timing of the works to be organized and communicated to farmers and residents;</li> <li>• manual works or use of small machinery: should be carried out manually or by small machines as appropriate and where residential, commercial or other structures are nearby;</li> <li>• the neighboring owners/users of the land plots should always have free and safe access to their lands;</li> </ul>          |
|   |                         | Temporary access disruption  | <ul style="list-style-type: none"> <li>• Temporary roads and foot bridges shall be provided at different locations to cross the canals to ensure mobility of people and the livestock</li> <li>• locations of temporary roads and bridges required for civil works should be consulted with farmers, residents and authorities to meet the needs of residents and farmers;</li> <li>• design alignments should be explored in consultation with the farmers and communities, to and avoid inconveniences and maximize the project benefits to farmers and communities;</li> <li>• during civil works, contractor should take measures not to disturb the households, and take safety measures to avoid accidents and safety risks for people and livestock.</li> </ul> |
|   |                         | If service delivery is perceived to be inequitable and services captured by individuals with connections or senior social status, especially in rehabilitation of irrigation system, this could contribute to heightened conflict and social disruption. | <ul style="list-style-type: none"> <li>• Ensure fair and equitable delivery of services through consultation with relevant stakeholders.</li> </ul>  |

## **B. Environmental Benefits**

28. The project delivers important gains, particularly with respect to providing the required financial support to ensure transport network integrity, irrigation system rehabilitation will improve food security and livelihood restoration interventions will improve wellbeing of communities. Overall, the environmental and social benefits expected include:
- The rehabilitation of national Highway, N-5 between Sukkur and Hyderabad and bridges across the country on the national highways, will help in decreasing fugitive emissions by improved traffic flow.
  - The rehabilitation of provincial and district roads will also help in decreasing fugitive emissions by improving traffic flows.
  - The irrigation and drainage system rehabilitation initiatives in KP and Balochistan provinces will provide better enhanced features with climatic resilient, better design embankments, improved distributary channel will decrease the land erosion and siltation issues.
  - The implementation of the interventions will improve community health and safety concerns by improved design infrastructure.
  - The rehabilitation intervention will help in clearance, removal and disposal of debris and other waste generated during the floods time.

## **C. Involuntary Resettlement Impacts**

29. The sub-projects will be screened and categorized for IR and IP safeguards by using the customized Screening checklists, provided as Annex 2 to confirm the category for IR and IP impacts. All Category 'A' IR projects will be excluded.
30. Output 1: Upgrades of roads and bridges. While endeavoring to avoid displacement, road and bridge upgrades are likely to involve some degree of displacement, whether it be economic or physical, temporary or permanent, or whether it applies to legal or informal users. Impacts that are likely include minor loss of land ownership and/or usage, loss of residential and other buildings and structures, loss of crops, loss of business, access, and employment or other income. The nature of works is such that severe impacts to any AP are unlikely and, should they occur at all, would be exceptional.
31. Output 2: Repair and rehabilitation of flood-damaged irrigation and drainage networks. Civil works under Output 2 are not expected to be as significant as those under Output 1. However, there are similar types of impacts expected, with some potential displacement, including include minor loss of land ownership and/or usage, loss of residential and other buildings and structures, loss of crops, loss of business, access, and employment or other income. The nature of works is such that severe impacts to any AP are unlikely and, should they occur at all, would be exceptional.
32. Output 3: Activities under this output are mostly provision of urgent livelihood assistance, with no scope for civil works and only a proposed cash for work program for minor repairs on community infrastructure. There are no IR impacts

expected under Output 3, though the provisions of this ESMF apply in the event of any unanticipated or unintended impacts.

#### **D. Social Benefits**

33. Generally, rehabilitation of roads, irrigation system and livelihood restoration interventions will result in greater individual as well as community wellbeing. To ensure compliance of the project with the requirements of SPS, the implementation process will ensure that the delivery of services under the Project through static and outreach activities will target the participation of all sections of the community, so that delivery of interventions benefit all communities in the project surroundings.
34. The rehabilitation of national Highway, N-5 between Sukkur and Hyderabad and bridges of the national highways across the country, will significantly improve road safety, including for women, children, and elderly, and will enhance economic activities through better connectivity. The rehabilitation of provincial and district roads will also help in decreasing traffic jams and enhance economic activities through better connectivity.
35. The irrigation and drainage system rehabilitation initiatives in KP and Balochistan provinces will provide enhanced features with climatic resilient, better designed embankments. Improved distributary channels will ultimately result in restoration of livelihoods and improved income generation.
36. The interventions will create socioeconomic benefits by providing direct and indirect employments and allied businesses business opportunities. The development of new industries due to improved infrastructure in the area will create gainful employment for the increasing workforce. This will also generate additional revenues to Government from the levy of taxes on finished goods, etc.

## IV. ASSESSMENT OF PROJECT ACTIVITIES

### A. General

37. Overall, this project is Environmental and Involuntary Resettlement category B, and Indigenous People is Category "C" in accordance with ADB's SPS 2009. A proposed project is classified as category C if it is likely to have minimal or no adverse environmental impacts; no involuntary resettlement impacts; and it is not expected to have impacts on Indigenous Peoples. Subprojects will be Category B or C for IR and ENV. The project excludes any subprojects of IR or ENV category A.
38. The following general criteria will be adopted:
- The initiatives shall only involve activities that follow all the government regulations;
  - Types of subprojects listed in ADB SPS's Appendix 5 (ADB Prohibited Investment Activities List) do not qualify for ADB's financing; and
  - The subprojects that can have considerable adverse impacts to the environment or located in environmentally sensitive areas are subject to mandatory environmental assessment as detailed below.

### B. Environmental Screening and Categorization

39. Screening will be undertaken to confirm the environment safeguard category of a subproject and the appropriate extent and type of environmental assessment to conduct. The category of a subproject will be based on its most environmentally sensitive activity. Each proposed subproject will be screened as to its type, location, scale and sensitivity and magnitude of its potential environmental impacts, and may be assigned to any of the following categories:
40. **Category A** - if proposed activity is likely to have significant adverse environmental impacts that are irreversible, diverse, or unprecedented; and that may affect an area larger than the sites or facilities subject to physical works. Projects will be screened out if they trigger Category A.
41. **Category B** - if the potential adverse impacts of a proposed activity are less adverse than those of Category A projects. Impacts are site-specific; and few if any of them are irreversible, and in most cases mitigation measures can be designed more readily than for Category A projects.
42. **Category C** - if proposed activity is likely to have minimal or no adverse environmental impacts. Such activities still require a short report justifying their classification and why no impacts are predicted.
43. Screening shall be carried out at the early stage of preparation, as soon as sufficient information on the component and their activities are available, using the rapid environmental assessment (REA) checklist in Annex 4.
44. A REA checklist will be completed for each subproject. Screening and categorization shall be carried out by the EA. The REA checklists will be completed based on subproject site visits, discussions with local environmental protection authorities and other relevant stakeholders as necessary. ADB will be

available to support the EA in the screening and categorization, and ADB's confirmation of the categorization.

### **C. Environmental Assessment**

45. Category B - Once Category B is confirmed by the REA, IEE will be prepared by the EA with ADB's TA support in accordance with ADB SPS (2009). If existing facilities are involved, an environmental audit shall be conducted<sup>5</sup>. The draft IEE will be submitted to ADB by the EA and will be revised in accordance with ADB comments. The finalized IEE will be formally submitted by the EA for disclosure on the ADB website. The EA will translate the summary of the IEE into local language and post them on the EA website, with the full reports in local language, within two weeks after ADB's clearance of each document.<sup>6</sup>
46. Category C – For Category C subprojects the EA shall prepare an Environmental and Social Management Plan.

### **D. Climate Risk and Vulnerability Assessment (CRVA)**

47. During subproject screening, use the AWARE tool to determine potential climate risk to the subprojects. If the climate risk is medium or high, a CRVA shall be conducted and the findings of the CRVA shall be incorporated in the subproject design.

### **E. Involuntary Resettlement**

48. Responsive to the screening for involuntary resettlement and with verification by External Monitor/Third Party Monitor (TPM) for each Implementing Agency (EM/TPM Annex 2B), resettlement plans (RPs) will be prepared and implemented in compliance with the ADB's SPS (2009) and this ESMF. For all sub-projects/project activities with no LAR impacts, social due diligence reports (SDDR) will be prepared and disclosed after concurrence with ADB.
49. Subproject arrangement shall ensure that the contractors follow the safeguards requirements of ADB's SPS (2009) during rehabilitation works. Where appropriate, safeguards requirements will be addressed through provisions in the civil works contracts, including the following principles:
50. If a contractor requires private land for temporary use during the rehabilitation works, this shall be accessed based on the free will of the private landholder and the contractor, and a written agreement. According to the mutual agreement of the parties, the contractor shall reimburse the impacts of the private landholder during the temporary use of his/her land. Locally applicable rates, for the type of land affected, shall apply. Though this shall be a mutually agreed process

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<sup>5</sup> A consolidated IEE may also be prepared for subprojects with similar scope of works and lying in a similar geographical area.

<sup>6</sup> Disclose a draft environmental assessment (including the EMP) in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected people and other stakeholders. Disclose the final environmental assessment, and its updates if any, to affected people and other stakeholders. (Environmental Safeguards, Policy Principle No.6, ADB SPS (2009))

between the contractor and landowners/users, and the agency shall monitor the situation and act as a mediator if any dispute emerges. In cases where mutual agreement cannot be reached, and the land is required (alternatives not available) the temporary acquisition will be deemed involuntary, and included in a RP to be compensated at the applicable market rate. All provisions and allowances payable under the Entitlement Matrix shall apply.

51. Verification that any permanent impacts identified during screening and implementation and addressed through approved RPs shall be provided by the EM/TPM prior to commencement of civil works at any subproject site on the basis of the RP Compliance Report. Upon the completion of works, the land that was temporarily used must be restored at least to its pre-project condition and returned to the owner/user with due settlement of compensation for all relevant impacts. One of the conditions for final payment to the civil works contractor is the submission of verification by EM/TPM that all temporarily used lands have been fully restored to their pre-project conditions and that there are no pending compensation issues related to the temporary use of land.
52. The contractor shall engage staff responsible for social and environmental safeguards, grievance resolution and consultations with the affected persons and communities throughout the rehabilitation works. Confirmation, including names of staff, shall be provided prior to commencement of works. Project Management Units (PMUs) shall allocate social and environmental safeguards staff or consultants to supervise and guide the contractors' social and environmental staff and manage consultations and grievances received at PMU level.
53. Due diligence for each subproject will be conducted by its respective PMU. This will include identification of impacts, socio-economic assessment of APs, and preparation of RPs or due diligence reports (DDR) where no LAR impacts are identified. PMUs shall ensure that valuation of assets reflects ADB's policy of replacement cost, and that both titled and non-titled users of land are compensated according to the principles of SPS 2009. The PMUs shall conduct meaningful consultations with all APs, and also with neighboring residential, commercial or community areas on works schedule and impacts. Although most civil works activities are anticipated to take place in designated land plots involving zero cases of temporary or permanent, physical or economic adverse impacts to people, meaningful project consultations shall take place with owners/users of neighboring land plots, residential, commercial or other structures to inform on schedules of the planned activities. Consultations shall allow to develop specific mitigation measures that may be required for neighboring areas. Information on project management arrangements to organize meaningful consultations will be reflected in the Consultations section of the corresponding Resettlement Plan (RP) or due diligence report where there are no identified LAR impacts. An example outline of a Draft RP is presented in Annex 1. Under no conditions will implementing agencies acquire land for the purposes of the Project under the emergency acquisition provisions of Pakistan's Land Acquisition Act (1894).
54. To ensure compliance of the project with the requirements of SPS, the implementation process will ensure that the delivery of services under the Project through static and outreach activities will target the participation of all sections of



the community, so that delivery of interventions benefit all communities in the project surroundings.

**Table 6: Sample Entitlement Matrix**

| Type of Loss                 | Specification                                      | Eligibility   | Entitlements   |
|------------------------------|--|---|--|
| <b>1. LAND</b>               |  |   |  |
| Permanent impact on all land | All land losses independently from impact severity | Owner (titleholder, or holder of traditional rights)                                  | <ul style="list-style-type: none"> <li>Land for land compensation through provision of plots of equal value and productivity as that of lost.</li> </ul> 55.   |
|                              |  |   | <ul style="list-style-type: none"> <li>Cash compensation at full replacement cost (RC<sup>7</sup>) either through negotiated settlement between<sup>8</sup> the CWD and the landowners or assessed based on provisions of Section 23 of LAA<sup>9</sup> including fair market value plus damages/costs applicable free from taxes and levies plus 15% compulsory acquisition surcharge (CAS).</li> </ul> |
|                              |  | Leaseholder titled/untitled   | <ul style="list-style-type: none"> <li>Compensation commensurate to lease type and as appropriate for recovery of paid advance or paid lease amount for the remaining lease period but up to two years maximum.</li> </ul>   |
|                              |  | Titleholder, or holder of traditional rights  | <ul style="list-style-type: none"> <li>Cash compensation at full replacement cost (RC) including fair market value plus 15% compulsory acquisition surcharge all transaction costs, applicable fees and taxes and any other payment applicable</li> </ul>  |
|                              |  | Non-titled user without traditional rights (encroachers/squatters, informal settlers) | <ul style="list-style-type: none"> <li>No compensation for land loss, but compensation for non-land losses and restoration assistance as described below.</li> </ul>   |
|                              | Land required temporarily during civil works       | All owners of rented land/lease holders (with and without title)                      | <ul style="list-style-type: none"> <li>Lease agreements to be signed between the AHs and the contractor for the period of occupation of land;</li> <li>Rental fee payment for period of</li> </ul>   |

<sup>7</sup> Refer to IR safeguards as in SR2 Para 10 of SPS 2009

<sup>8</sup> Negotiated Settlement will be used as first measure to determine the RC and if it is unsuccessful or considered inexpedient then the assessment under LAA provisions will follow

<sup>9</sup> Compensation under provisions of Section 23 of LAA include fair market value and applicable costs for damages (i.e. costs for severance of land and injurious affect to other property (immoveable or movable) or earning, diminution of profits, and costs of moving residence or place of business, etc.). The 15% surcharge is added on top of the calculated compensation amount.

| Type of Loss                                    | Specification   | Eligibility                            | Entitlements   |
|---|---|--|--|
|   |   |  | occupation of land, as mutually agreed by the parties; <ul style="list-style-type: none"> <li>• Restoration of land to original state; and</li> <li>• Guarantee of access to land and structures located on remaining land.</li> </ul>   |
| <b>2. STRUCTURES</b>                            |   |  |  |
| Residential, Commercial, Community & Government | Partial Loss of structure                                 | Owner (including non-titled land user) | <ul style="list-style-type: none"> <li>• Cash compensation for affected structure (taking into account functioning viability of remaining portion of partially affected structure) for its restoration to original use) at full replacement cost computed at market rate for materials, labor, transport and other incidental costs, without deduction of depreciation.</li> <li>• Right to salvage materials from lost structure</li> </ul> |
|   |   | Lessee, tenant                         | <ul style="list-style-type: none"> <li>• Cash refund at rate of rental fee (monthly rent) proportionate to size of lost part of structure and duration of remaining lease period already paid.</li> <li>• Any improvements made to lost structure by a tenant will be taken into account and will be compensated at full replacement cost payable as per agreed apportionment through consultation meetings.</li> </ul>                      |
|   | Full loss of structure and relocation                     | Owner (including non-titled land user) | <ul style="list-style-type: none"> <li>• Cash compensation at full replacement cost, including all transaction costs, such as applicable fees and taxes, without deduction of depreciation for age, for self-relocation.</li> <li>• Right to salvage the affected structure.</li> </ul>  |
|   |   | Lessee, tenant                         | <ul style="list-style-type: none"> <li>• Cash refund at rate of rental fee (monthly rent) proportionate to duration of remaining lease period;</li> <li>• Any improvements made to lost structure by lessee/ tenant will be taken into account and will be compensated at full replacement cost payable as per agreed apportionment through consultation meetings.</li> </ul>  |
|   | Moving of minor structures (fences, sheds, latrines etc.) | Owner, lessee, tenant                  | <ul style="list-style-type: none"> <li>• Cash compensation for self-relocation of structure at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age).</li> </ul>  |

| Type of Loss    | Specification  | Eligibility  | Entitlements   |
|-----------------|----------------|--|--|
|                 | Stalls, kiosks | Vendors (including titled and non-titled land users) | <ul style="list-style-type: none"> <li>• Cash compensation for structure (stall/kiosk) at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age) for its self-relocation by the owner/user and entitled to relocation assistance for self-relocating at the place of DPs choice.</li> </ul>  |
| <b>3. Crops</b> | Affected crops | Cultivator   | <ul style="list-style-type: none"> <li>• Cash compensation (one year crop) at current market rate proportionate to size of lost plot, based on crop type and highest average yield over past 3 years or as assessed through the respective Agricultural Departments.</li> </ul>  |
|                 |                | Sharecropper/tenant (titled/untitled)                | <ul style="list-style-type: none"> <li>• Cash compensation (one year crop) at current market rate proportionate to size of lost plot, based on crop type and highest average yield over past 3 years or as assessed through the respective Agricultural Departments to be shared with the landowner based on the sharecropping arrangement.</li> </ul>   |
| <b>4. Trees</b> |                | Forest Department                                    | <ul style="list-style-type: none"> <li>• Affected trees on public land with no other identified owner will be auctioned by Forest Department and a replenishment cost will be paid to Forest Department for planting equivalent are more trees.</li> <li>• Compensation cost of trees included in the EIA.</li> </ul>  |
|                 |                | Cultivator   | <ul style="list-style-type: none"> <li>• Cash compensation for fruit trees at current market rate of crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow tree to productivity or (ii) multiplied, for mature crop bearing trees, by the average years of crops forgone; plus, cost of purchase of seedlings and required inputs to replace trees.</li> <li>• Cash compensation for timber trees at current market rate of timber value of species at current volume, plus cost of purchase of seedlings and required inputs to replace trees.</li> </ul> |

| Type of Loss                            | Specification                                   | Eligibility   | Entitlements  |
|---|---|---|---|
| <b>5. RESETTLEMENT &amp; RELOCATION</b> |   |   |   |
| Relocation Assistance                   | All types of structures affected                | All DPs titled/untitled requiring to relocate due to lost land and structures | <ul style="list-style-type: none"> <li>The project will facilitate all eligible DPs in relocating their affected structures at the place of their choice along the project corridor and a self-relocation allowance in lump sum equivalent to Rs. 25,000 for one time will be paid as project-based support.</li> <li>The disrupted facilities and access to civic amenities like water supply, sewerage and electricity will be restored when DHs are relocated outside or within the ROW limits.</li> </ul> |
| Transport allowance                     | All types of structures requiring relocation    | All asset owner/tenant DPs requiring to relocate due to lost structures       | <ul style="list-style-type: none"> <li>For residential or commercial structures, a lump sum amount of Rs. 20,000/ or higher depending upon the situation on ground duly verified by Land Acquisition and Resettlement Unit</li> <li>For shops/commercial structures a lump sum amount of Rs. 5,000/ or higher depending upon the situation on ground.</li> <li>For moveable structures (stalls and Kiosks) a lump sum amount of Rs. 2,000/ or higher depending upon the situation on ground.</li> </ul>       |
| Transition allowance                    | All residential structures requiring relocation | All DPs required to relocate their structures.                                | <ul style="list-style-type: none"> <li>The residential structure owner DPs requiring relocation because of significant loss of structures will be provided with transitional allowance equal to 3 months of recorded income or equal to officially designated minimum wage rate/ month (i.e. Rs. 25,000 /month) in addition to other applicable compensation entitlements.</li> </ul>   |
| <b>6. INCOME RESTORATION</b>            |   |   |   |
| Impacted land-based livelihoods         | All land losses                                 | All Titled DPs with land-based livelihoods affected                           | <ul style="list-style-type: none"> <li>DPs will be provided support for investing in productivity enhancing inputs to the extent of the affected land parcel, such as land leveling, erosion control, irrigation infrastructure and farming tools, fertilizers, and seeds etc., as feasible and applicable.</li> <li>Project based employment for the willing DPs will be worked out during execution of project works or training with additional</li> </ul>   |

| Type of Loss                             | Specification   | Eligibility  | Entitlements   |
|--|---|--|--|
|  |   |  | financial support to invest as well as organizational/logistical support for establishing alternate means of livelihood.   |
|  |   | All non-titled DPs/encroachers in the ROW                                  | <ul style="list-style-type: none"> <li>• Project based employment for willing DPs will be worked out during execution of project works and/or</li> <li>• They will be provided training and assistance to adopt alternate income sources.</li> <li>• Where required, additional support required ensuring improved standard of living to be determined through the social impact assessment.</li> </ul>  |
| Restricted access to means of livelihood | Avoidance of obstruction by Project facilities  | All DPs  | <ul style="list-style-type: none"> <li>• Un-interrupted access to agricultural fields, business premises and residences of persons in the project area will be ensured in consultation with the DPs.</li> </ul>  |
| Businesses Loss                          | Temporary business loss due to LAR or construction activities by Project                    | Owner of business (registered, informal)                                   | <ul style="list-style-type: none"> <li>• Cash compensation equal to lost income during period of business interruption up to 6 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records or computed based on officially designated minimum wage rate.</li> </ul>   |
|  | Permanent business loss due to LAR without possibility of establishing alternative business | Owner of business (registered, informal)                                   | <ul style="list-style-type: none"> <li>• Cash compensation equal to lost income for 1 year based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or computed based on officially designated minimum wage rate and</li> <li>• Provision of project-based employment to adult household member or re-training with opportunity for additional financial grants and micro-credit and organizational/logistical support to establish DP in alternative income generation activity.</li> </ul> |
| Employment                               | Employment loss (temporary or   | All employees with impacted wages due to affected businesses <sup>10</sup> | <ul style="list-style-type: none"> <li>• Cash compensation equal to lost wages at comparable rates as of employment record for a period of 3 months (if temporary) and</li> </ul>  |

<sup>10</sup> Survey result indicates that there is no affected employ on this lot of the project.

| Type of Loss                             | Specification   | Eligibility  | Entitlements  |
|--|---|--|---|
|  | permanent) due to LAR.  |  | for 6 months (if permanent) or in absence of record computed based on official minimum wage rate, i.e., Rs. 25,000/month.<br>Or<br><ul style="list-style-type: none"> <li>Provision of re-training, with additional financial as well as organizational/logistical support to establish DH in alternative income generation activity.</li> </ul>                        |
|  |   | Agriculture laborers   | <ul style="list-style-type: none"> <li>The agricultural laborers facing employment/wage loss because of land acquisition will be entitled to income rehabilitation allowance in cash equal to net value of one crop season based on relevant cropping pattern/cultivation record or 3 months officially designated minimum wage.</li> </ul>                             |
| <b>7. SEVERE IMPACT</b>                  |   |  |   |
| Loss of shelter                          | Loss of shelter / Residential structures requiring relocation           | All DHs facing Physically Displacement (loss of shelter residential structures). | The residential structure owners facing physical displacement, in addition to entitled resettlement assistance, relocation, transportation and transitional allowance (explained above) will be eligible for one-time severe impact allowance equal to 3 months' income loss computed based on officially designated minimum wage rate/ month (i.e. Rs. 25,000 /month). |
| Loss of productive land                  | Loss of 10% or more of productive arable land                           | All landowners/ land user DPs with land-based livelihood.                        | Severe impact allowance equal to market value of the gross annual yield of lost land for one year in addition to entitled compensation and other income restoration measures.   |
| Loss of commercial structure             | Significant loss of commercial structure.                               | All structure owners/ occupier DPs facing business loss.                         | Severe impact allowance equal to lost income for three months in addition to entitled compensation for lost asset and business loss.  |
| <b>8. PUBLIC SERVICES AND FACILITIES</b> |   |  |   |
| Loss of public services and facilities   | Schools, health centers, services infrastructure & graveyards. Mosques. | Service provider   | <ul style="list-style-type: none"> <li>Full restoration at original site or re-establishment at relocation site of lost public services and facilities, including replacement of related land and relocation of structures according to provisions under sections 1 and 2 of this entitlement matrices.</li> </ul>  |
| <b>9. SPECIAL PROVISIONS</b>             |   |  |   |
| Vulnerable DPs                           | Livelihood improvement  | All vulnerable DPs including those below poverty line, landless and those        | <ul style="list-style-type: none"> <li>In addition to applicable compensation entitlements for lost assets, relocation and livelihood restoration under</li> </ul>  |

| Type of Loss  | Specification          | Eligibility  | Entitlements   |
|---|------------------------|--|--|
|   |                        | without legal title, elderly, women and children, or indigenous peoples. | section, 1 to 7 the vulnerable DPs will be provided with: <ul style="list-style-type: none"> <li>• Subsistence allowance for 3 months computed based on officially designated minimum wage rate (Rs.75,000/head) and other appropriate rehabilitation measures as defined in the RP based on income analysis and consultations with DPs to ensure the living standard of the DPs is maintained.</li> </ul> |
| 10. Unanticipated Land Acquisition and Resettlement Impacts (Including restricted access) | As and when identified | All DPs facing impact  | <ul style="list-style-type: none"> <li>• Dealt with as appropriate during sub-project implementation according to the applicable provisions under this entitlement matrix and requirements of the SPS 2009 and agreed in advance with ADB.</li> </ul>  |

## **V. CONSULTATION, INFORMATION DISCLOSURE AND GRIEVANCE REDRESS MECHANISM**

### **A. Public Consultation and Information Disclosure**

56. Public consultation will be undertaken for all subprojects. The IEE and IR/IP due diligence will record the views of stakeholders and indicate how these have been taken into account in subproject development.
57. Public consultation will be carried out during the early stages of the process and throughout the project implementation to address any environmental and social issues that affect the local communities. It is important that consultation with stakeholders occurs at an early stage of project preparation and implementation. The environmental and social due diligence will record the views of stakeholders and indicate how these have been taken into account in project development. There are a variety of approaches for such contacts but for the purpose of this emergency project it is recommended that project information is also distributed directly to the stakeholders through project information brochures (PIB). This will allow information about the scope of the project, its potential impacts and the GRM process and contact details to be handed directly to stakeholders. This approach has been previously used on other ADB funded projects during COVID and proved to be a successful way of informing stakeholders and receiving feedback during emergency situations.
58. Information is disclosed through public consultation (via PIBs), and more formally by making documents and other materials available in a form and at a location easily accessed by stakeholders. This normally involves making draft reports available at public locations in the affected areas and providing a mechanism for the receipt of comments and making documents available more widely by lodging them on the ADB and the executing agency's website.
59. The ADB operations department ensures that the following safeguard documents are posted on ADB's website: (i) draft ESMF before subproject appraisal and final ESMF on clearance; and (ii) the final or updated IEEs upon receipt. The project team makes the draft IEE reports available to interested stakeholders before project approval by the Board on request. In addition, if the final IEE is not available upon Board approval, the draft IEE is posted on ADB's website.
60. The executive summary of the IEE and the EMP will be translated into the Urdu language as well as other local languages if applicable, for disclosure along with the complete existing document (in English) within 2 weeks after ADB's clearance of the IEE and will be disclosed on EA's website.

### **B. Grievance Redress Mechanism (GRM)**

61. People adversely affected (or about to be affected) by a subproject, if they have any issues, will be able to raise their grievances and dissatisfactions, if any, to the GRM in order to find a satisfactory solution. APs will be able to raise their grievances and will be given an adequate hearing. A detailed grievance log will be maintained by the PIUs and will be reported in monitoring reports, including semi annual social monitoring reports and RP implementation reports.



Satisfactory solutions shall be found that mutually benefit both the complainants and the project..

62. Village Level GRM: The first level of grievance redress system includes the Site/village level displaced person's committee (DPC) selected and nominated by the displaced persons from each affected settlement located along the project road alignment. The DPC will be presided by its president who will be selected by the committee members nominated by the displaced persons. These DPCs will be a formal node for coordination and communication with the project implementing authorities and are required to act as local node for recording and redress of grievances as per their local customs and practices. The technical staff will maintain a close liaison with the DPCs to guide and assist them in recording and resolution of grievances. In this regard, the PMU safeguards specialists shall closely coordinate and work together with the DPC members and the local community to ensure grievances are recorded, investigated, and discussed during DPC's meetings and guide them to explore and recommend remedial measures at their level within a week time, i.e., 7 days. They will also liaise with the counterpart engineering staff, and contractors to ensure implementation of the DPC's recommendations and/or raising the complaint to second level of GRM/GRC for review and redress if the grievances are not resolved at DPC level.
63. If the grievance is not resolved at site DPC level, it shall be raised to second level of GRM. A formal complaint will be tendered with the PIU GRC by the aggrieved DPs or through the PIU safeguards staff. A complaint register will be maintained by the GRC through the PMU based Environment and Social Units (ESUs) to record the complaints received covering complaint receipt date, name and address of the complainant, gist of complaint, gist of field report, decision of GRC with its communication date to the DPs and decision implementation status or elevating the complaint to next level of GRM in case of disagreement by the aggrieved DPs.
64. Once the complaint is submitted with the PMU GRC, it shall be recorded in complaint register and send acknowledgement to the DP without delay; and initiate the process of investigation within 5 business days through its technical and resettlement field teams. After receipt of directions of GRC, the field teams including resettlement specialist and Land Staff will coordinate with complainant and complete its investigation of facts in consultation with aggrieved person, DPC representatives and local community and submit its fact-finding report and recommendations to the GRC within 15 business days from the receipt of complaint. Upon receipt of the fact-finding report, the GRC will summon and hear the aggrieved person and decide the complaint based on ground facts but in accordance with the agreed entitlements and provisions in the RP/entitlement matrix and communicate its decision to the PMU and DPs within next 15 days. On an overall basis, the GRC will decide the grievances within 21 business days of receipt of complaint in GRC. If the final decision made by GRC is not acceptable to the DPs, they may advise GRC for elevation of their grievance to next higher level of GRM.
65. In case the DPs are unsatisfied with GRC decision, they themselves or through GRC can elevate their complaint to third level of GRM in Project Management

Unit (PMU) within 5 business days after GRC decision on complaint. Once the complaint is received at PMU along with GRC proceedings, it will be registered in PMU and the complainant will be informed by PMU staff accordingly. The GRC record and complainant's claim will be scrutinized, and the complainants will be advised to produce any additional record in favor of their claim. After thorough review and scrutiny of the available record PMU can visit the field to meet the complainant, collect additional information and evidence if required. Once the investigations are completed, the PMU shall get its recommendations approved by member committee and forward these to the Project Director and the complainant accordingly within 21 days of receipt of the complaint.

66. Constitution and Function of the GRC. The primary objective of the Project based GRC is to provide a mechanism for mediating grievances and cutting down on lengthy litigation. It will be a public forum for raising concerns and invoking conflict resolution system available within the project for addressing LAR related and other social or environmental grievances adequately. The GRCs will continue to function, for the benefit of the DPs, during and after implementation of RP till completion of the project.
67. The GRC will be headed by the Project Director, with members mentioned in the composition of the GRC. The member of the GRC could be increased, decreased, and replaced at the time of the notification of GRC, according to the requirement and nature of grievances.
68. For redress of grievances, the GRC will meet at least once in a month. For the purpose of social safeguards, the GRC will review grievances involving all resettlement grievances including, compensation, relocation, and other assistance. GRC will perform following functions:
- Record grievances of DPs; categorize and acknowledge the DPs about receipt of grievances; investigate the issue and summon aggrieved persons/parties to produce the evidence and explain their claims; and resolve the grievances within stipulated time frame preferably in 21 days;
  - Communicate its decisions and recommendations on all resolved disputes to Project executors and the aggrieved persons for implementation and follow the implementation progress;
  - Develop an information dissemination system and acknowledge the aggrieved parties about the development regarding their grievance and decision of PIU and PMU level;
  - Maintain a complaint register accessible to all stakeholders with brief information about complaints and GRC decision with status report; and
  - Maintain complete record of all complaints received by the GRC with actions taken.
69. The GRC at PMU level will be notified by C&W Department headed by PD and key members, but not limited to:
- Project Director/ Representative (PMU); Chairman/Convener
  - Director Technical (PMU); Member

- Environmental/ Social Safeguards Expert (PMU); Member
- Representative of Deputy Commissioner Office Member
- Land Acquisition Collectors (BoR); (where there is LA) Member
- Representative of Project Implementation Consultant; Member
- Representatives from Displaced Persons Committee (DPC) Member

70. The 50% quorum of the finalized GRC will have authority to conduct the meeting and take decisions accordingly.

71. The GRM shall have a clear structure that explicitly spells out how it functions. The GRM shall also fit into the existing local community arrangements to make sure it does not have duplicate functions. The proposed project GRM structure is summarized below.

**Table 7. Grievance Redress Roles**

| <b>Party</b>                   | <b>Responsibilities</b>   |
|--------------------------------|---|
| <b>Agency Level:</b>           |   |
| PMU                            | Establish GRM via circular<br>Provide operational guidelines for GRM<br>Provide necessary funds and staff to facilitate the GRM operation<br>Monitor grievance handling process by GRM<br>Coordinate the function of GRM<br>Provide the capacity building training to GRC members   |
| <b>Project Level</b>           |   |
| GRC/(PMU)                      | Maintain database on the status of grievance handling by the contractor<br>Monitor the progress of grievance handling by the contractor<br>Report the progress of grievance handling to higher level in project management arrangement and ADB;<br>Identify the LAR impact and taking steps to mitigate them<br>Assist complainants in land acquisition and compensation process including the relocation to new sites<br>Maintain good relations with APs, responding to their concerns and providing assistance to them as required.<br>Participate in GRC as a facilitator<br>Functioning as lowest level receiver of grievances |
| <b>Community/Village Level</b> |   |
| DPC                            | Address project grievances, including issues related to land acquisition and compensation   |

ADB = Asian Development Bank, AP = affected peoples. GRC = grievance redress committee, GRM = grievance redress mechanism, LAR = land acquisition and resettlement.

72. Complaints received will be recorded and documented in the project file and progress reports from Executing agencies to ADB will include the number and type of complaints and the results of their resolution. Responsible PMU staff will ensure that complaints and questions are registered, tracked and promptly resolved.

## VI. INSTITUTIONAL ARRANGEMENTS AND RESPONSIBILITIES

### A. General

73. This is an emergency assistance project, and all activities will be managed through existing Project Management Units:
- For Sindh, PMU of ongoing Sindh Provincial Road Improvement Project
  - For KPK, PMU of ongoing Pehur High Level Canal Extension Project
  - For Balochistan, PMU of ongoing Balochistan Water Resources Development Sector Project
  - For NHA, PMU of ongoing Post-flood National Highways Rehabilitation Project
74. Contractors will be hired by the EA to complete the construction works required under the three outputs
75. It is anticipated that each PMU has their own environmental and social unit. Where this does not exist a separate Environment and Social Unit (ESU) will be established within each PMU.
76. Each ESU will appoint an additional Social Safeguards Specialist, and an Environment, Health and Safety Specialist specifically for this project. Where necessary environmental management and monitoring tasks will be supported by consultants.
77. The ESUs will be responsible for:
- Preparing environmental screening checklists (REAs) and classifying subprojects, based on the checklist and as per ADB SPS (2009) and local regulations requirements, preparing IEEs and EMPs.
  - Preparing and submitting IR screening checklists and, if required, RPs in accordance with this ESMF and SPS 2009.
  - Submitting the REA checklists and IEE reports to ADB as part of the approval of process.
  - Ensuring that EMPs are included in Tender documents.
  - Ensuring that all regulatory clearances are obtained before starting civil works for the initiatives,
  - Ensuring that the EMPs, including all proposed mitigation measures and monitoring programs are properly implemented.
  - Undertaking routine monitoring of subprojects per the requirements of the EMP and preparing environmental monitoring reports every six months (in case of projects with long duration) and post-project reports (for shorter projects), to be delivered to ADB.
  - In the case of unpredicted environmental or social impacts occurring during project implementation, updating EMPs and/or RPs, and in cases resulting in non-compliance, preparing and implementing a Corrective Action Plan (CAP).

- Providing awareness training in environmental management for all employees working on the subproject.
- Ensuring that meaningful public consultations (including both men and women) are undertaken with affected groups and local NGOs. The list of people attending the consultation, time and locations, and subjects discussed during the consultation will be recorded in a systematic manner.
- Sharing information and disclosure of environmental safeguard documents (including any Corrective Action Plans prepared in cases of change to original project design) as required.

78. ADB will be responsible for the following:

- Review semi-annual reports of on safeguards monitoring of program activities being conducted and ensuring that screening and activity categorization as well as implementation of EMP(s) is being conducted as per ADB SPS (2009).
- Support project implementation through the services of TPM to validate LAR screening, impact assessment and mitigation activities.

79. The program's costs will incorporate a budget and resources needed to (i) implement the environmental review and screening procedure, (ii) undertake the environmental assessment studies for the subprojects, (iii) monitor the implementation of EMPs, and (iv) undertake environmental mitigation measures as required.

#### **A. Implementation Arrangements and Responsibilities for LAR**

80. The Environment and Social Units (ESUs) at Project Management Units (PMUs) and extended ESUs at Project Implementation Units (PIUs) of ongoing ADB projects in the roads, water and irrigations sectors will be overall responsible for LAR management during design and implementation of the project. ESUs will look after all LAR activities according to provisions outlined under this ESMF. Main functions of the ESUs will include but not limited to (i) screening, preparation, implementation and monitoring of RPs, SDDR and any CAPs, (ii) Coordination with GRC and village level Affected Persons Committees-APCs, (iii) regular field visits and consultations with APs and disclosure of LAR related information, and (iv) track and monitor progress on implementation of RPs, SDDR and CAPs and issuance of semiannual social monitoring reports.

81. Specific tasks that ESU will perform are outlined below:

- Screen the sub-projects to determine any potential involuntary resettlement impacts by filling out the IR screening checklists and categorize the project for LAR impacts.
- Prepare safeguard documentation according to the category of the sub project.
- Verify data on APs. Prepare, issue and distribute identity cards for each non-titleholder APs category.
- Maintain oversight and quality control over all aspects of preparation and implementation of RPs, SDDR, and any CAPs.

- Accompany the RP preparation consultants during their field visits and consultations with APs. This is to ensure consistency of approach and message to APs, to avoid variation in information obtained and given, and to address issues immediately as they arise on site.
  - Ensure that all field visits and consultations with the APs are properly documented, photographed and recorded on video; such record shall be placed in the Project office.
  - Coordinate land acquisition process and resettlement planning activities for the Project and facilitate information dissemination and consultation with DPs on all matters affecting APs to ensure compliance with the requirements of the ESMF, ADB's Social Safeguard Policies and Land Acquisition Act 1894. This will include coordination with District offices (Revenue Department, Forest Department, Agriculture Department, RP preparation consultants and APs as they relate to the Project to ensure that the land price assessment is reflective of current market rates.
  - Review RPs submitted by consultants to ensure that these are in compliance to the ESMF before submission to ADB.
  - Internally review the RPs, coordinate with ADB in review and approval and ensure timely disclosure of approved on ADB and EA websites and translation of summary of RP in local language for disclosure to APs.
  - Facilitate and support the LAC and Project Director throughout compensation disbursement process by extending its support in office and field during preparation of claims and issuance of compensation vouchers and cheques, this includes coordination with APs, PIU and district land revenue authorities involved in disbursement of compensation.
  - Mobilize and facilitate the APs to process their compensation claims and receive compensation.
  - Support Project office /PD /PMU to establish multi-tiered grievance redress mechanism at village level, subproject level, project level and support the PMU and APs in recording, processing/investigation and disposal of complaints.
  - Develop database management system to be used for internal and external monitoring of the RP implementation and evaluation of degree of achievement of the objective set forth in RP.
  - Review, monitor and evaluate the effectiveness with which the RP is implemented, and recommend necessary corrective actions to be taken. Advise on corrective measures where necessary to the PIU/PMU.
82. In addition to the planning and implementation of LAR activities above, the ESU at PIU/PMU will monitor day-to-day progress on LAR implementation activities and ensure smooth and timely implementation of RP and execution of sub-project works in a manner consistent with the RP/s and ESMF provisions. The PIU/PMU will share RP implementation status through monthly project progress reports, while separate RP and social monitoring reports (internal) will be prepared and shared with ADB biannually or following reporting frequency (depending on the scale and sensitivity/complexity of the project impacts) agreed in ADB cleared RP for each sub-project. Besides, the ESU will report to ADB on any unforeseen impact and will prepare and implement corrective action plan or addendum to sub-project RP under ADB's guidance to ensure project implementation is fully

consistent with the ADB's safeguards requirements. Any corrective action plan or addendum to RP prepared and cleared by ADB shall be disclosed.

## **VII. MONITORING AND REPORTING**

83. For Category B projects IEEs will be prepared. The IEEs will set the detailed responsibilities for the required monitoring and reporting. Likewise, any RP will provide the requirements for monitoring and reporting on land acquisition issues. In general, the monitoring and reporting in this stage will be undertaken by the PMU safeguards specialists supported by the engineer supervising the works on behalf of the EA/PMU.
84. Monitoring will be carried out on a routine basis by the EA/PMUs and will be reported to ADB on semi-annual basis until the end of the civil works and/or compensation and rehabilitation process. The EA/PMU will be responsible for determining if any follow-up actions are necessary and for ensuring that these actions are undertaken. Prior to the delivery of compensation payments to the affected peoples, the EA/PMU will announce the compensation dates, including a detailed compensation schedule, community by community. The construction supervision consultant will monitor to ensure that no construction in the affected areas commences until the payment of compensation has been fully completed and that affected persons' concerns are identified timely and addressed effectively.
85. In summary, the EA/PMU monitoring and evaluation reporting will cover the following:
- Compliance with this ESMF and any IEE and RPs;
  - Adequacy of the organizational mechanism for implementing the mitigation measures;
  - Fair and judicious handling of complaints and grievances;
  - Address cases of unanticipated impacts in accordance with this land acquisition and resettlement framework.
  - Success in restoring the affected people's incomes to pre-project levels.

### **A. Social Safeguards Monitoring and Reporting**

86. The monitoring mechanism for this subproject will have both internal monitoring (IM) and external monitoring (EM)/TPM. Internally, the RP implementation for the subproject will be closely monitored by the EA through PMU/CSC while for external monitoring the services of an independent external monitor will be engaged. The IM and EM are required to;
- a. Establish and maintain procedures to monitor the progress of the implementation of safeguard plans;
  - b. Verify their compliance with safeguard measures and their progress toward intended outcomes;
  - c. Document and disclose monitoring results and identify necessary corrective and preventive actions in the periodic monitoring reports;
  - d. Follow-up on these actions to ensure progress toward the desired outcomes;



- e. Retain qualified and experienced external experts to verify monitoring information for subproject with significant impacts and risks; and
- f. Submit periodic monitoring reports (bi-annually) on safeguard measures as agreed with the ADB.

## **B. Internal Monitoring**

87. The PMUs will ensure proper and timely implementation of all activities of RPs. The status of all compensation payments due to each of the DPs shall be monitored and reported, including land, trees, crops, structures, livelihood restoration measures etc., in accordance with the Entitlement Matrix. Monitoring will be a regular activity for Internal Monitoring Consultant at this level to ensure timely implementation of RP activities. PMUs will collect information from the subproject site about implementation status of key activities, process and integrate the data in the form of monthly report to assess the progress and results of RP implementation.

88. Internal Monitoring (IM) indicators will relate to process outputs and results, information will be collected directly from the field, and will be reported monthly to the PMU to assess the RP implementation progress and adjust the work plan if necessary. The IM report will be shared with ADB safeguards unit on monthly basis and shall be consolidated with the six monthly safeguards monitoring reports. Specific IM benchmarks will be based on the approved RP and cover the following:

- Information campaign and consultation with DPs;
- Status of compensation payment for the land and non-land assets like structures, crops and trees;
- Payments for the resettlement and livelihood restoration/rehabilitation;
- Grievance procedures, including recording, reporting, processing and redress of grievances; and
- Ensure the gender mitigation measures are adhered to during the internal monitoring and reporting process.

89. The PIU will ensure collection the above gender-disaggregated information at PMU/CSC, which will monitor the day-to-day resettlement activities of the subproject through the following instruments:

- Review of census information for all DPs;
- Consultation and informal interviews with DPs;
- Key informant interviews; and
- Community public meetings.

## **C. External Monitoring**

90. The PMU through its Social Safeguard team shall engage qualified and experienced External Monitor to verify the EA's monitoring information. EM will be

mobilized by Q1 2023 on intermittent basis to monitor RP implementation progress and provide bi-annual monitoring report. The main objective of this monitoring is to monitor the RP implementation, identify issues and recommend corrective measures. The external monitor will review the IM reports, collect information from the field and determine whether resettlement objectives and goals have been achieved, more importantly whether livelihoods and living standards of DPs have been restored/ enhanced and suggest suitable recommendations for improvement. The external monitor will identify the gaps in RP implementation and advise the EA on safeguard compliance issues.

91. The key tasks during external monitoring will include:

- Review and verify internal monitoring reports prepared by PMU;
- Review of the socio-economic baseline, census, and inventory of losses of displaced persons;
- The monitors need to assess and verify whether the entitlements have been provided in accordance with this RP and its Entitlement Matrix;
- Grievance procedures, including recording, reporting, processing, and redress of grievances
- Consultations with DPs, community leaders and officials for preparing review report;
- Assessment of resettlement implementation progress, efficiency, effectiveness, and sustainability;
- Identify additional IR impacts, if any;
- suggest remedial action with time-based actions and
- Maintain data base of independent surveys.

92. Based on the external monitor's report, if non-compliance is identified, a corrective action plan (CAP) will be prepared, reviewed, and approved by ADB and disclosed to affected persons. However, internal, and external monitoring and reporting will continue until all resettlement activities have been completed.

Alternatively, ADB through its implementation support TA will mobilize third-party monitors for each implementing agency to confirm compliance with LRA screening, categorization, impact assessment and mitigation. All implementing agencies will provide support to such TPMs and facilitate access to subproject sites.

## **ANNEX 1: OUTLINE OF A RESETTLEMENT PLAN**

A resettlement plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness is commensurate with the significance of potential involuntary resettlement impacts and risks. The substantive aspects of the outline will guide the preparation of the resettlement plans, although not necessarily in the order shown.

### **A. Executive Summary**

This section provides a concise statement of project scope, key survey findings, entitlements and recommended actions.

### **B. Project Description**

This section provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.

### **C. Scope of Land Acquisition and Resettlement**

This section:

- (i) discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
- (ii) describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project;
- (iii) summarizes the key effects in terms of assets acquired and displaced persons; and
- (iv) provides details of any common property resources that will be acquired.

### **D. Socioeconomic Information and Profile**

This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:

- (i) define, identify, and enumerate the people and communities to be affected;
- (ii) describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account;
- (iii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
- (iv) identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

## **E. Information Disclosure, Consultation, and Participation**

This section:

- (i) identifies project stakeholders, especially primary stakeholders;
- (ii) describes the consultation and participation mechanisms to be used during the different stages of the project cycle;
- (iii) describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;
- (iv) summarizes the results of consultations with affected persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan;
- (v) confirms disclosure of the draft resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and
- (vi) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with affected persons during project implementation.

## **F. Grievance Redress Mechanisms**

This section describes mechanisms to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

## **G. Legal Framework**

This section:

- (i) describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed.
- (ii) describes the legal and policy commitments from the executing agency for all types of displaced persons.
- (iii) outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided
- (iv) describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

## **H. Entitlements, Assistance and Benefits**

This section:

- (i) defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures (includes an entitlement matrix);

- (ii) specifies all assistance to vulnerable groups, including women, and other special groups; and
- (iii) outlines opportunities for affected persons to derive appropriate development benefits from the project.

## **I. Relocation of Housing and Settlements**

This section:

- (i) describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
- (ii) describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs;
- (iii) provides timetables for site preparation and transfer;
- (iv) describes the legal arrangements to regularize tenure and transfer titles to resettled persons;
- (v) outlines measures to assist displaced persons with their transfer and establishment at new sites;
- (vi) describes plans to provide civic infrastructure; and
- (vii) explains how integration with host populations will be carried out.

## **J. Income Restoration and Rehabilitation**

This section:

- (i) identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources;
- (ii) describes income restoration programs, including multiple options for restoring all types of livelihoods (examples include project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets);
- (iii) outlines measures to provide social safety net through social insurance and/or project special funds;
- (iv) describes special measures to support vulnerable groups;
- (v) explains gender considerations; and
- (vi) describes training programs.

## **K. Resettlement Budget and Financing Plan**

This section:

- (i) provides an itemized budget for all resettlement activities, including for the

resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation.

- (ii) describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items).
- (iii) includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs.
- (iv) includes information about the source of funding for the resettlement plan budget.

## **L. Institutional Arrangements**

This section:

- describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;
- includes institutional capacity building program, including technical assistance, if required;
- describes role of NGOs, if involved, and organizations of affected persons in resettlement planning and management; and
- describes how women's groups will be involved in resettlement planning and management.

## **M. Implementation Schedule**

This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction and provide land acquisition process and timeline.

## **N. Monitoring and Reporting**

This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.

**ANNEX 2: SAMPLE INVOLUNTARY RESETTLEMENT SCREENING CHECKLIST**

|  |            |           |                              |
|--|------------|-----------|------------------------------|
| Name and Location of Facility, Sub-project Number  |            |           |                              |
| Describe land needs associated with the sub-project construction (including, access roads, communications, storage/disposal area, etc.)  |            |           |                              |
| Describe physical characteristics of the land (type, area, coordinates, including photos and google earth image, if available)   |            |           |                              |
| Describe ownership status of the land (project (full or partial), government (full or partial) local community (full or partial); physical/legal person (full or partial)). Indicate the starting month/year of land tenure. |            |           |                              |
| Take note of any contested titles or existing encumbrances associated with the parcel (e.g., acquisition was initiated but not completed; existence of claims by any other parties).   |            |           |                              |
| Describe current usage of land   |            |           |                              |
| Describe land usage within the past 3 years  |            |           |                              |
| <b>Other Questions</b>   | <b>Yes</b> | <b>No</b> | <b>Comment/Clarification</b> |
| Are there any formal or informal leaseholders on the land?   |            |           |                              |
| Are there any non-registered users on the land?  |            |           |                              |
| Will there be permanent and/or temporary physical displacement, for example, relocation, loss of residential land, or loss of shelter?   |            |           |                              |
| Will there be permanent and/or temporary economic displacement, for example, loss of land, assets, access to assets, income sources or means of livelihood (agricultural, businesses)?                                       |            |           |                              |
| Will there be any person affected by permanent and/or temporary restriction of access to any economic activity earlier performed on the parcel?  |            |           |                              |
| Will there be any person affected by permanent and/or temporary restriction of access to any natural resource as a result of the project construction/enclosure of the parcel?   |            |           |                              |
| Will there be loss of crops, trees, structures fences and other fixed assets due to project construction?  |            |           |                              |
| Will there be restriction of access to assets, access to natural resources, communal facilities, and services?   |            |           |                              |
| If the land use is changed, will it have adverse impact on social and economic activities (for example, of nearby communities, groups etc.)  |            |           |                              |
| Will the project facility have a buffer zone which is outside of the government's ROW? If yes, please describe any adverse impacts on social or economic activities (for example, of nearby communities, groups etc.)        |            |           |                              |

### ANNEX 3: INDIGENOUS PEOPLES IMPACTS SCREENING CHECKLIST

Date: \_\_\_\_\_

|                               |  |
|-------------------------------|--|
| <b>Country/Project Title:</b> |  |
| <b>Sector Division:</b>       |  |

| KEY CONCERNS<br>(Please provide elaborations on the Remarks column)  | YES | NO | NOT KNOWN | Remarks |
|--|-----|----|-----------|---------|
| <b>A. Indigenous Peoples Identification</b>  |     |    |           |         |
| 1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?                            |     |    |           |         |
| 2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities? |     |    |           |         |
| 3. Do such groups self-identify as being part of a distinct social and cultural group?   |     |    |           |         |
| 4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?   |     |    |           |         |
| 5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?  |     |    |           |         |
| 6. Do such groups speak a distinct language or dialect?  |     |    |           |         |
| 7. Has such groups been historically, socially, and economically marginalized, disempowered, excluded, and/or discriminated against?   |     |    |           |         |
| 8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?   |     |    |           |         |
| <b>B. Identification of Potential Impacts</b>  |     |    |           |         |
| 9. Will the project directly or indirectly benefit or target Indigenous Peoples?   |     |    |           |         |
| 10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)  |     |    |           |         |
| 11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system,   |     |    |           |         |



|   |  |  |  |  |
|---|--|--|--|--|
| natural resource management, crafts and trade, employment status)   |  |  |  |  |
| 12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?  |  |  |  |  |
| <b>C. Identification of Special Requirements</b><br><i>Will the project activities include:</i>   |  |  |  |  |
| 13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?   |  |  |  |  |
| 14. Physical displacement from traditional or customary lands?  |  |  |  |  |
| 15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples? |  |  |  |  |
| 16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied, or claimed by Indigenous Peoples?   |  |  |  |  |
| 17. Acquisition of lands that are traditionally owned or customarily used, occupied, or claimed by Indigenous Peoples?  |  |  |  |  |

#### D. Anticipated project impacts on Indigenous Peoples

| Project component/<br>activity/ output                         | Anticipated positive<br>effect                                | Anticipated<br>negative effect |
|--|---|--------------------------------|
| <b>1. LIST ALL PROJECT COMPONENT / ACTIVITY / OUTPUTS HERE</b> | <b>---- INDICATE EFFECTS TO IP, OR PUT "N/A" AS NECESSARY</b> |                                |
| 2.   |   |                                |
| 3.   |   |                                |
| 4.   |   |                                |
| 5.   |   |                                |

<sup>[1]</sup> For Results-Based Lending (RBL) modality, please refer to the [Staff Instruction on Business Processes for RBL for Programs](#) issued on 17 March 2021. The [supplemental checklist](#) needs to be submitted to SDSS for confirmation of eligible activities under the RBL program by the CCO.

**Emergency Flood Assistance Project (EFAP)**  
**Terms of Reference of Individual External Monitoring Expert for Social Safeguard**  
**Compliance Monitoring**

Project: Emergency Flood Assistance Project (EFAP)  
 Expertise: Recruitment of Individual Consultant for Social Safeguard Compliance (External Monitor)  
 Source: National  
 Category: Independent

=====

### **1. Background**

Government of Pakistan (GOP) plans to implement EFAP with financial assistance from Asian Development Bank (ADB) through a project loan. The proposed project has three outputs. Output 1 comprises rehabilitation and reconstruction of the flood-damaged road network, national highways, and bridges. Output 2 comprises rehabilitation and reconstruction of the flood-damaged irrigation, drainage, and flood risk management infrastructure in Khyber Pakhtunkhwa and Balochistan and output 3 comprises restoration of rural livelihood systems in Balochistan. All works are limited to existing rights of way (ROW) and do not involve any green fields or new construction work. However minor impacts of insignificant nature may emerge during implementation that may require implementation of resettlement plans which will be monitored and validated.

### **2. Objective of the Assignment**

The objective of hiring of Social Safeguard Compliance Expert (External Monitor) hereafter will be called the Consultant, is to monitor and validate implementation of RPs and assess (i) compliance with safeguard requirements of the loan and project, (ii) achievement of resettlement objectives, (iii) restoration of the economic and social conditions of the displaced persons (DPs), (iv) the effectiveness and impacts of the proposed entitlements, (v) the need for further mitigation measures, if any, and (vi) institutional arrangements & capacity to implement resettlement plans. The Consultant shall confirm if compensation payments have been fully completed in the segments/sections having LAR impacts and are, thus, ready to be handed over for the civil works, and timely advise PMUs/PIUs on any corrective measures, if required for implementation before construction startup.

### **3. Qualifications**

The applicant shall be a master's degree holder in Social Sciences e.g. Anthropology, Sociology or Social/Rural Development, Development Studies, Economics, etc., from any institution recognized by the Higher Education Commission of Pakistan. The applicant (i) should have a 20-years' of general experience in the field of development with 10 years of experience specific to in the preparation, monitoring and evaluation of development projects involving social safeguards including the involuntary land acquisition, compensation and resettlement and rehabilitation of those affected by such development projects, (ii) strong familiarity with ADB's Safeguard Policy Statement (2009) and Pakistan's law and regulations governing land acquisition and compensation, (iii) previous experience of resettlement monitoring and evaluation work on ADB/World Bank funded projects, and (iv) good English language comprehension and writing skills.

#### 4. Duration of Services

The external monitor will be hired for 2 years intermittent input starting from February 2023 to February 2025 or till the completion of EFAP project with possibility of EMA extension, if the implementation goes beyond the stipulated time period. The aggregate input will be for 113 days over 2 years (22/days per semiannual report for a total of 8 semiannual monitoring reports, 10 days for the inception report and 10WD/per sectional monitoring/validation report (if and where required).

#### 5. Major Tasks of Assignment

The Consultant is required to perform the following tasks to the best of his/her professional capability:

- a. Study, understand and become well versed with approved EFAP, project and loan agreements, environment and social management framework (ESMF) Project Administration Manual, and all other related project documents, and applicable laws and regulations relevant to land acquisition, compensation and resettlement and rehabilitation including the Pakistan's Land Acquisition Act of 1894 and ADB's SPS 2009.
- b. Conduct field visits to verify and validate subproject-screening, assessment of LAR impacts and subsequent implementation of the RPs and any Social Due Diligence Reports (SDDR) and any corrective action plans (where required) with evidence of full delivery of compensation to all DPs prior to initiation of construction work.
- c. Monitor and report via RP compliance reports whether RPs have been implemented as required prior to commencement of civil works and that no physical displacement or economic displacement has occurred, and section or part of a section of works has been handed over to the civil works contractor only after:
  - i. Compensation at full replacement cost has been paid to all effected persons in accordance with approved RPs for relevant civil works contract or sections that are ready to be constructed;
  - ii. After exertion of exhaustive efforts to locate any unavailable DPs in the project area, any unpaid DPs will be documented with the reasons as per ADB guidance notes
  - iii. Other entitlements listed in the updated and approved/cleared RPs have been provided to the affected persons and
  - iv. RPs compliance report is submitted to ADB and determined as satisfactory.
- d. Conduct field visit to all relevant sites to verify the activities of civil works contractors for the project to follow the approved RPs and no physical displacement or economic displacement has occurred.
- e. To confirm that any unanticipated LAR impacts encountered during implementation of the project has been dealt in accordance with ADB approved LARP and ADB Safeguard Policy Statement 2009, that any change to the scope, location or alignment of the project has been made with approval of ADB through an addendum to the RP;
- f. Monitor and verify whether resettlement objectives of enhancing, or at least restoring the livelihoods of all DPs in real terms relevant to pre-project levels and improving the standards of living of the displaced poor and other vulnerable groups have been met;
- g. Review and verify results of internal monitoring reports prepared by PMUs/PIUs through review of records and random field visits involving DPs and community groups;

- h. Verify that monitoring and evaluation reports by PMUs/PIUs reflects without limiting the application of the Involuntary Resettlement Safeguards or the RPs that no land has been acquired for the purpose of the project under the emergency acquisition provisions of Pakistan's Land Acquisition Act (1894) as amended from time to time;
- i. Verify that no construction activities have been commenced in the sections with new/additional LAR impact before implementation of ADB approved LARP and was cleared by ADB;
- j. Assess if the required grievance redress mechanism (GRM) for the project is existing and functional, status and actions taken on grievances received and recommend measures for improvements, if required;
- k. Identify problems/potential problems and emerging LAR issues during project implementation; and recommend to PMUs/PIUs the required corrective actions and measures to mitigate problems;
- l. Within six months prior to the project closing, conduct a post-evaluation of the implementation of the RPs and learn strategic lessons for future policy formulation and planning.
- m. The monitoring will assess the extent to which the provisions in the RPs are being followed and if objectives are being met. The monitoring indicators, specific to the approved LARP, can be taken from the list below for verification:

**Indicators for Verification by External Monitor  
(adopted from ADB sourcebook on IR)**

| <b>Monitoring indicators</b>  | <b>Basis for indicators</b>   |
|---|---|
| <b>Basic information on DPs</b><br>households (gender disaggregated data for all aspects) | <ol style="list-style-type: none"> <li>a. Location of the project,</li> <li>b. Composition and structure, ages, educational, and skill levels</li> <li>c. Gender of household head</li> <li>d. Ethnic group</li> <li>e. Access to health, education, utilities, and other social services</li> <li>f. Land and other resource-owning and resource-using patterns</li> <li>g. Occupations and employment patterns</li> <li>h. Income sources and levels</li> <li>i. Agricultural production data (for rural households)</li> <li>j. Participation in neighborhood or community groups</li> <li>k. Access to cultural sites and events</li> <li>l. Valuation of all assets</li> </ol> |
| <b>Restoration of living standards</b>  | <ol style="list-style-type: none"> <li>a. Were house compensation payments made free of depreciation, fees, or transfer costs to the DPs?</li> <li>b. Have DPs adopted the housing options developed?</li> <li>c. Have perceptions of community been restored?</li> </ol>   |

|  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>d. Have DPs achieved replacement of key social and cultural elements?</li> <li>e. Restoration of livelihoods</li> </ul>   |
| <p><b>Restoration of livelihoods.</b></p> <p>(Disaggregate data for DPs moving to group resettlement sites, self-relocating DPs, and DPs with enterprises affected).</p> | <ul style="list-style-type: none"> <li>a. Was compensation at replacement cost (e.g., are DPs able to replace lost property and assets with the compensation provided), livelihood restoration (e.g., are DPs able to restore their livelihoods and income earning capacity).</li> <li>b. Were compensation payments free of deductions for depreciation, fees, or transfer costs to the DPs?</li> <li>c. Were compensation payments sufficient to replace lost assets?</li> <li>d. Was sufficient replacement land available of suitable standard?</li> <li>e. Did income substitution allow for reestablishment of enterprises and production?</li> <li>f. Have affected enterprises received sufficient assistance to reestablish themselves?</li> <li>g. Have vulnerable groups been provided income-earning opportunities?</li> <li>h. Are these opportunities effective and sustainable?</li> <li>i. Do jobs provided restore pre-project income levels and living standards?</li> <li>j. Levels of DPs satisfaction</li> <li>k. How much do the DPs know about resettlement procedures and entitlements?</li> <li>l. Do the DPs know their entitlements?</li> <li>m. Do they know whether these have been met?</li> <li>n. How do the DPs assess the extent to which their own living standards and livelihoods have been restored?</li> <li>o. How much do the DPs know about grievance procedures and conflict?</li> <li>p. resolution procedures?</li> <li>q. Effectiveness of resettlement planning?</li> <li>r. Were the DPs and their assets correctly enumerated?</li> <li>s. Was the time frame and budget sufficient to meet objectives, were there institutional constraints?</li> <li>t. Were entitlements too generous?</li> <li>u. Were vulnerable groups identified and assisted?</li> <li>v. How did resettlement implementers deal with unforeseen problems?</li> </ul> |
| <p><b>DPs levels of satisfaction</b></p>   | <ul style="list-style-type: none"> <li>a. How much do the displaced persons know about resettlement procedures and entitlements?</li> <li>b. Do the displaced persons know their entitlements?</li> </ul>  |

|   |  |
|---|--|
|   | <ul style="list-style-type: none"> <li>c. Do they know whether these have been met?</li> <li>d. How do the displaced persons assess the extent to which their own living standards and livelihoods have been restored?</li> <li>e. How much do the displaced persons know about grievance procedures and conflict resolution procedures?</li> </ul>  |
| <b>Effectiveness of resettlement planning</b> | <ul style="list-style-type: none"> <li>a. Were the displaced persons and their assets correctly enumerated?</li> <li>b. Was the time frame and budget sufficient to meet objectives, were there institutional constraints?</li> <li>c. Were entitlements too generous?</li> <li>d. Were vulnerable groups identified and assisted?</li> <li>e. How did resettlement implementers deal with unforeseen problems?</li> </ul> |

## Methodology

- a. The Consultant will develop understanding of the objectives of the project by studying various project documents, including project and loan agreements, environment and social management framework of EFAP, Project Administration Manual (PAM), LARP, works components, canal alignment, construction methodology with probable timeline.
- b. The result of the study will be presented in an inception report which will include but not limited to; review of the RPs updating process, a monitoring work plan (including work and field data collection methodology, the preparation of compliance reports and semi-annual monitoring reports). The Inception report will also provide draft formats, as appropriate for various outputs and draft outlines for various reports including section wise LARP compliance report, specific monitoring reports, safeguard monitoring report, semi-annual monitoring report etc. The inception report will be submitted to the PMUs/PIUs and ADB for review and approval;
- c. Section wise RPs compliance report: For any sections/packages that relevant PMU/PIU will propose for handing over for civil works. The Consultant will review the status of compensation award per Section 11 of the LAA, and carry out field visits, a review of records and random interviews of DPs. The review will confirm disbursement of compensation payments and cash assistance (including applicable self-relocation assistance/allowances, shifting allowance, livelihood/transition allowance, vulnerable allowance, etc.) and adequacy of notification and consultations. The review will also assess cases with legal and administrative impediments to compensation, including adequacy of actions taken by the project to address these impediments. Based on the review, the Consultant will submit resettlement audit reports confirming the sections/sites that may be handed over for civil works;
- d. Six months after mobilization and every six months during the implementation of the project, the Consultant will undertake regular independent resettlement monitoring to cover (i) the overall progress in compensation payments, (ii) status of livelihood restoration activities including employment of DPs in project-related jobs, (iii) LAR issues and non-

compliances arising during project implementation, (iv) grievance redress mechanism, including status of complaints and patterns of complaints, (v) information disclosure, and (vi) and consultation activities. These semi-annual reports will be submitted to relevant PMU/PIU and ADB for review and will be uploaded on the ADB website for disclosure. An Input to these semi-annual monitoring report may be the monitoring report to be prepared by the PMUs/PIUs;

- e. A post-resettlement report will be generated within 6 months before the closing of the project. The report shall contain comparison with baseline and compliance status regarding all aspects of LARP. The Report will be submitted to PMUs/PIUs and ADB for review and disclosure;

## **6. Reporting Requirements**

The Consultant is obliged to generate following reports at given frequency:

- a. An Inception Report, including draft formats, as appropriate for various outputs and draft outlines for various reports including section wise LARP compliance report (if required), specific monitoring reports, safeguard monitoring report, semi-annual monitoring report etc., along with proposed field data collection methodology within 2 weeks upon signing of the contract;
- b. Sub-project and/or Section-specific resettlement compliance reports within 2 weeks after receipt of request for handing over for civil works (supported by a compensation monitoring/progress report)
- c. Semiannual monitoring reports within 6 months from mobilization and after every 6 months;
- d. Specific compliance report, safeguard monitoring report, when requested by PMUs/PIUs or ADB and periodic monitoring reports on agreed schedule and formats.
- e. Post-LARP implementation/final report within 6 months before closing of the project

All reports prepared on ADB format will be submitted to PMUs/PIUs, for onward transmittal to ADB. An abbreviated version of the monitoring report will be provided at accessible places (i.e., village and district heads offices) and in Urdu language for the information of DPs.

## **7. Change of Scope**

The Consultant will adhere to any change in scope of work, after consultation with PMUs/PIUs and ADB, and in true spirit of monitoring and evaluation of resettlement activities during the period of engagement.

## **8. Selection Procedures**

Selection of the Consultant will be done as per Guidelines on the Use of Consultants by Asian Development Bank (ADB) and its borrowers March 2013 for individual consultant. The Client shall

evaluate all EOIs and the CVs of prospective individual Consultants on the basis of their responsiveness to the Terms of Reference.

### **9. Type of Contract / Payments**

Lump sum mode of contract will be used. Prices may include all the costs reasonably required to perform the assignment effectively. Payments shall be linked to the outputs as defined in section 8 of TORs. Milestones & payment schedule will be finalized during contract negotiations.

### **10. Cost estimates**

The total lump sum remuneration is \$40,000/- ( inclusive of all taxes, which will be linked with the milestone fixed during contract negotiation and payment schedule will be attached with contract. A lumpsum provision of \$10,000/- would be available to cover the direct cost of the assignment but would be paid as per the actual expenditure made by the Consultant.



**ANNEX 5: RAPID ENVIRONMENTAL ASSESSMENT (REA) CHECKLIST  
(Irrigation)**

**Instructions:**

- (i) The project team completes this checklist to support the environmental classification of a project. It is to be attached to the environmental categorization form and submitted to the Safeguards Division (SDSS) for endorsement by the Director, SDSS and for approval by the Chief Compliance Officer.
- (ii) This checklist focuses on environmental issues and concerns. To ensure that social dimensions are adequately considered, refer also to ADB's: (a) checklists on involuntary resettlement and Indigenous Peoples; (b) poverty reduction handbook; (c) staff guide to consultation and participation; and (d) gender checklists.
- (iii) Answer the questions assuming the "without mitigation" case. The purpose is to identify potential impacts. Use the "remarks" section to discuss any anticipated mitigation measures.

|                               |  |
|-------------------------------|--|
| <b>Country/Project Title:</b> |  |
|                               |  |

| Screening Questions  | Ye<br>s | No | Remarks |
|--|---------|----|---------|
| 1. Project Siting<br>Is the Project area adjacent to or within any of the following environmentally sensitive areas? |         |    |         |
| A. Protected Area  |         |    |         |
| ▪ Wetland  |         |    |         |
| ▪ Mangrove   |         |    |         |
| ▪ Estuarine  |         |    |         |
| ▪ Buffer zone of protected area  |         |    |         |
| ▪ Special area for protecting biodiversity   |         |    |         |
| 2. Potential Environmental Impacts<br>Will the Project cause...  |         |    |         |

|   |  |  |  |
|---|--|--|--|
| <ul style="list-style-type: none"> <li>▪ loss of precious ecological values (e.g. result of encroachment into forests/swamplands or historical/cultural buildings/areas, disruption of hydrology of natural waterways, regional flooding, and drainage hazards)?</li> </ul> |  |  |  |
| <ul style="list-style-type: none"> <li>▪ conflicts in water supply rights and related social conflicts?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ impediments to movements of people and animals?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ potential ecological problems due to increased soil erosion and siltation, leading to decreased stream capacity?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ Insufficient drainage leading to salinity intrusion?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ over pumping of groundwater, leading to salinization and ground subsidence?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ impairment of downstream water quality and therefore, impairment of downstream beneficial uses of water?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ dislocation or involuntary resettlement of people?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ disproportionate impacts on the poor, women and children, Indigenous Peoples or other vulnerable groups?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ potential social conflicts arising from land tenure and land use issues?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ soil erosion before compaction and lining of canals?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ noise from construction equipment?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ dust during construction?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ waterlogging and soil salinization due to inadequate drainage and farm management?</li> </ul>  |  |  |  |

|   |  |  |  |
|---|--|--|--|
| <ul style="list-style-type: none"> <li>▪ leaching of soil nutrients and changes in soil characteristics due to excessive application of irrigation water?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ reduction of downstream water supply during peak seasons?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ soil pollution, polluted farm runoff and groundwater, and public health risks due to excessive application of fertilizers and pesticides?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ soil erosion (furrow, surface)?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ scouring of canals?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ clogging of canals by sediments?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ clogging of canals by weeds?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ seawater intrusion into downstream freshwater systems?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ introduction of increase in incidence of waterborne or water related diseases?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ dangers to a safe and healthy working environment due to physical, chemical and biological hazards during project construction and operation?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ large population influx during project construction and operation that causes increased burden on social infrastructure and services (such as water supply and sanitation systems)?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ social conflicts if workers from other regions or countries are hired?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ risks to community health and safety due to the transport, storage, and use and/or disposal of materials such as explosives, fuel and other chemicals during construction and operation?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ community safety risks due to both accidental and natural hazards, especially where the structural elements or components of the project (e.g., irrigation dams) are accessible to members of the affected community or where their failure could result in injury to the community throughout project construction, operation and decommissioning?</li> </ul> |  |  |  |

## A Checklist for Preliminary Climate Risk Screening

**Country/Project Title:**

**Sector:**

**Subsector:**

**Division/Department:**

| Screening Questions                   |   | Score | Remarks <sup>[1]</sup> |
|---------------------------------------|---|-------|------------------------|
| <b>Location and Design of project</b> | Is siting and/or routing of the project (or its components) likely to be affected by climate conditions including extreme weather-related events such as floods, droughts, storms, landslides?  |       |                        |
|                                       | Would the project design (e.g. the clearance for bridges) need to consider any hydro-meteorological parameters (e.g., sea-level, peak river flow, reliable water level, peak wind speed etc.)?  |       |                        |
| <b>Materials and Maintenance</b>      | Would weather, current, and likely future climate conditions (e.g. prevailing humidity level, temperature contrast between hot summer days and cold winter days, exposure to wind and humidity hydro-meteorological parameters likely affect the selection of project inputs over the life of project outputs (e.g. construction material)? |       |                        |
|                                       | Would weather, current, and likely future climate conditions, and related extreme events likely affect the maintenance (scheduling and cost) of project output(s)?  |       |                        |
| <b>Performance of project outputs</b> | Would weather, climate conditions, and related extreme events likely affect the performance (e.g. annual power production) of project output(s) (e.g. hydro-power generation facilities) throughout their design lifetime?  |       |                        |

Options for answers and corresponding score are provided below:

| Response    | Score |
|-------------|-------|
| Not Likely  | 0     |
| Likely      | 1     |
| Very Likely | 2     |

Responses when added that provide a score of 0 will be considered low risk project. If adding all responses will result to a score of 1-4 and that no score of 2 was given to any single response, the project will be assigned a medium risk category. A total score of 5 or more (which include providing a score of 1 in all responses) or a 2 in any single response, will be categorized as high risk project.

**Result of Initial Screening (Low, Medium, High):** \_\_\_\_\_

**Other**

**Comments:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Prepared by:** \_\_\_\_\_

<sup>[1]</sup> If possible, provide details on the sensitivity of project components to climate conditions, such as how climate parameters are considered in design standards for infrastructure components, how changes in key climate parameters and sea level might affect the siting/routing of project, the selection of construction material and/or scheduling, performances and/or the maintenance cost/scheduling of project outputs.

## RAPID ENVIRONMENTAL ASSESSMENT (REA) CHECKLIST (Roads and Highways)

**Instructions:**

- (i) The project team completes this checklist to support the environmental classification of a project. It is to be attached to the environmental categorization form and submitted to the Safeguards Division (SDSS), for endorsement by Director, SDSS and for approval by the Chief Compliance Officer.
- (ii) This checklist focuses on environmental issues and concerns. To ensure that social dimensions are adequately considered, refer also to ADB's: (a) checklists on involuntary resettlement and Indigenous Peoples; (b) poverty reduction handbook; (c) staff guide to consultation and participation; and (d) gender checklists.
- (iii) Answer the questions assuming the "without mitigation" case. The purpose is to identify potential impacts. Use the "remarks" section to discuss any anticipated mitigation measures.

|                               |  |
|-------------------------------|--|
| <b>Country/Project Title:</b> |  |
| <b>Sector Division:</b>       |  |

| Screening Questions   | Ye<br>s | No | Remarks |
|---|---------|----|---------|
| <b>A. Project Siting</b><br>Is the project area adjacent to or within any of the following environmentally sensitive areas? |         |    |         |
| ▪ Cultural heritage site  |         |    |         |
| ▪ Protected Area  |         |    |         |
| ▪ Wetland   |         |    |         |
| ▪ Mangrove  |         |    |         |
| ▪ Estuarine   |         |    |         |
| ▪ Buffer zone of protected area   |         |    |         |
| ▪ Special area for protecting biodiversity  |         |    |         |
| ▪ Potential Environmental Impacts<br>Will the Project cause...  |         |    |         |

|  |  |  |  |
|--|--|--|--|
| <ul style="list-style-type: none"> <li>▪ encroachment on historical/cultural areas; disfiguration of landscape by road embankments, cuts, fills, and quarries?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ encroachment on precious ecology (e.g. sensitive or protected areas)?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ alteration of surface water hydrology of waterways crossed by roads, resulting in increased sediment in streams affected by increased soil erosion at construction site?</li> </ul>       |  |  |  |
| <ul style="list-style-type: none"> <li>▪ deterioration of surface water quality due to silt runoff and sanitary wastes from worker-based camps and chemicals used in construction?</li> </ul>                                      |  |  |  |
| <ul style="list-style-type: none"> <li>▪ increased local air pollution due to rock crushing, cutting and filling works, and chemicals from asphalt processing?</li> </ul>  |  |  |  |
| <p>B. risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during project construction and operation during project construction and operation?</p> |  |  |  |
| <ul style="list-style-type: none"> <li>▪ noise and vibration due to blasting and other civil works?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ dislocation or involuntary resettlement of people?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ dislocation and compulsory resettlement of people living in right-of-way?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ disproportionate impacts on the poor, women and children, Indigenous Peoples, or other vulnerable groups?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ other social concerns relating to inconveniences in living conditions in the project areas that may trigger cases of upper respiratory problems and stress?</li> </ul>                    |  |  |  |
| <ul style="list-style-type: none"> <li>▪ hazardous driving conditions where construction interferes with pre-existing roads?</li> </ul>  |  |  |  |

|  |  |  |  |
|--|--|--|--|
| <ul style="list-style-type: none"> <li>▪ poor sanitation and solid waste disposal in construction camps and work sites, and possible transmission of communicable diseases (such as STI's and HIV/AIDS) from workers to local populations?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ creation of temporary breeding habitats for diseases such as those transmitted by mosquitoes and rodents?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ accident risks associated with increased vehicular traffic, leading to accidental spills of toxic materials?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ increased noise and air pollution resulting from traffic volume?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ increased risk of water pollution from oil, grease and fuel spills, and other materials from vehicles using the road?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ social conflicts if workers from other regions or countries are hired?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ large population influx during project construction and operation that causes increased burden on social infrastructure and services (such as water supply and sanitation systems)?</li> </ul>  |  |  |  |
| <ul style="list-style-type: none"> <li>▪ risks to community health and safety due to the transport, storage, and use and/or disposal of materials such as explosives, fuel and other chemicals during construction and operation?</li> </ul>   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ community safety risks due to both accidental and natural causes, especially where the structural elements or components of the project are accessible to members of the affected community or where their failure could result in injury to the community throughout project construction, operation and decommissioning.</li> </ul> |  |  |  |

### Annex 6: Checklist for Preliminary Climate Risk Screening

**Country/Project Title:**

**Sector:**

**Subsector:**

**Division/Department:**

| Screening Questions                   |   | Score | Remarks <sup>[1]</sup> |
|---------------------------------------|---|-------|------------------------|
| <b>Location and Design of project</b> | Is siting and/or routing of the project (or its components) likely to be affected by climate conditions including extreme weather-related events such as floods, droughts, storms, landslides?  |       |                        |
|                                       | Would the project design (e.g. the clearance for bridges) need to consider any hydro-meteorological parameters (e.g., sea-level, peak river flow, reliable water level, peak wind speed etc.)?  |       |                        |
| <b>Materials and Maintenance</b>      | Would weather, current, and likely future climate conditions (e.g. prevailing humidity level, temperature contrast between hot summer days and cold winter days, exposure to wind and humidity hydro-meteorological parameters likely affect the selection of project inputs over the life of project outputs (e.g. construction material)? |       |                        |
|                                       | Would weather, current, and likely future climate conditions, and related extreme events likely affect the maintenance (scheduling and cost) of project output(s)?  |       |                        |
| <b>Performance of project outputs</b> | Would weather/climate conditions, and related extreme events likely affect the performance (e.g. annual power production) of project output(s) (e.g. hydro-power generation facilities) throughout their design lifetime?   |       |                        |

Options for answers and corresponding score are provided below:

| Response    | Score |
|-------------|-------|
| Not Likely  | 0     |
| Likely      | 1     |
| Very Likely | 2     |

Responses when added that provide a score of 0 will be considered low risk project. If adding all responses will result to a score of 1–4 and that no score of 2 was given to any single response, the project will be assigned a medium risk category. A total score of 5 or more (which include providing a score of 1 in all responses) or a 2 in any single response, will be categorized as high risk project.

**Result of Initial Screening (Low, Medium, High):** \_\_\_\_\_

**Other**

**Comments:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Prepared by:** \_\_\_\_\_

<sup>[1]</sup> If possible, provide details on the sensitivity of project components to climate conditions, such as how climate parameters are considered in design standards for infrastructure components, how changes in key climate parameters and sea level might affect the siting/routing of project, the selection of construction material and/or scheduling, performances and/or the maintenance cost/scheduling of project outputs.



**ANNEX 7: OUTLINE OF An Initial Environmental Examination**

# Initial Environmental Examination

Project Number: XXX

Revision No. Date

PAK: Project Title

Prepared by Insert EA Name and the Asian Development Bank.

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Exchange Rates

Currency Exchange Rates as of **Insert Date**  
1 US\$ = **Insert rate**  
(\$ refers in this report to US-Dollars)

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#### 1.1.2 Implementation

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