

**Government of the Republic of the Union of Myanmar**

**National Community Driven Development Project**

**Environmental and Social Management Framework**

(March 19, 2015)

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## **List of Acronyms**

|       |   |
|-------|---|
| AF    | Additional Financing  |
| CDD   | Community-Driven Development                                |
| CF    | Community Facilitator                                       |
| DRD   | Department of Rural Development                             |
| ECoP  | Environmental Code of Practice                              |
| EMP   | Environmental Management Plan                               |
| ESMF  | Environmental and Social Management Framework               |
| ESSAF | Environmental and Social Screening and Assessment Framework |
| GHM   | Grievance Handling Mechanism                                |
| GoM   | Government of Myanmar                                       |
| IDA   | International Development Association                       |
| IP    | Indigenous People   |
| IPF   | Investment Project Financing                                |
| IPP   | Indigenous Peoples Plan                                     |
| NCDDP | National Community Driven Development Project               |
| OP    | Operational Policy  |
| RAP   | Resettlement Action Plan                                    |
| SA    | Social Assessment   |
| TA    | Technical Assistance  |
| TF    | Technical Facilitator                                       |
| TPIC  | Township Planning and Implementation Committee              |
| TTA   | Township Technical Assistance                               |
| VPSC  | Village Project Support Committee                           |
| VTPSC | Village Tract Project Support Committee                     |
| VTPD  | Village Tract Project Development Plan                      |

## A. Introduction

1. A core part of the reforms launched by the Government since 2011 has been an effort to move from top down to “people-centered” development. To put this approach into practice in Myanmar’s rural areas, the Government in 2012 requested the World Bank’s technical and financial support in order to assist in the design and implementation of a National Community Driven Development Project (NCDDP) that would empower communities to determine their own development path, emphasizing transparency and accountability in the use of funds.
2. Prepared in the initial stages of the World Bank Group’s re-engagement with Myanmar, the original NCDDP was prepared according to the World Bank Operational Policy (OP) 8.00 (Rapid Response to Crises and Emergencies). Following OP 8.00, the Government developed and adopted an Environmental and Social Screening and Assessment Framework (ESSAF) as the main safeguard document to be followed for specific project investments during implementation. Since sub-projects to be financed under the NCDDP are identified by communities during implementation, the ESSAF established a mechanism to 1) determine and assess potential environmental and social impacts of sub-projects at the time of their planning, and 2) set out mitigation, monitoring and institutional measures to be taken during the implementation and operation of the sub-projects to eliminate potential adverse environmental and social impacts, offset them, or reduce them to acceptable levels. More detailed information, including standard forms to be used to monitor and record environmental and social impacts during subprojects implementation are included in the project Operations Manual.
3. The original NCDDP, financed out of a \$80m IDA grant and comprising the same five components outlined in section C below, was designed to provide village tract grants to all village tracts in one township in each of the 15 states and regions of Myanmar (including the Nay Pyi Taw Union Territory). To facilitate adaptive learning, the Project adopted a gradual rollout strategy, beginning with three townships in year 1, adding six townships in year 2, and six more in year 3. Since becoming effective in January 2013, the NCDDP has delivered substantial results in a short period of time. During the first community cycle (from October 2013 through June 2014) the project financed 357 subprojects in three townships aimed at increasing access to and use of basic infrastructure and services, including rehabilitating and expanding school buildings, health centers, water supply systems, and roads, footpaths, jetties and bridges.<sup>1</sup> The second community cycle is currently underway, with the project expanding to operate in nine townships in total and providing direct benefits to almost 850,000 people in some of the country’s poorest and most remote rural areas. Over 1,000 sub-projects will be identified, designed and implemented by communities across the country over the next six months.
4. In late 2014, the Government of Myanmar (GoM) requested an Additional Financing (AF) using IDA resources to build on the Project’s achievements and allow it to benefit a larger number of communities by expanding its geographical coverage and increasing the number of grant cycles available to beneficiary communities. An IDA credit of up to \$400 million is now under preparation under OP10.00 (Investment Project Financing, IPF). As part of the request for AF, the Government also requested an extension of the original closing date by two years, from 31 January 2019 to 31 January 2021, in order to align the IDA financing for the NCDDP. In the context of preparing the additional financing, and in accordance with OP10.00<sup>2</sup> on IPF, the ESSAF has been updated and amended in line with applicable safeguard policies, namely, OP 4.01, 4.04, 4.10 and 4.12, as this Environmental and Social Management Framework (ESMF). The ESMF will serve as the sole safeguard instrument for all activities financed under the NCDDP, including the original IDA grant, the additional IDA credit

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<sup>1</sup> The three townships were Namhsan township in Shan State, Kanpetlet township in Chin State, and Kyunsu township in Thanintharyi Region.

<sup>2</sup> OP 10.00 on Investment Project Financing has replaced the old OP 8.00.

financing, parallel co-financing provided by other donors, such as the proposed concessional €20 million loan from the Government of Italy, and Government parallel co-financing of sub-projects. This concessional Italian loan would provide co-financing to expand the NCDDP project to additional townships. It would follow all project implementation arrangements, including on the safeguards measures outlined in this document.<sup>3</sup>

## B. Additional Financing Project Development Objective

5. The project development objective under the AF is the same as the original NCDDP: to enable poor rural communities to benefit from improved access to and use of basic infrastructure and services through a people-centered approach and to enhance the Government's capacity to respond promptly and effectively to an eligible crises or emergency. The objective will be achieved through: (i) financing community-identified rural infrastructure investments; (ii) strengthening the capacity of communities in partnership with local authorities to effectively identify, plan and implement their development priorities; and (iii) facilitating the participation of the poor and vulnerable, both women and men, throughout the project cycle at the community level.

## C. Project Components

6. Except for a geographic expansion to additional townships, the scope of the AF including the Italian co-financing will remain the same as the original NCDDP and continue to support the same five components, as elaborated below. Each component includes specific activities that seek a gender balance as well as to empower women.

7. **COMPONENT 1: COMMUNITY BLOCK GRANTS:** The NCDDP will finance four annual cycles of on average US\$33,000 per village tract to approximately 68 townships for priority community level infrastructure. The infrastructure to be financed will be based on an open menu (with a list of non-eligible activities for community investments [negative list]) and typically include small feeder roads, foot-paths and bridges, drinking water systems, rehabilitation of class rooms and health centers, and small-scale rural electrification such as micro hydro or solar panels. Considering the lack of familiarity of local authorities and communities with the concept of community empowerment, the first annual cycle in each township is limited to a positive list of sub-projects that are easier to implement (using simple standardized designs) focused on rehabilitation and minor extension works. Block grants are allocated through a participatory planning process covering all villages within a village tract, and all village tracts in selected townships are covered for equity purposes. Planning and prioritization of sub-projects will be undertaken by villagers and representative village tract subcommittees in line with guidelines outlined in the Operations Manual.<sup>4</sup>

### Selection of Project Locations

8. The primary criterion for selecting the participating townships is poverty; additional criteria are (i) absence of external funding for similar activities, and (ii) willingness and capability of township authorities to implement the project. Beneficiary townships are selected through a multi-stakeholder

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<sup>3</sup> The World Bank is preparing an agreement with the Government of Italy to provide Bank supervision services for the €20 million concessional loan from the Government of Italy to the Government of Myanmar to scale up the National CDD Project.

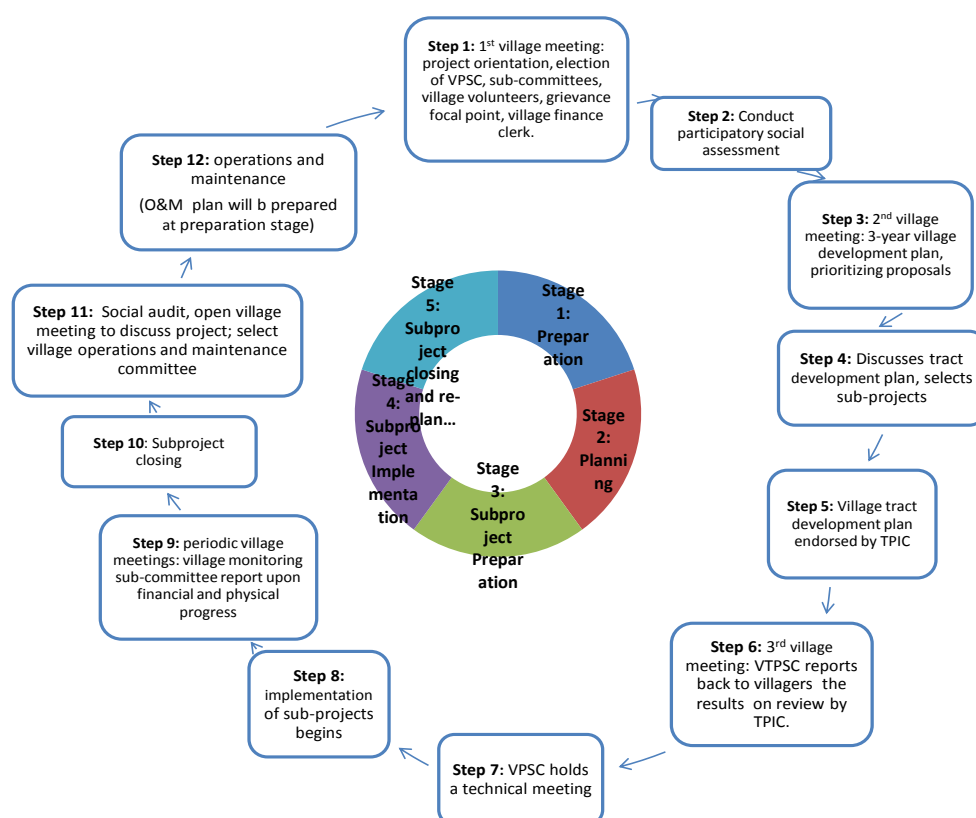
<sup>4</sup> The Operations Manual is available on the NCDDP website at: <http://cdd.drdmyanmar.org/eng/project-manuals/>

township selection consultation held at the Capital of the Region/State. Following these consultations, the Region/State Chief Minister will report to the Ministry of Livestock, Fisheries and Rural Development (MLFRD) the townships ranked as highest priority for the Project. Thereafter, MLFRD will submit the result to the Foreign Aid Management Working Committee, in its capacity as the Project's Steering Committee to select one or several Project townships. These selections will then be sent to the World Bank for its No-Objection.

## Planning Cycle

9. The project is implemented in Cycles. Each Cycle follows 12 steps, shown in the figure 1 below:

**Figure 1: Project Cycle at the Community Level**



10. Community facilitators supported by village volunteers use a range of participatory methods to help villagers identify their priority needs, the priority interventions to meet these needs (captured in a village development plan), and the priority groups that benefit from these interventions, including the poor and marginalized groups. The village tract project sub-committee (VTPSC) reviews the respective village development plans and prioritize the interventions against the needs of the tract and the available funding envelope in a 3-year village tract development plan, updated annually.

11. The Township Project Implementation Committee (TPIC) reviews the village tract development plans against existing sector plans and other known assistance to the township and endorses activities proposed for the coming year in each village tract. If there is a difference of view with regard to the priorities presented in a village tract development plan (for example, if the village tract plan proposes the construction of a school, but such construction is already foreseen by the Ministry of Education), the VTPSC will be asked to re-assess the priorities based on this information and submit a revised plan to the township level for endorsement.

12. Community facilitators, technical facilitators and village volunteers will assist the villagers and VTPSC in the preparation of their plans. They also ensure that separate consultations are held with women and men in the villages so as to identify their respective needs and priorities. They are in turn assisted by and accountable to the DRD township offices and the township technical assistance team.

13. The village and village tract development plans are updated annually in advance of the next allocation cycle. The villagers and VTPSC re-evaluate their needs and adjust the priority interventions as necessary. The Township Project Implementation Committee (TPIC) endorses significant deviations from a previous tract development plan (as detailed in the project Operations Manual) but otherwise receives the updated plans for information only. In case of any differences about the updated village tract development plan, the VTPSC are asked to re-assess the priorities and submit a revised plan.

14. The DRD engineers and technical facilitators at the township level will prepare the technical design of sub-projects with support from the TA infrastructure specialist and are responsible for ensuring compliance with all applicable safeguards during sub-project implementation. The village monitoring sub-committees supervise the day-to-day implementation of the sub-projects and authorize payments to the contractors and laborers. The village procurement sub-committee is responsible for the procurement of goods, works and services, assisted by the DRD engineer. Financial management and contracting is undertaken by the village tract finance sub-committee.

15. Sub-projects may cover more than one village within a tract. A VTPSC may select a sub-project from within its annual allocation that directly benefits more than one of its villages. In this case, the DRD engineer prepares the sub-project in consultation with the committee members, community facilitators and village volunteers. The VTPSC reviews and approves the sub-project. The monitoring sub-committees of the benefiting villages jointly supervise the implementation of the sub-project and authorize payments to the contractors and laborers.

16. There is no community counterpart contribution required in cash or in kind for any of the sub-projects, although communities are allowed to contribute if they wish to. No one should be forced to contribute any assets against their will, and principles of voluntary donations apply. Labor services rendered by community members are remunerated based on the going village wage rate for day labor, with equal pay for equal work by men and women. The rates are reviewed on a regular basis by the township DRD office.

### Sub-project Eligibility

17. To allow a learning-by-doing approach, a positive list is used for the first community cycle in each township, consisting of sub-projects which are simple to design and implement. These include small-scale works for the rehabilitation or minor extension of community infrastructure that use a standardized design, and for which procurement needs from outside the tract are minimal. The first year positive list is presented in Table 1 and is included in the project Operations Manual.

**Table 1: Positive List of Sub-Projects under Cycle 1**

|   | <b>Eligible Sub-Project categories</b>                                     | <b>Clarifications and Limitations on Eligible Categories</b>  |
|---|--|---|
| 1 | Rural health centers   | Rehabilitation or minor extension of existing facilities.   |
| 2 | School buildings   | Rehabilitation or minor extension of existing facilities.   |
| 3 | Rural roads (roads connecting villages, and between villages and township) | Rehabilitation or maintenance of existing footpaths and roads within existing alignment. Rehabilitation or maintenance of small bridges and culverts. |

|    | <b>Eligible Sub-Project categories</b> | <b>Clarifications and Limitations on Eligible Categories</b>  |
|----|--|---|
|    |  |   |
| 4  | Rural water supply systems             | Rehabilitation or minor extension of wells; rainwater harvesting; installation of minor pipelines from natural springs or surface water sources, which are not located on the mainstream of the Ayeyarwady River or on or along the Maykha and Malikha tributaries. |
| 5  | Rural electrification investments      | Solar panel and charge station, pico hydro (<30kW), solar street lighting, bio gas charge station, diesel generator (<20 kilovolt-amps), biomass generator (<15 kilovolt-amps).   |
| 6  | Community recreation centers           | Rehabilitation or minor extension of existing facilities, including for child care and telecommunications.  |
| 7  | Rural markets                          | Rehabilitation or minor extension of existing facilities.   |
| 8  | Small scale irrigation                 | Rehabilitation (<25 hectares).  |
| 9  | Sanitation facility                    | Rehabilitation, minor extension or construction of public latrines, small scale wastewater treatment and waste disposal facilities.   |
| 10 | Jetty                                  | Rehabilitation or minor extension of existing public facilities.  |

18. During the second and later years of operation in each village tract, all types of sub-projects are eligible for funding, including small new construction activities, except those included in a list of non-eligible activities for community investments (negative list, see Table 2 below). Items are included in the negative list either because (i) they are not consistent with the project development objective; (ii) they would contravene the laws of Myanmar, or (iii) costs of offsetting associated negative impacts would exceed benefits, taking into account the size of the investment.

**Table 2: List of Non-eligible Activities for Community Investments for NCDDP Sub-Projects (Year 2 and Beyond)**

| <b>Sub-Projects not Eligible for Funding in NCDDP</b> |  |
|---|--|
| 1   | are not included in the village tract development plan endorsed by the TPIC;   |
| 2   | exclude the poor or marginalized population groups;  |
| 3   | do not provide equal pay for equal work for women and men;   |
| 4   | require physical relocation or displacement of any villagers   |
| 5   | include the payment of compensation for land or asset loss from the proceeds of the World Bank financing or other government sources;  |
| 6   | finance private goods, private livelihood activities, government offices or religious buildings;   |
| 7   | do not meet the required technical and quality specifications;   |
| 8   | have negative environmental or social impacts that are irreversible, create cumulative impacts and/or cannot be adequately mitigated;  |
| 9   | are financed, or scheduled to be financed, by the government or other development partners;  |
| 10  | contain the purchase or use of drugs, military equipment or other potentially dangerous materials and equipment, including chain saws, pesticides; insecticides; herbicides; asbestos (including asbestos-containing materials); or other investments detrimental to the environment and livelihoods including cultural resources; |
| 11  | involve activities that cause or lead to child abuse, child labor exploitation or human trafficking; *   |
| 12  | finance the construction of any new dams or the rehabilitation of existing dams including structural and or operational changes;   |
| 13  | sub-projects that may use water from international waterways including activities such as community water supply, small scale irrigation or pico-hydropower generations facilities on the mainstream of the  |



| <b>Sub-Projects not Eligible for Funding in NCDDP</b> |   |
|---|---|
|   | Ayeyarwaddy River. The Project also will not finance community water supply and small scale irrigation on or along the the Maykha and Malikha tributaries of the Ayeyarwaddy River;   |
| 14  | any new construction and/or rehabilitation in protected areas, reserved forests (or proposed protected areas) or other natural habitats or areas of high national conservation level that could have the potential to cause significant conversion (loss) or degradation of such natural habitats unless specified as planned investments as part of the respective PA management plan (where such a plan exists).<br><i>Note: rehabilitation of existing infrastructure which has been already developed (e.g., existing paths or tracks for tourism purposes) is possible if the respective subproject is in line with the park development/management plan, and subject to agreement of Union DRD.</i> |
| 15  | involve development of new settlements or expansion of existing settlements in critical habitats, protected areas or areas proposed for certain levels of national protection (e.g., reserved forests).<br><i>Note: Where settlements already exist, proposals for funding should be in compliance with any local regulations on land management and other provisions of the protected area management plan.</i>  |

\* No child under the age of 15 should work on the construction, rehabilitation or maintenance of a sub-project.

19. The list of non-eligible activities for community investments (negative list) is also specified in the project Operations Manual. DRD and the World Bank review the positive list and the list of non-eligible activities for community investments (negative list) periodically and update them, as needed, based on the experiences gained during implementation and consultations with community facilitators and DRD staff.

20. **COMPONENT 2: FACILITATION AND CAPACITY DEVELOPMENT:** The project invests heavily in local facilitation and capacity development to finance technical assistance and institutional support at the union and township levels, including the hiring of community facilitators for the purpose of supporting the implementation of community driven activities under component 1 and a grievance redress mechanism. In this context, the project will support capacity development in areas such as participatory processes, project management, gender equality and inclusion, environmental management and social accountability for local committee members as well as government staff at the township, region/state and union levels.

21. **COMPONENT 3: KNOWLEDGE AND LEARNING:** This component supports government staff and community and civil society representatives through learning from community based approaches implemented within and beyond Myanmar. This will build on successful south-south learning exchanges undertaken during implementation to date to expose government counterparts to successful community driven development approaches in ASEAN countries and other regions. The project will also continue organizing annual multi-stakeholder reviews to share experiences from the previous cycle and discuss ways to improve the project's design and implementation for the next cycle. These reviews will include lessons learned with regard to governance and anti-corruption measures. Moreover, the project will fund an annual "development marketplace" to highlight the most promising innovations in people-centered development in Myanmar with a view to initiating these in the project areas. Finally, a CDD gender network will be established for the project to improve gender equality and women's empowerment.

22. **COMPONENT 4: IMPLEMENTATION SUPPORT:** The project finances the cost associated with DRD project management at the union and township levels, including monitoring and evaluation, reporting and communications as well as administration and logistical support for project implementation. Furthermore, this component will include third-party financial and technical audits. This component also includes financing for minor civil works for the rehabilitation and/or construction of office facilities.

23. **COMPONENT 5: EMERGENCY CONTINGENCY RESPONSE.** This provisional zero component is added to allow for the rapid reallocation of Project financing from other components in order to provide preparedness and rapid response support to disaster, emergency and/or catastrophic events, as needed.

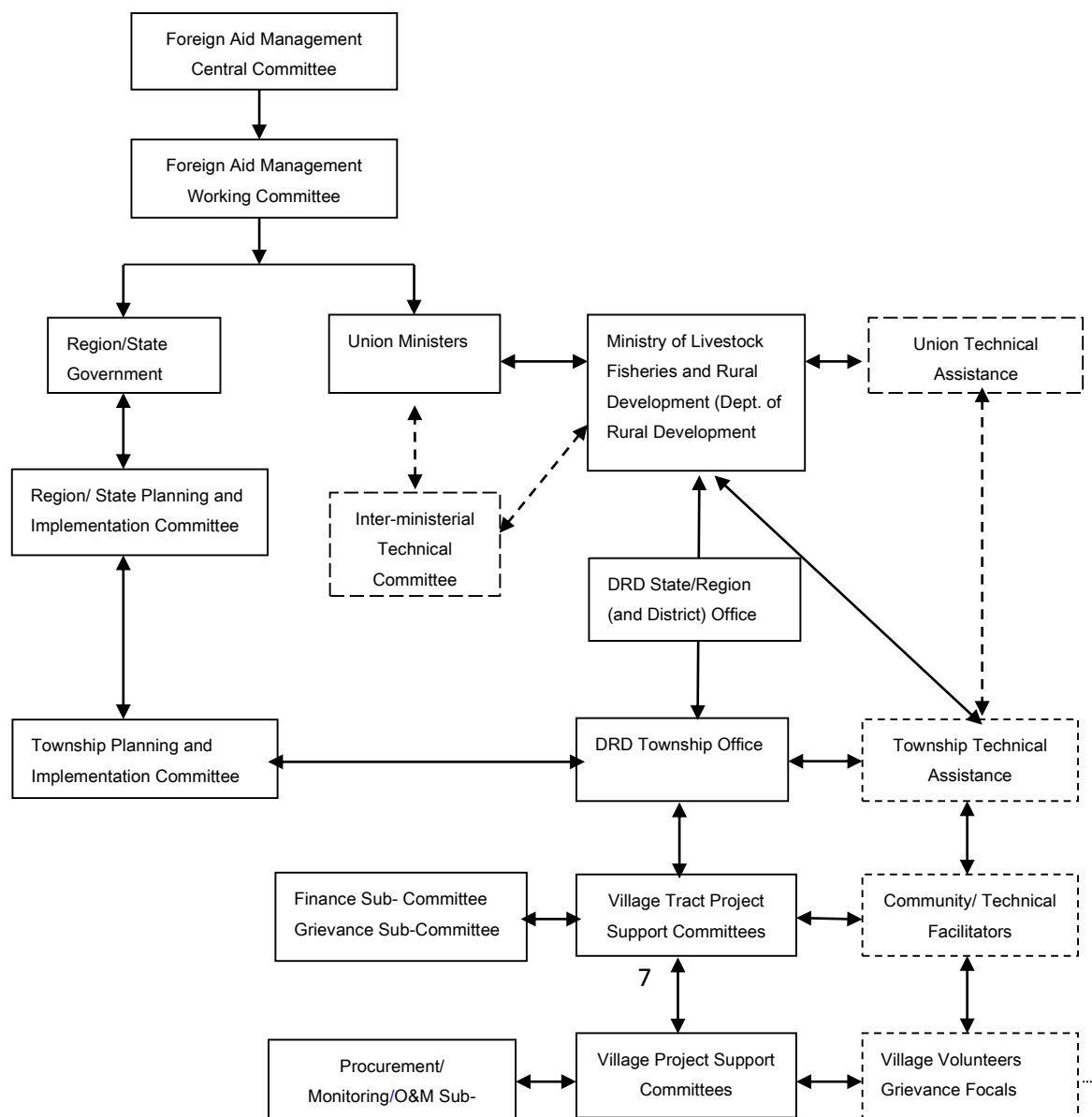
## D. Project Implementation Arrangements

24. The NCDDP is implemented at four levels: the Union, Region/State level, Township level, and Village Tract and Village level. A schematic illustration of the implementation arrangements is provided in the figure below.

25. At the Union level, the Department of Rural Development (DRD) under the Ministry of Livestock, Fisheries and Rural Development implements the NCDDP on behalf of the GoM. DRD, through the CDD Secretariat established in it, is responsible for overall compliance with the project Operations Manual, procurement of consultancy services for technical assistance and institutional support, communications and outreach, and capacity development of all project stakeholders. DRD will also make regular monitoring and supervision visits to project locations, review township monthly reports, resolve management and implementation issues as they arise, and provide a learning feedback loop with the townships. DRD will provide quarterly progress reports to the steering committee and the World Bank.

26. DRD at the Union level is supported by the Union Technical Assistance (TA) Team. The Union TA team is led by Team Leader (Lead CDD Specialist) and supported by team members including specialists in the areas of procurement, financial management, grievance handling, training and monitoring and evaluation. Responsibility for implementing and ensuring adherence to the ESMF rests with DRD at the union level, supported by the union level TA team and through the day-to-day operations and supervision of DRD at the township level supported by the township TA teams.

**Figure 2: Institutional Structure**



27. The Foreign Aid Management Working Committee is an inter-ministerial committee that includes relevant Union ministers, deputy-ministers and director generals to coordinate development assistance to Myanmar. It serves as the project's steering committee and provides general oversight over the project. It also approves the selection of the participating townships, and advises DRD on implementation matters, facilitates the resolution of any policy level or complex operational issues, and supports and coordinates the involvement of relevant ministries.

28. The inter-ministerial technical committee at the Union level provides a variety of technical assistance related to the project. This committee meets at the DRD office in Nay Pyi Taw on a quarterly basis or as needed, discusses various technical matters relating to the constraints and progress of the project, and coordinates, cooperates and draws the necessary support from related departments.

29. The region/state level authorities play a coordination and oversight role. The respective Region/State Government will select five townships by holding a multi-stakeholder meeting at the Capital of the Region/State, and shall send the five townships selected during the meeting with comments to the Ministry of National Planning and Economic Development and Ministry of Livestock, Fisheries and Rural Development for review and endorsement by the Union level agencies. The region/state DRD offices are responsible for coordination between the respective region/state government ministries and other related departments. As the NCDDP expands, the Region/State and District levels may also act as a coordination point for assistance provided to townships.

30. At the township level, the Township Planning and Implementation Committee (TPIC) and township DRD office (through the township CDD secretariat) assume primary responsibilities for project implementation.

31. The township CDD secretariat, which consists of the head of office, M&E officer, MIS assistant and infrastructure specialist, among other staff, is responsible for project implementation at the township level through its existing offices. Dedicated project and administrative staff are assigned to each township CDD secretariat and provide continuous technical support to community facilitators and village tract committees. They are also responsible for coordinating with government departments and other development partners, as well as monitoring and reporting project activities in the townships.

32. The Township Planning and Implementing Committee (TPIC) is the extension of the existing township aid management sub-committee which is the node where the state and community levels interact both administratively and substantively. This committee and sub-committee bring together a broad range of ministries present at the township level. The TPIC includes line ministry representatives (health, education, agriculture, planning, etc.) and oversees project implementation in the township. The TPIC reviews and endorses the first development plan of each village tract (following confirmation that all project requirements have been met). Subsequent annual revisions will be sent to the TPIC but will require TPIC endorsement only in cases of significant deviations from original plans.

33. Each Township DRD (township CDD Secretariat) will receive technical support from technical assistance teams and the union DRD office, on issues including financial management, procurement, MIS, grievance handling and others.

34. At the village tract/village level, the Village Tract Project Support Committee (VTPSC) and village project support committees are responsible for ensuring that the community planning process and sub-project implementation cycle at the village tract and village levels, respectively, are carried out with due diligence and efficiency and in accordance with the project Operations Manual and ESMF.

35. The VTPSC will review the respective village development plans and prioritize the interventions against the needs of the tract and the available funding envelope in a 3-year village tract development plan. In each Village Tract, the village tract grievance sub-committee is established under the VTSPC,

whose tasks include supporting the grievance information campaign, monitoring progress of grievance handling activities, and collecting/receiving and responding to complaints/grievances and where necessary, referring such to the township level. The grievance sub-committee is composed of one to two representatives from each village who are not members of the village tract project support committee.

36. At the village level, the Village Project Support Committee (VPSC) is formed and assumes primary responsibility in project implementation at the village level, including the preparation and implementation of sub-projects in line with ESMF. The VPSC is responsible for planning, prioritizing and implementing community infrastructure sub-projects. Project staff, notably the Community Facilitators, ensure that the VPSC is formed in accordance with the provisions of the project Operations Manual, including ensuring that 50 percent of members are women.

37. The village monitoring sub-committees are established under the Village Project Support Committee (VPSC) and report regularly to the villagers about progress in sub-project implementation. This sub-committee will supervise the implementation of the sub-projects.

38. Village Volunteers will assist the community facilitator throughout project implementation. Among other tasks, they will help enhance the involvement of ethnic minorities in the decision-making process in the village tract project support committees; participation of ethnic minority representatives in village implementation committees and monitoring sub-committees; and the use of local languages in the dissemination of project-related information.

39. The grievance focal point is selected through participatory community meetings. The grievance focal point is responsible for handling grievances at the village level and is the primary contact point for anyone wishing to file a grievance.

**Table 3: Entities Involved in Project Implementation at Village Level**

| <b>Name</b>                             | <b>Membership</b>  | <b>Main Functions</b>  | <b>Status</b>   |
|---|--|--|---|
| <u>Village</u>                          |  |  |   |
| Village Project Support Committee       | Elected by groups living in the village with 50 percent of the committee composed of women; supported by village volunteer and community facilitator | Identifying priority needs, participating in sub-project design and screening  | Established in villages in the three year 1 townships, about to be established in the six year 2 townships, to be established in subsequent townships |
| Monitoring and Evaluation sub-committee | 2-persons selected from Village Project Support Committee members  | Monitoring implementation of sub-projects including safeguards; providing periodic reports to village                    | Established in villages in the three year 1 townships, about to be established in the six year 2 townships, to be established in subsequent townships |
| Grievance focal persons                 | 2 persons selected by villages   | Resolving community level grievances where possible, providing information about project grievance resolution mechanisms | Selected in villages in the three year 1 townships, about to be established in the six year 2 townships, to be established in subsequent townships    |

## E. Applicable National Laws of Myanmar

### *Land Laws*

40. Myanmar does not have a unitary land law but has several laws for different categories of land. All land belongs to the state under the current legal system, and land users receive certificates from the Settlement Land Records Department. The Land Acquisition Act (1894) provides certificates. When private land is acquired or private assets such as trees and standing crops are lost under public or private projects, compensation is paid at market value. The Act also provides that affected people with complaints can bring the case to court.

41. A new Farmland Law was adopted in March 2012 which introduced various reforms such as the recognition that farmland owners are able to sell, mortgage, lease, exchange, inherit or donate all or part of their farmland. There is also the requirement that compensation be paid for both land and buildings attached to it. The Vacant, Fallow and Virgin Land Management Law, which was also adopted in March 2012, defines legal provisions on unused land.

### *Ethnic Minorities*

42. According to the 2014 census, Myanmar has a population of 51.4 million. While ethnically disaggregated data from the census are not yet available, estimates suggest that the Bamar are the largest ethnic group, comprising around two-thirds of the population, with a large number of ethnic minorities accounting for about one-third. The majority Bamar population mainly lives in the central and delta parts of the country (divided into seven administrative Regions) while the ethnic minorities live mainly, though not exclusively, in the mountainous border areas (roughly corresponding to the country's seven States: Kayah, Kayin, Kachin, Chin, Mon, Rakhine, and Shan). Main minority groups include Shan, Kayin, Rakhine, Chin, Mon, Kachin, and Kayah. These eight "ethnic races," including the majority Bamar, are subdivided into 135 officially recognized ethnic groups and belong to five linguistic families (Tibeto-Burman, Mon-Khmer, Tai-Kadai, Hmong-Mien, and Malayo-Polynesian); there are no population figures for ethnic minority sub-groups.

43. According to Chapter 1, clause 22 of the 2008 Constitution of Myanmar, the Union Government of Myanmar is committed to assisting in developing and improving the education, health, language, literature, arts, and culture of Myanmar's "national races." It is stated, that the "Union shall assist:

- To develop language, literature, fine arts and culture of the National races;
- To promote solidarity, mutual amity and respect and mutual assistance among the National races; and
- To promote socio-economic development including education, health, economy, transport and communication, [and] so forth, of less-developed National races."

44. The constitution provides equal rights to the various ethnic groups included in the national races and a number of laws and regulations aim to preserve their cultures and traditions. This includes the establishment of the University for the Development of the National Races of the Union which was promulgated in 1991 to, among other things, preserve and understand the culture, customs and traditions of the national races of the Union, and strengthen the Union spirit in the national races of the Union while residing in a friendly atmosphere and pursuing education at the University. However, the list of recognized ethnic groups has not been updated since 1982.

45. Since independence, there have been recurring conflicts between the Government and a number of ethnic armed groups over a range of issues, including relating to greater autonomy, recognition of cultural rights, and governance of natural resources. The Government's peace initiative, launched in 2011, has seen the conclusion or renewal of a number of ceasefire agreements with ethnic armed groups, although

conflict continues in Kachin and northern Shan State. Following a number of bilateral ceasefire agreements between the Government and ethnic armed groups, some ethnic minority groups have been granted authority over political and economic affairs in their areas, which in some cases are sizeable. Social and other public services were developed by ethnic authorities, often with support from NGOs, and are still operating in many areas. There have also been incidents of communal violence related to religious affiliation.

46. Under the current government, free media is developing and ethnic parties and associations are politically active. Ethnic minority organizations may also play a stronger role going forward through the current Government's decentralization efforts which would afford States and Regions a more prominent role in decision-making and implementation of various policies and programs.

### ***Environmental Protection***

47. The Government of Myanmar (GoM) is currently in the process of carrying out various reforms that include political, economic, and environmental reforms consequently updating and developing its Environmental legal and institutional framework. However, numerous challenges remain. Myanmar Environmental policies and laws are mostly sectoral and are gradually transitioning from a nature conservation focus to environmental mainstreaming into the economic and social development of the country.

48. Sector specific laws - where developed - regulate only particular environmental aspects. Therefore, there are no laws that comprehensively regulate strategic aspects such as environmental impact assessment, waste management, involuntary resettlement, or particular measures for vulnerable groups such as ethnic minorities. Sectoral laws also produce overlapping of certain responsibilities (e.g. licensing for works on river ways fall under both Ministry of Transportation and Ministry of Environmental Conservation and Forestry). Myanmar is party to several international treaties, however the incorporation of those provisions into domestic law has been somewhat fragmented.

49. The legal and institutional gap also extends into administrative and procedural structures, and capacity and resources to enforce such provisions. There is also a need for better coordination between sectoral ministries and between union and local government. Some members of Myanmar Civil Society have argued that the lack of environmental protection legislation and enforcement capacity has left room for unabated ecological degradation.

50. An environmental law became effective on March 30, 2012, and regulations and standards were issued in June 2014. There are also other laws with environmental policy implications such as the 1992 Forest Law and a number of international laws and conventions that Myanmar has ratified.

51. The Myanmar national forest policy (1995) focuses six priority areas: (i) Protection of soil, water, wildlife, biodiversity and environment; (ii) Sustainability of forest resources to ensure a perpetual supply of benefits from forests for present and future generations; (iii) Basic needs of the people for fuel, shelter, food and recreation; (iv) Efficient use, in a socially and environmentally friendly manner, of the full economic potential of forest resources; (v) Participation of people in the conservation and use of forests; and (vi) Public awareness of the vital role of forests in the well-being and socio-economic development of the nation. Important tools in implementing the policy include the following: Forest Law (1992), Forest Rules (1995), Protection of Wildlife and Wild Plants and Conservation of Natural Areas Law (1994), Community Forestry Instructions (1995), National Forestry Action Plan (1995), Criteria and Indicators

for Sustainable Forest Management (1999), Format and Guidelines for District Forest Management Plans (1996), National Code of Practice for Forest Harvesting, National Framework for Environmental Law, and National Forest Master Plan. Some of these tools/rules are currently under revision.

52. Current baseline data on the biodiversity inventories in parks or protected areas (PAs) nationwide is poor. Some of the PAs have an operational or management plan including actions (as required by law), which needs to be implemented despite inadequate human, technical and financial resources. Human encroachment in PAs is common and requires intervention to limit it, but there is not yet a consistent conservation level followed or imposed in the entire country.

53. The Protection of Wildlife and Wild Plants and Conservation of Natural Areas Law (1994) contain the legal provision for protecting rare and endangered flora and fauna species in Myanmar. It requires updating the list of permanently and temporarily protected species in accordance with the list of species identified by CITIES (Convention on International Trade in Endangered Species of Wild Fauna and Flora). There is also no provision for protected fish species.

## F. World Bank Operational Policies

54. The original NCDDP triggers the following World Bank Operational Policies: Environmental Assessment (OP 4.01), Natural Habitats (OP 4.04), Indigenous Peoples (OP 4.10), and Involuntary Resettlement (OP 4.12). The environmental and social impacts stem from the investments (sub-projects) financed under component 1 (Community Block Grants). The same policies will continue to be triggered for the AF. All Project activities will follow the requirements of OP 4.01 and other applicable World Bank Safeguards policies, particularly in the screening and preparation of EA instruments (EMPs and ECoPs) for subprojects under component 1 and any eventual civil works under component 4, including with regard to disclosure and consultation.

55. **OP4.01: Environmental Assessment.** This policy requires the environmental assessment of investments proposed for World Bank financing to help ensure that they are environmentally sound and sustainable. The depth and type of analysis depends on the nature, scale, and potential environmental impact of the proposed activities. The environmental assessment process takes into account the natural environment (air, water, and land), human health and safety, social aspects (involuntary resettlement, indigenous peoples, and cultural property), and trans-boundary and global environmental aspects. The Additional Financing, as the original project, is category B in line with OP 4.01. Given that sub-projects will be identified by communities during implementation, the environmental assessment will follow a framework approach outlined in this ESMF.

56. **OP 4.04: Natural Habitats.** This policy (not triggered for the original project) is triggered for the AF because of the potential negative impacts that the additional subproject activities might have on natural habitats, for example the construction of new access roads in a known reserved forest or established protected area. While these activities are expected to be small-scale, typical for CDD operation, and with overall limited impacts manageable through application of mitigation measures, the policy is triggered for precautionary reasons to ensure that any physical interventions (including those proposed in known reserved or declared national forests zones) will not lead to degradation of critical or other natural habitats. The ESMF provides for the screening of potential project impacts in more detail and how safeguard issues under 4.04 should be addressed during project implementation.

57. **OP 4.10: Indigenous Peoples.** The policy was triggered for the original project since it was expected that ethnic minority communities would be present in the project areas of influence. The policy will be applied for the AF and other financing too since the expanded geographical coverage under the



AF will likely include areas where ethnic minorities are present, although the exact list of townships where the AF would be implemented will be determined during implementation. The project will continue participatory social assessments (SA) in all project villages. With the support of community facilitators, ethnic screening and free, prior and informed consultations will be conducted with villagers, including ethnic minorities, leading to broad community support for proposed sub-projects. The key principles, processes and procedures for the participatory SA, including the participation of ethnic minorities, are described in more detail in the project Operations Manual.

58. **OP 4.12: Involuntary Resettlement.** Most sub-projects to be financed under the AF will support small scale civil works to rehabilitate, improve or construct small-scale rural infrastructure, and are unlikely to require acquisition of private land or loss of private assets. However, since sub-projects are developed on a demand driven basis, minor land acquisition or loss of assets cannot be fully ruled out. For this reason, OP 4.12 is triggered in the AF, as it was under the original project. Sub-projects that will require the physical relocation of households are not allowed and included in the list of non-eligible activities for community investments (negative list). Sub-projects are screened for land-related impacts with a view to minimizing such impacts. If land acquisition or asset loss is found to be unavoidable, measures to mitigate such impacts are developed and implemented, including adjustment of designs and siting. Where a minor loss of private land or assets is unavoidable, impacts will likely be addressed through voluntary donations. If this is not possible, an abbreviated Resettlement Action Plan (RAP) will be developed to compensate affected households at replacement value as per the policies and procedures laid out in the ESMF. In exceptional cases where the project impact is significant, a full RAP is developed.

## G. Safeguard implementation experience and lessons learned

59. Since the original NCDDP became effective in January 2013, the project Operations Manual was developed to provide details about the application of policies and principles on social and environmental management outlined in the ESSAF. The Operations Manual was reviewed and cleared by the Bank. It was updated in the fall of 2014 following the first community cycle and drawing on lessons from this experience and from the project's social audits and multi-stakeholder reviews. This section describes the experience of safeguard implementation under the original NCDDP to date.

### Environmental Assessment (OP 4.01)

60. The Environmental and Social Screening and Assessment Framework (ESSAF) and Environmental Codes of Practice (ECoPs) were the main environmental safeguards documents used to assess and mitigate impacts for subprojects funded during year 1. In addition, national design standards and design codes used by the Department of Rural Development (DRD) for small scale infrastructure were applied for subprojects implemented in year 1. Given the limited environmental impact, none of the subprojects used Environmental Management Plans (EMP). During the planning phase, DRD engineers, Technical Facilitators (TF) and Technical Assistance (TA) infrastructure specialists used the ESSAF and ECoP to support communities in subproject design. About half of the subprojects were implemented by contractors, while the other half was implemented by communities themselves using community force accounts. The ECoP tool was more broadly used by contractors/ communities, DRD officers, Community Facilitators (CF) and TA staffs during subproject implementation (e.g., related to small scale civil works implementation). DRD prepared checklists for ECoP implementation, quality and supervision, and contact management to better monitor overall subproject implementation. DRD staff and project facilitators have received training as part of project implementation and have learned on the job how to monitor ECoPs measures based on specific subproject investments.



61. A technical review<sup>5</sup> conducted in August, 2014 found that over 90 percent of the inspected subprojects adequately complied with the ESSAF and/or ECoP. It also confirmed that EMPs were not needed for these sub-projects given the limited scale of the associated environmental impacts. However, three subprojects were rated “poor” in terms of technical quality and were found to be non-compliant with ESSAF. These are being improved in cycle 2.

62. Reflecting the year 1 experience, the ESSAF was revised, including with the following changes relevant to environmental safeguards:

63. Three additional points have been included in the list of non-eligible activities for community investments (negative list), namely 1) finance the construction of any new dams or the rehabilitation of existing dams including structural and or operational changes; 2) road construction or rehabilitation of any kind inside critical habitats and existing or proposed protected areas; 3) development of new settlements or expansion of existing settlements in critical habitats, special forest reserve; protected areas or areas proposed for protection. The list of non-eligible activities for community investments (negative list) also continues to specify that hazardous materials and equipment is not to be used in the project. This includes chain saws, pesticides; insecticides; herbicides; asbestos (including asbestos-containing materials); or other investments detrimental to the environment and livelihoods including cultural resources property (national level historical or religious objects). New forms reflecting these points are attached in the annexes. In addition, the final sub-project inspection form (Annex 6) added a section to describe environmental impact of each subproject.

64. To date, the Project has not supported activities on the mainstream of the Ayeyarwady River. The Ayeyarwady is an “international waterway” which rises in the Himalayas, bisects Myanmar from north to south and empties through a nine-armed delta into the Bay of Bengal. A portion of the catchment areas that feed two of the tributaries of the River (the Maykha<sup>6</sup> and the Malikha<sup>7</sup>) are located in China. The Malikha tributary in turn is fed by a sub-tributary originating within India. The combined flow outside of Myanmar is estimated to be less than 1%. The remaining 99% of the flow is accumulated within Myanmar which is the river’s most downstream riparian.

65. For the Additional Financing, the Project will not finance sub-projects that may use water from international waterways including activities such as community water supply, small scale irrigation or pico-hydropower generations facilities on the mainstream of the Ayeyarwaddy River. The Project also does not currently operate in the catchment area of the Maykha and Malikha tributaries due to security considerations. Should these areas become Project beneficiary areas during the Additional Finance phase, the Project will not finance community water supply and small scale irrigation on or along these tributaries. The Project will however finance community water supply systems and small scale irrigation investments that would draw water from tributaries of the Ayeyarwady which run exclusively within the territory of Myanmar. These tributaries include the following: the Chindwin, the Mu, the Chaungmagyi Chaung, the Myitnge, the Mon Chaung and the Nawin Chaung. Taking into account the fact that water supply schemes in particular are in high demand in communities across the country the Project will finance activities in these areas focused primarily on rehabilitation and improvements to already existing schemes although there will also be new schemes.

66. Before starting the new cycle, DRD’s international technical consultant and the union TA

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<sup>5</sup> The technical review was conducted by an individual consultant hired by DRD who audited the technical quality of a small sample of sub-projects implemented under the first cycle. Nine percent of the cycle 1 subprojects in Kanpetlet, Namhsan and Kyunsu were inspected including subprojects of each major subproject types. The list of sub-projects inspected is provided in Annex 5. A technical audit of a larger sample of subprojects is planned for 2015.

<sup>6</sup> Referred to as the Daying in China.

<sup>7</sup> Referred to as the Jiang in China.

infrastructure specialist conducted a series of safeguard training for union and township DRD engineers, TA infrastructure specialists and TFs on 1) safeguards policies; 2) technical learning (findings from the technical audit; case studies of community constructions/designs from neighboring countries; community training); and 3) the updated operations manual. (See list of training in annexes)

### Forests OP 4.36

67. The Project does not anticipate it will have and will not consider eligible for financing any activities that: (a) have impacts on the health and quality of forests; (b) affect the rights and welfare of people and their level of dependence upon or interaction with forests; and (c) aim to bring about changes in the management, protection, or utilization of natural forests or plantations, whether they are publicly, privately, or communally owned. All sub-projects will be screened accordingly.

### Indigenous people (OP 4.10)

68. Under the original project, an ESSAF was prepared that outlined procedures to ensure that ethnic minorities were consulted with and had the opportunity to participate in the planning and implementation of sub-projects, and that any negative impacts would be adequately addressed. Specifically, a participatory Social Assessment (SA) was conducted as part of the village planning processes, including an ethnic screening. In year 1, these showed that many residents of project townships were ethnic minorities. The table below provides a list of ethnic groups and the percentage of ethnic beneficiaries found to be present in the year 1 townships.

**Table 4: Population by Ethnic Group in Year 1 townships**

| Kyunsu    | Bamar 89.7%; Kayin 9.7%; Rakhine 0.01 %; Salon 0.5%  |
|-----------|--|
| Namhsan   | Palaung 93.3%; Lisu 2.4%; Shan 1.4%; Chinese 1.1%; Bamar 0.6%; Kachin 0.3%; Indian 0.05% Others 1.1% |
| Kanpetlet | Dai 26.4%; Yin-du 25.6%; Ngaya 20%; Oo-Pu 18.7%; Ngon 4.6%; Other (including Bamar) 4.7%             |

69. The result of participatory SA indicates that ethnic minorities participate in and receive benefits from NCDDP. Ethnic screening was conducted with the participation of almost all village households, and no discriminatory treatment of ethnic minorities was reported. Social audits conducted between June and August 2014 also did not find any grievances or complaints from ethnic ethnicities.

70. The summary of the original project Operations Manual was translated into Shan language, and project posters and the Operations Manual were translated into Palaung, Hakha, and Chin languages. Since diverse ethnic groups are present in project townships and many of them do not have their own writing systems, translation of all relevant project documents has been found to be challenging. Also, many local people are not literate in their own writing systems even where they exist (since government schools offer instruction in Burmese only), and those who are literate in ethnic writing systems tend to be literate in Burmese too. Properly translating project documents into ethnic languages is also found to be challenging as many ethnic languages do not have equivalent vocabularies or expressions for many of the new concepts and terminologies provided in project documents. A large number of documents and forms are developed for the original NCDDP, which increased the challenge of translating relevant project documents into ethnic languages.

71. In order to address the issue with regard to the translation of project documents into ethnic languages, the DRD is developing the guidelines on consultations and disclosure in ethnic languages as part of the Communication Strategy. The guidelines will include the list of key project documents that

are to be translated into local languages, the ethnic minorities present in the township, and local languages in use and appropriateness/ feasibility of translation, based on the inputs from respective township TA and participants of safeguard consultation meetings. Key project documents to be translated will include this ESMF, and may include the approved Village Tract Development Plans (VTDP)<sup>8</sup> in addition to voluntary donation forms as well as abbreviated or full Resettlement Action Plan (RAP) in exceptional cases where RAPs are needed. It was agreed that such lists should be developed in consultation with key stakeholders. DRD sought inputs from participants at the safeguard consultation meetings held for the AF and share the draft guidelines with stakeholders for further inputs.

72. Continued emphasis will be placed on ensuring that ethnic beneficiaries/affected people understand the project concept and approach including on environmental and social safeguards, which was also emphasized by participants of safeguard consultation meetings. The experience under the original NCDDP indicates that it is most meaningful and practical that project approaches including safeguard provisions are explained to ethnic people orally and with visual materials. In Cycle 1, Community Facilitators and Technical Facilitators in all project townships included those who could speak major ethnic languages, which was found to be useful to ensure that those who directly benefit from/are affected by the project understand safeguard provisions. Going forward, continued efforts will be made to develop more visual materials in all major ethnic languages to help ensure ethnic minorities understand the project safeguard provisions. Participants of safeguard consultation meetings concurred to the approach.

#### **Involuntary Resettlement (OP 4.12)**

73. The ESSAF provided measures to comply with the Bank's OP 4.12, including the prohibition of any sub-project that requires involuntary land acquisition (including involuntary asset loss) during the first community cycle in each township.

74. As can be seen in the table below, no involuntary land or asset acquisition occurred under the original project in the first community cycle. Some sub-projects required minor land acquisition, which were addressed through voluntary donations. The technical audit carried out in August 2014 and the social audits carried out between June and August 2014 confirmed that all affected households willingly and knowingly donated land or assets, and did not find any outstanding grievances. The implementation support mission conducted in July 2014 found overall compliance with ESSAF, and confirmed that affected people had voluntarily donated land or assets. Overall, voluntary donation forms were properly prepared and signed by the affected people, although in some instances both voluntary donation forms and involuntary donation forms were prepared (even though assets were donated voluntarily). One recommendation following from cycle 1 was to further strengthen the knowledge of Technical Facilitators (TF) and Community Facilitators (CF) both on safeguard documentation and on overall safeguard processes. This will be particularly important as communities move to an open menu in Cycle 2 onwards. To limit potential safeguards risks associated with sub-projects, the revised Operations Manual includes a relatively low budget ceiling of 110 million kyats (ca. \$110,000) for sub-projects, and specifies that sub-projects exceeding 40 million kyats (ca. \$40,000) receive a prior approval from the union DRD and no objection from the World Bank, allowing for upstream monitoring of higher risk sub-projects.

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<sup>8</sup> The translation of the village tract development plans into ethnic languages is required under the original ESSAF, however, it was not fully complied with in Cycle 1.

**Table 5: Number of Cases of Voluntary Land Contribution by Township**

| <b>Township</b>  | <b>Number of subprojects with land contribution</b> | <b>Number of affected HHs</b> | <b>Number of HHs requested for compensation</b> |
|------------------|---|-------------------------------|---|
| <b>Kyunsu</b>    | 6   | 6                             | 0   |
| <b>Namhsan</b>   | 11  | 22                            | 0   |
| <b>Kanpetlet</b> | 7   | 41                            | 0   |

75. In order to address the issues found under the Cycle 1 implementation, the following will be carried out under the AF:

76. **Safeguard training will be provided to key township DRD staff as well as all Community Facilitators and Technical Facilitators.** This will help strengthen their knowledge of both safeguard documentation and safeguard measures for involuntary land acquisition. In particular, knowledge and skills on the estimation of project impacts as well as the determination of replacement values for any land or asset acquisition will be strengthened.

77. **Technical audits and social audits will be further strengthened to ensure any social impacts that remain to be addressed during implementation of sub-projects will be swiftly identified and duly addressed.** The knowledge of potentially affected people in safeguard provisions will be strengthened as more visual materials (including in major ethnic languages) will be introduced and used as part of the participatory SA.

#### **Experience with regard to the project Grievance Handling Mechanisms (GHM) and the findings of Social Audits**

78. The original NCDDP established a project Grievance Handling Mechanism (GHM) in line with the provisions in the ESSAF. Details of the GHM are provided in the project Operations Manual, and a summary is provided in Section J of this ESMF.

79. During the first annual Cycle (Cycle 1), 318 grievances were received. Forty-nine percent of grievances received were from women. Of the grievances received, 270 were found to be relevant to the project, and 97 percent of relevant grievances were addressed. Grievances received included complaints about poor consultation mechanisms, doubts about the VPSC's project management, financial and procurement issues, and complaints about village committee member's integrity. 89% of the grievances were reported by community members and the rest were from township DRD and TA staff. 64% of the grievances were handled at the township level and one third at the union level. 76 percent of grievances were reported in written forms through letters, using forms and pre-addressed envelopes and drop boxes installed in every project village.

80. Since the basic institutional infrastructure of the project GHM has been established by now, continued efforts will be made under the AF to strengthen the capacity of DRD at the township and union level to properly address grievances. Also, CF will follow up with those whose grievances are not found to be relevant to determine if they are content with the explanation given or have additional information to strengthen their cases.

81. Social audits were carried out between June and August 2014, as provided in the ESSAF. In total, 143 social audit meetings were carried out in 69 village tracts in all three Cycle 1 townships, with the participation of over 10,000 villagers. A Social Audit Kit was developed by the union DRD and community facilitators received training prior to the social audit.

82. Overall, the social audit found that the overwhelming majority of community members affected by the NCDDP positively evaluated the processes used under the project as well as the results achieved. No major environmental or social issues were identified in the social audit. Typical comments received are:

- (a) Greater support is necessary from the village administration,
- (b) The frequency of meeting should be reduced or the timing be better coordinated with the daily schedule of villagers;
- (c) Knowledge of villagers on social and environmental issues should be strengthened;
- (d) Villagers should receive more training in the GHM;
- (e) Grievance processing time should be more expedited; and
- (f) Participation of village elders in the GHM should be strengthened.

83. The social audit also found that in Kyunsu township, 48 grievances were registered of which 80 percent had been resolved. Those grievances that remained to be resolved concerned the re-election of committee members, cost increases and requests for more transparency in decision processes and for more active participation of committee members.

84. The social audits will be repeated on an annual basis in all project townships, taking into account the lessons learned from previous years. In particular, the social audits will be strengthened to address the following issues more clearly:

(a) The performance of the GHM and the grievances that remain to be addressed, if any, should be more explicitly explored. The social audit was carried out in an expedited manner since the rainy season was about to start, and as a result, issues related to grievance were actively explored only in Kyunsu. In the future, social audits will encourage participants to discuss issues related to the GHM.

(b) The social audits should address compliance with ESMF more directly. The social audits focused more on community satisfaction with project processes and results due to limited time available. In the future, social audits will be designed to more directly review compliance with the ESMF.

## **H. Approach/Procedures to Addressing Environmental and Social Safeguard Issues**

85. This ESMF provides general policies, guidelines and procedures to ensure that the NCDDP will continue to be implemented in an environmentally and socially sustainable manner and in line with the applicable World Bank safeguard policies. They are mostly identical to those provided under the ESSAF, although some new provisions are introduced based on experiences gained in the project's first community cycle. Specifically, the ESMF, as did the ESSAF, aims to achieve the following:

- a. All people who reside in the township at the first day of community meetings, without regard to legal status of their land ownership or ethnic background, are eligible for the protections provided in this ESMF;
- b. Potential negative environmental and social impacts should be avoided, minimized and mitigated;
- c. Loss in livelihoods associated with or caused by the project should be prevented and, where unavoidable, minimized and fully compensated;

- d. Anyone residing in, gaining income from or having tenure rights over, land that will be affected by sub-projects financed under the project is entitled to compensation at replacement value which is sufficient to improve or at least maintain their pre-Project living standards, income earning capacity and production levels, without regard to their tenure status or ethnic background.
- e. Economic and physical displacement should be avoided, minimized and fully mitigated. Physical relocation of households is not allowed under the project;
- f. No one should lose more than 10 percent of the productive assets under the project. Designs will be adjusted or alternative locations will be sought if any household may lose more than 10 percent of the productive assets under the original design.
- g. Environmental and social benefits should be enhanced wherever possible;
- h. Ethnic minorities should be meaningfully consulted and that they receive project benefits in a culturally appropriate manner;
- i. Implementation of subprojects will commence only after compensation is fully paid or voluntary donation processes described in this section below is fully completed; and
- j. The capacity of DRD to manage environmental and social impacts should be strengthened.

86. All elements of the social assessment required under OP 4.10 and the approaches to ensure free, prior and informed consultations with ethnic minorities are part of the participatory social assessment (SA) and described in this ESMF. The policies and procedures to mitigate social impacts due to loss of private assets are developed in this ESMF in line with OP 4.12. A separate Indigenous Peoples Plan or Resettlement Policy Framework will not be developed, consistent with the approach taken by the original NCDDP.

## **Key Steps**

### ***Step 1 – Identification of Sub-projects***

87. *Participatory social assessments (SA) including free, prior and informed consultations, ethnic screening and identification of priorities at the village level.* A series of village meetings is held in all beneficiary villages with the support of the Community Facilitator (CF) where a participatory SA is conducted and villagers identify priority needs, develop village development plans and elect village volunteers and their representatives to the VTPSC.

88. The participatory SA will also include the screening for the presence of ethnic groups in the project area. If ethnic minority communities are found to be present, their socioeconomic conditions and participation in community decision making processes as well as their perspectives on the overall project approach will be assessed as part of SA. Free, prior and informed consultations will also be conducted as part of the SA, in a language understandable to ethnic minorities, using visual/ audio tools wherever possible. Villagers will be notified of the participatory SA meetings sufficiently early enough, and small group meetings will be conducted to facilitate free discussions to the extent possible.

89. Besides the results of ethnic screening and free, prior and informed consultations, the participatory SA will also address the following in order to fully meet the requirement under the OP 4.10 as the Social Assessment (SA).

- (a) Baseline information on the demographic, socioeconomic, cultural, and political characteristics of project beneficiaries including but not limited to ethnic minorities, including with regard to the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.

- (b) The consultative and participatory processes during subproject implementation to allow an active and meaningful participation of project beneficiaries including but not limited to ethnic minorities;
- (c) The list of subprojects identified by beneficiary villagers themselves in a participatory manner and address their priority needs;
- (d) Potential adverse and positive effects of subprojects identified as part of the participatory SA, and measures to avoid, minimize or mitigate negative impacts and enhance positive benefits.
- (e) Evidence of broad community support to the subprojects identified by beneficiary community members themselves. Where broad community support is not ascertained under the participatory SA, the subproject will not be implemented.

90. *Consolidation of village priorities in Village Tract Development Plans (VTDP).* The VTPSC will consolidate the village development plans into Village Tract Development Plans (VTDP) which include and prioritize the list of sub-projects identified by villages that constitute the village tract. Under this Project, the VTDP will serve as the Indigenous Peoples Plan (IPP) under OP 4.10 (see para 99 below for details on the contents of VTDP).

91. *Endorsement of village tract development plans.* The township planning and implementation committees (TPIC) will review the village tract development plans against existing sector plans and other known assistance, and endorse them. Copies of approved plans are made available in the local language(s) at the village tract office and in places convenient to the local population in all villages that constitute the village tract. Where translation into local languages is difficult because relevant ethnic groups in the village tracts do not have writing systems or due to other technically valid reasons, at least the summary of the approved village tract development plans, including the list of approved sub-projects, should be described in a short brochure, posters or other information materials and displayed on notice boards in all villages as well as the village tract offices.

92. *Amendment of village and village tract development plans.* Villagers and the respective VTPSC will re-evaluate the development plans annually and adjust them as needed. The adjusted plans will be endorsed by the TPIC if there are major changes. Each time the village and village tract development plans are updated, free, prior and informed consultations will be carried out with beneficiary communities and with ethnic minorities to ensure their broad community support to the updated plans, in a manner described in para 79 above.

## ***Step 2 – Screening of Potential Environmental and Social Impacts and Determination of applicable Safeguards Instruments***

93. *Safeguard screening.* The DRD engineers, in partnership with the VTPSC, VPSC, community facilitators and technical facilitators, will carry out the environmental and social screening, using the screening sheet that is included in Annex1 as part of the preparation of detailed designs. DRD engineers have received training and guidance on how to screen subprojects for environment and social impacts and have learned “on the job” as subprojects have been requested, prepared and implemented.

94. Given the different type of rural infrastructure works that will be financed such as for small roads, small bridges (<10 m long), small-scale rural water supply systems and sanitation facilities (public latrines); small scale irrigation schemes (<25 ha), and rural electrification (solar panel, pico hydro < 20kV, solar street lightening, diesel and biomass generator < 15 kV amps), selected subprojects may have different types of impacts (e.g., noise, dust, soil erosion, waste management, water quality, health and

safety, etc). Cumulative impacts for the project as a whole at sub-project sites and regionally are expected to be insignificant given the small-size of the grants and the dispersion of resources across village tracts.

95. *During the first year of project implementation in each township, using the year 1 positive list, the screening focuses only on confirming the eligibility of the proposed sub-project activities. For those sub-project activities that are eligible for financing in year 1, only the Environmental Code of Practice (ECoP) no. 1 (Annex 8a) is used to mitigate the potential impacts of these sub-projects (Table 6).*

96. *For those activities eligible for financing in year 2 and beyond, the environmental screening focuses on four areas: (i) based on the open menu, confirming whether the proposed sub-project is eligible for financing; (ii) using the screening form to determine potential impacts from the sub-projects; (iii) determining whether or not ECoP no. 1 or no. 2 (Annex 8b) suffices to mitigate these potential impacts; and (iv) identifying what additional mitigation measures, if any, beyond those contained in the ECoP may be needed to manage the impacts. Additionally, monitoring activities related to water quality have been included in the AF financing for those subprojects relevant to water supply and sanitation investments (e.g., wells; latrines).*

97. The ECoPs contains specific, detailed and tangible measures that would mitigate the potential impacts of each type of eligible sub-project activity under the project. They are designed appropriately for the local conditions in Myanmar, simple, and readily useable by the local communities who are the main beneficiaries of the project.

98. A general ECOP applicable to most small scale rehabilitation and construction works in selected villages is presented in Annex 8b. Similarly, specific environmental codes of practices have been prepared for various eligible subprojects' activities such as construction/rehabilitation of small scale buildings (Annex 8b.1); village rural roads (culverts), small bridges (less than 10 m) and jetties (Annex 8b.2); village rural water supply (wells; rainwater collection; and installation/rehabilitation of pipelines from natural springs) (Annex 8b.3); rural electrification (solar panel; pico hydro < 20kV; solar street lightening; diesel and biomass generator (< 15 kV amps); biogas charge station) (Annex 8b.4); small scale irrigation (Annex 8b.5) and sanitation facilities (small latrines and village scale waste treatment facilities) (Annex 8b.6).

**Table 6: Environmental Codes of Practice**

| No. | Description <sup>9</sup>  |
|-----|---|
| 1.  | Environmental management measures for activities in Year 1 focusing on eligible rehabilitation and minor extension works only (eligibility based on the Positive Lists)   |
| 2.  | Environmental management measures for activities in Year 2 and beyond focusing on eligible small new construction works (eligibility based on an open menu, within the restrictions of the list of non-eligible activities for community investments (negative list) outlined in table 2 above) |

99. *Environmental Management Plan.* If additional measures are required beyond what is already contained in the ECoPs, a simple Environmental Management Plan (EMP) will be required as a safeguard instrument. An EMP will identify potential site specific impacts that cannot be adequately addressed through the application of the ECoPs and indicate when, by whom, and how the mitigation measure(s) will be applied. The EMP will also specify required monitoring. For example, a simple EMP may be used for road construction. A sample EMP is included in Annex 3.

<sup>9</sup> The Environmental Codes of Practice are specified in detail in the project Operations Manual.



100. The community facilitators (CF) and technical facilitators (TFs) will provide the necessary technical guidance so that VTPSC members can review the safeguard screening sheet in line with the project Operations Manual and this ESMF. The approved safeguard screening sheet in the local language will be available with the detailed project designs in the beneficiary village(s). Furthermore, villagers will be given the opportunity to address questions and concerns to members of the village implementation committees.

101. If the safeguard screening finds that some minor impacts cannot be avoided, the VTPSCs will develop measures to address such impacts. Special attention should be given to screening for subprojects proposed in parks, reserved forests and/or areas of national conservation level to determine if the investment is in a critical or non-critical area in order to be able to propose, if necessary, adequate mitigation measures to avoid significant conversion and/or degradation to a natural habitat/area. No major impact beyond the loss of small numbers of trees, fences or other non-residential structures or the acquisition of small strips of private land is anticipated. Impact on private asset may be addressed either through: (i) voluntary donation or (ii) compensation at replacement cost. It is expected that the majority of social impacts will continue to be addressed in the form of voluntary donations. The Community Facilitator and the Technical Facilitator, under the guidance of T-TA, will verify if all conditions of voluntary donations described in para 94 below are met based on face-to-face meeting with affected people. Where it is not verified that all conditions of voluntary donations are met, impacts will be addressed as involuntary land or asset acquisition and an abbreviated or full Resettlement Action Plan (RAP), as applicable, will be developed.

102. Proceeds from the World Bank financing cannot be used for compensation.

103. *Voluntary donation.* The NCDDP will continue to allow community members who benefit from a sub-project to donate land and other private assets to the sub-project without compensation. It is expected that most project impacts will be addressed through voluntary donation without any significant or long-term impact on livelihoods. The following protocol will govern voluntary donations of private assets.

- Voluntary donations are an act of informed consent and affected people are not forced to donate land or other assets with coercion or under duress, or misled to believe that they are obliged to do so, without regard to the ethnic background or legal status of their land occupancy.
- Voluntary donations are allowed only if a sub-project can technically be implemented in another location than where it is planned – if a sub-project is location-specific by nature, land acquisition associated with such a sub-project cannot be considered as voluntary; rather, it is an act of eminent domain. In such cases, an abbreviated RAP or a full RAP, as applicable, will be developed.
- Voluntary donations are allowed only for very minor impacts that meet the following criteria:
  - The households contributing land or other assets are direct beneficiaries of the sub-project;
  - The total size of productive land owned by the affected household is more than 300m<sup>2</sup>;
  - The impact is less than 5 percent of the total productive assets owned by said household; and
  - No one has to be physically relocated.
- The affected people are fully informed that they have the right to refuse to donate land or other private assets, and instead receive compensation at replacement cost, and that a grievance handling mechanism is available to them through which they can express their unwillingness to donate. People are encouraged to use the grievance handling mechanism if they have

questions or inquiries, either in writing or verbally. Adequate measures will be in place to protect complainants.

- The community facilitator (CF), village representatives of VTPSC and the VPSC will confirm through a face-to-face meeting that the affected people are indeed aware that they are entitled to compensation and knowingly and freely agree to donate land or other assets without compensation. The minutes of this meeting, including the confirmation that all conditions for voluntary donations in this ESMF are met, will be attached to the signed voluntary donation form.
- Once the informed consent of the affected people has been confirmed in writing, the VTPSC will develop a voluntary donation form.<sup>10</sup> Both the husband and the wife of the affected household will sign two copies of the form in the presence of the CF and the village implementation committee.
- The VTPSC reviews and approves the signed voluntary donation form, and keeps one original signed voluntary donation form for review by DRD and the World Bank. The affected household keeps another original signed form.
- Implementation of sub-projects involving voluntary donations starts only once the VTPSC has approved the signed voluntary donation forms.
- Annual social audits carried out by the DRD township offices verify the informed agreement of affected people.

104. *Compensation at replacement cost.* If affected people are unwilling to donate assets without compensation, or if impacts that go beyond the threshold for voluntary donations occur, the VTPSC, with the support of the CF, will develop an abbreviated RAP. In an exceptional case where more than 200 people are affected by a sub-project, a full RAP will be developed. The following principles will apply for the land or asset loss against compensations:

(a) Land acquisition should be avoided or minimized if unavoidable, and should not result in persons losing their home or suffering any decline in income, livelihood, or living standards. No physical relocation of households is allowed under the project.

(b) If private land needs to be acquired permanently and/ or private assets such as fences, structures, barns, standing crops would be lost, and if conditions for voluntary donations are not met, it will be furnished through in-kind compensation. The VPSC, VTPSC and affected households, under the guidance of the Community Facilitator and the Technical Facilitator, will jointly assess the scale of impact and identify in-kind compensation that is at least sufficient to restore pre-project level livelihoods and income streams. In-kind compensation should be provided by beneficiary communities themselves from their own assets, or if communities have difficulties identifying sufficient assets that can be made available to affected people to fully restore their livelihood.

(c) No one should lose more than 10 percent of their productive assets as a result of subproject implementation. If, based on the survey conducted by Technical Facilitator with the participation of affected people find that more than 10 percent of productive assets would likely be affected, designs should be adjusted and/ or alternative locations be sought so that impact would be reduced to below 10 percent.

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<sup>10</sup> The project operations manual contains a format for a voluntary donation form.

(d) Community infrastructure, if affected by subproject, must be restored or replaced.

(e) Subprojects involving land acquisition based on eminent domain are on the list of non-eligible activities for community investments (negative list) and are not eligible for funding (see para 93 for more information on eminent domain). Under the Project, only beneficiary communities themselves are able to acquire land or assets of other community members based on mutual agreements and consent on terms of compensation.

(f) An abbreviated RAP and a full RAP will be prepared by VTPSC under the support of the Community Facilitator and Technical Facilitator (see below for the contents of the RAP).

(g) Implementation of civil works will commence only after all entitlements are delivered to affected households.

105. The processes and procedures for voluntary donation and involuntary land acquisition including grievance redress are summarized in a pamphlet in all applicable local languages and distributed in all participating villages.

### ***Step 3 – Development of Safeguard Instruments (abbreviated RAP or full RAP; ECOP or EMP<sup>11</sup>)***

106. If the safeguard screening finds that land acquisition or loss of private assets is unavoidable and if voluntary donation does not apply, the VTPSC, with technical inputs from the DRD engineer and the support of the TF, will prepare a resettlement instrument (an abbreviated RAP or a full RAP). All village representatives will receive safeguards training. Also, basic processes and procedures with regard to social and environmental safeguards will be displayed at a notice board in all project villages.

(a) The abbreviated RAP will be developed which should include, at minimum, (i) the names of affected people, (ii) baseline census and socioeconomic data of affected people; (iii) the inventory of impacts, (iv) mitigation measures including the types and the scale of in-kind compensation, (v) implementation arrangements including participatory processes to ensure participation of affected people in the RAP implementation; (vi) implementation schedule to ensure that in-kind compensation will be provided before civil works start, and (vii) the estimated cost of compensation and the sources of funds where compensation is provided in cash. The VPSC, under the oversight of VTPSC and with the support of the Community Facilitators and the Technical Facilitators, will be assisted to identify in-kind compensation including the provision of alternative land if feasible that is sufficient to restore the income streams of the affected people. The sample template of RAP is attached to Annex 4.

107. If Community Facilitator and Technical Facilitator find that more than 200 villagers will lose part of their land and/ or private assets under respective subprojects, the Bank task team will be immediately consulted for guidance. In such a highly unlikely case, a full RAP will be developed under direct guidance of the Bank task team.

108. When sub-project documents<sup>12</sup> and applicable resettlement instruments are drafted, members of the VTPSC including the representatives from the beneficiary village, the DRD engineer and the technical facilitator will visit the sub-project site and carry out a half-day consultation with the village implementation committee. During the consultation meeting, the final sub-project documentation is

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<sup>11</sup> Under this project, a VTDP is developed as an IPP

<sup>12</sup> The final sub-project documentation includes the detailed engineering design, cost estimates, civil works documents (bill of quantities (BoQ), draft civil works contract, etc.), screening forms, the ECoP (and EMP if required), operations and maintenance requirements and plans, minutes and record of attendance of consultations, and applicable the resettlement instruments.

presented together with the draft detailed design, and the draft abbreviated RAP (abbreviated or full) and voluntary donation forms, as applicable. Inputs from the village implementation committee will be sought regarding whether or not all potential impacts are adequately covered and mitigated, and whether adequate measures are incorporated in the design to meet the special needs of affected people and disadvantaged groups, including in particular ethnic minorities. The final sub-project documentation that is submitted to the VTPSC for approval incorporates the inputs from villagers, and the result of the meeting is documented and kept in the project file.

109. The resettlement instruments developed for a sub-project are reviewed against the provisions of this ESMF and approved by the VTPSC and endorsed by the Settlement and Land Record Department under the Ministry of Agriculture and Irrigation prior to its implementation.<sup>13</sup> In particular, whether potential adverse impacts are clearly identified, mitigation measures proposed are sufficient to fully restore income streams of affected people, all conditions of voluntary donations are met, implementation arrangements and grievance mechanisms are adequate, and the budget estimated is sufficient, will be reviewed. Copies of approved abbreviated RAP or a full RAP will be made available at the village tract office and in easily accessible places in the villages where the sub-project is implemented, with a summary translated into the local language(s).

110. For this project, the Village Tract Development Plan (VTDP) will serve as the Indigenous Peoples Plan (IPP) where ethnic minorities are affected within the Village Tract. The VTDP will include the following, as minimum:

- (a) *Affected ethnic minorities.* The ethnic minorities present in the VT, identified based on the participatory Social Assessment (SA) conducted at the village level using the criteria described in para 79 of this ESMF, will be described.
- (b) Summary of the findings of the participatory SA including the results of the free, prior, and informed consultation conducted with the affected ethnic minorities, and the evidence of broad community support to the priority sub-projects.
- (c) A framework for ensuring free, prior, and informed consultation with affected ethnic minorities during subproject implementation.
- (d) Measures to ensure that ethnic minorities will receive social and economic benefits that are culturally appropriate and that adverse effects on them will be avoided, minimized or mitigated.
- (e) Estimation of costs to implement the VTDP including measures to mitigate negative impacts on ethnic minorities and the source of fund to implement such measures.
- (f) Grievance and monitoring mechanisms.

111. VTDP will be updated and the scope and the scale of impacts will be described for respective subprojects when designs are ready. The scale and scope of benefits, risks and impacts associated with subprojects will be explained to beneficiary communities at the community wide meeting and their broad community support would be sought and documented in the updated VTDP.

112. The main environmental safeguards instruments used for subproject implementation and monitoring are the ECoPs. If additional impacts are envisaged for which specific mitigation measures are required beyond what is included in the ECoPs, a simple EMP will be prepared. The EMP will also

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<sup>13</sup> The Settlement and Land Record Department is responsible for compensation under national legislation.

provide monitoring indicators and activities of the proposed mitigation measures as well as estimated costs to implement such activities (see Annex 3 for EMP format).

#### ***Step 4 – Implementation of Safeguard Instruments, Supervision, Monitoring and Evaluation***

113. Each VTPSC is responsible for the implementation of the sub-project safeguards instruments including the ECoP (and EMP if required), voluntary donation forms, abbreviated or full RAPs, as applicable, according to the policies and procedures laid out in this ESMF. The VTPSC will ensure that no physical land acquisition commences before an abbreviated RAP or RAP has been implemented and all entitlements have been fully delivered, or before the voluntary donation form is signed by the affected household(s) and reviewed and approved by the VTPSC.

114. Village monitoring sub-committees, in collaboration with CF and village volunteers, monitor the implementation of the safeguards instruments, including the ECoP (and EMP if required), voluntary donation forms, and/ or abbreviated or full RAPs. The village monitoring sub-committees confirm the proper application of the instruments and notify the VTPSC that a sub-project is ready for implementation. The implementation of sub-projects involving voluntary land donation, involuntary land acquisition or asset loss start only once this confirmation is given.

115. Throughout the implementation of a sub-project, the village monitoring sub-committees and CF/TFs monitor any negative impacts that may arise. CF will regularly visit villages and receive feedback. If villagers have any questions or grievances that cannot be addressed at the community level, they will be encouraged to seek clarifications and solutions through the project's grievance handling mechanism.

116. Social audits will be conducted on an annual basis and facilitated by the township DRD and TA team. For the social audits, CFs will organize an open public meeting at villages (in remote areas, several villages may meet together for a social audit where convenient); information on the meeting is posted in advance and meetings are held at such a time and place as to maximize community participation. The purpose of the social audit is to report back to the population living in the village tract on past year's progress, the expenditures under the village tract development plan, and any financial and technical audit findings, and to hear reflections from community members on lessons learned and things that could be done differently in future cycles. The meeting is attended by the village volunteers, CF, DRD staff and VTPSC members. It provides a public forum to present problems, and air any grievances or other issues people may have with the project. The CF will prepare minutes of the meeting that record the issues raised and how they will be addressed in the subsequent annual cycle. This information will be included in the updated village tract development plan, submission of which to the DRD township office is a condition for the transfer of the next annual block grant allocation.

117. The VTPSC will summarize environmental and social safeguard related activities in their monthly reports to the township DRD office. These reports will also include a short report on any environmental mitigation plan, voluntary donation, and abbreviated or full RAP (if relevant) that have been completed during the reporting period.

118. The World Bank reviews the use of safeguards screening forms, environmental management plans, voluntary donations, abbreviated RAPs and the use of the ECoPs on a random basis and carries out field trips as part of supervision missions to verify safeguard compliance in line with ESMF and other relevant project documents.

#### **Special Measures to Ensure Full Participation of Ethnic Minorities**

119. In order to mitigate the risk that ethnic minorities are not able to fully participate in project implementation and receive project benefits, the following special measures will continue to be employed by the NCDDP:

- Recruitment of village volunteers elected from among ethnic groups who assist the community facilitator throughout project implementation;
- Training of CF/TF to increase cultural awareness of issues related to ethnicity, religion and marginalization;
- Free, prior and informed consultations with ethnic minorities of the village and village tract development plans;
- Involvement of ethnic minorities in the decision-making process in the VTPSC;
- Qualitative monitoring and beneficiary assessments focusing primarily upon societal dynamics and ethnic groups, women, and the most vulnerable, using focus group discussions and key informant interviews;
- Use of local languages in the dissemination of project related information.

120. These special measures are spelt out in the project Operations Manual.

121. The DRD is developing the guidelines on consultations and disclosure in ethnic languages as part of the Communication Strategy. In doing so, the DRD takes into account the comments provided at the safeguard consultation meetings where participants emphasized the importance of using audio-visual materials to ensure that ethnic minorities clearly understand the project and the protections provided under the ESMF. The guidelines will establish principles with regard to the translation of project documents into ethnic languages including steps to be taken where no writing systems exist for a given ethnic group. It is expected that the guidelines will be developed by June 30, 2015.

### **Special Measures to Ensure Full Participation of Women**

122. The NCDDP will continue the practice of having trained CF and village volunteers organize separate meetings with women and men to identify their respective needs and priorities for the village development plan and document these in the project's management information system. For works performed for sub-projects, there will be equal pay for equal work for women and men. Furthermore, the environmental and social safeguards screening for each sub-project will include gender aspects. Safeguards plans prepared for the sub-projects will include a review of gender aspects, and propose specific actions related to gender issues when warranted. The CF and village volunteers will also ensure that there are no restrictions on women's participation and that women are represented in the village implementation committee and various sub-committees, with women accounting for 50 percent of committee members.

## **I. Institutional Assessment and Capacity Building**

123. A capacity development needs assessment was conducted during preparation of the initial IDA grant and updated following the first community cycle. The results of this assessment are presented in Table 7.

**Table 7: Institutional Capacity Assessment and Training Needs for Sub-Projects**

| Institution                        |                      | Sub-project planning  | Design   | Review, appraisal and approval | Implementation             | Operations and maintenance           |
|------------------------------------|----------------------|---|--|--------------------------------|----------------------------|--------------------------------------|
| DRD (union level)                  | Responsibility       |   | Master/schematic designs and documents, including ECoPs  | -                              | -                          | -                                    |
|                                    | Staff Assessment     | Engineers available   |  |                                |                            |                                      |
|                                    | Technical Assistance | Technical capacity adequate, additional engineers not required  |  |                                |                            |                                      |
|                                    | Training needs       | Training on ESMF, ECoPs, EMP, RAP, voluntary donations, IP P, consultations, and documentation, etc. Training on ECOPS required   |  |                                |                            |                                      |
| DRD (township level)               | Responsibility       | Technical review of sub-project proposals   | Revising standard documents, screening, use/referencing of ECoPs, EMPs, measurement of impact, production of detailed designs in consultation with villagers | Yes                            | Yes – oversight monitoring | Yes – oversight, periodic monitoring |
|                                    | Staff Assessment     | DRD is hiring new staff at the township level who need additional training in safeguard policies. In addition, the number of staff not sufficient to supervise implementation of all sub-projects in a township. Additional support being provided under NCDDP by technical facilitators.   |  |                                |                            |                                      |
|                                    | Technical Assistance | Capacity adequate but requires training in specific requirements of Operations Manual, including applicable safeguards procedures. Community facilitators and technical facilitators support DRD engineers and lead engagement with villages, including on applicable safeguard policies such as minor repair and operational guidance during sub-project implementation. |  |                                |                            |                                      |
|                                    | Training needs       | Training of township engineers and community and technical facilitators on ESMF, ECoPs, EMP, RAP, voluntary donations, IPP, consultations, documentation, etc. Training of and facilitation for township engineers and community facilitators on continuous engagement with villagers on O&M.   |  |                                |                            |                                      |
| Village Tract Project Subcommittee | Responsibility       | Development of village tract development plan (VTDP) as IPP, selection of sub-projects, review and approval of sub-project proposals, safeguards screening, voluntary donation form, abbreviated or full RAP, as applicable.  |  |                                |                            |                                      |
|                                    | Staff Assessment     | No technical staff or capacity and a significant gap in knowledge of applicable safeguard policies. Low literacy levels.  |  |                                |                            |                                      |
|                                    | Technical Assistance | Community facilitators provide continuous support throughout implementation, including on applicable safeguard policies.  |  |                                |                            |                                      |
|                                    | Training needs       | All members of the VTPSC on all aspects of the ESMF, ECoPs, RAP, voluntary donations, IP P, consultations, documentation, etc.  |  |                                |                            |                                      |
| Village Project subcommittee       | Responsibility       | Decision-making authority for all aspects of sub-project planning including participatory SA, review and oversight.   |  |                                |                            |                                      |
|                                    | Staff Assessment     | No technical staff or capacity and a significant gap in knowledge of applicable safeguard policies. Low literacy levels.  |  |                                |                            |                                      |
|                                    | Technical Assistance | Community facilitators provide continuous support throughout implementation. DRD township engineers provide continuous support for the design, operations and maintenance of sub-projects   |  |                                |                            |                                      |
|                                    | Training needs       | Key members of the village implementation committees on all aspects of the ESMF, ECoPs, RAP, voluntary donations, IP P, consultations, documentation, etc.  |  |                                |                            |                                      |

124. To address the capacity constraints identified above, the NCDDP invests heavily in capacity development at all levels to ensure that sub-projects are implemented in an environmental and socially sustainable manner and in line with ESMF requirements. The materials for training at the community level are simple (including simplified sections of the project operations manual kept at the community level for reference during sub-project implementation), illustrated to be accessible also to community members who are illiterate (comics, illustrations and photos on grievance handling, fraud and corruption issues, and safeguard requirements) and translated into all applicable local languages.

125. In each of the participating townships, the initial months of operation are devoted to capacity development. The DRD secretariat supported by the TA at the union level trains the DRD and TA staff at the township level. The township DRD offices and TA thereafter train the community and technical facilitators in all relevant areas of the project Operations Manual. Only at this stage does the project cycle at the community level begin, starting with the first village meeting. The township DRD offices, the TA and the CFs provide specific training for those villagers taking an active role in implementation, including the village volunteers and the members of the VTPSC, village implementation committee and various sub-committees. Capacity development activities for community members and DRD staff are undertaken regularly and as needed, including refresher training and township cross-visits prior to each new annual block grant cycle.

126. Training materials continue to be updated based on lessons learned in project implementation. This includes an update following the first cycle taking into account insights gained from the social audits and multi-stakeholder reviews, as well as findings of the financial audit and the independent technical review commissioned by DRD. As a result of these lessons, training materials were updated and time dedicated to training expanded, including for community and technical facilitators, township level DRD and TA staff, and training provided at the community level.

## **J. Monitoring Arrangements**

127. Community level: Based on the village sub-project work plan outlined at the initial technical meeting, the village monitoring sub-committee (MSC) monitors progress in implementing the village sub-project. If a village sub-project benefits directly more than one village or covers more than one village tract within a township, MSCs of the benefiting villages will jointly monitor implementation progress. As under the original NCDDP, during construction, normally on a monthly basis, the MSC will review actual vs. planned activities using a village sub-project monitoring form and submit the form to the VTPSC. The MSC also monitors progress in implementing any environmental and social mitigation measures. Monitoring reports will be publicly displayed on the village notice board. Village sub-project monitoring forms will capture information that is consistent with the project results framework.

128. The VTPSC will prepare a monthly consolidated report for all village sub-projects under implementation including safeguard aspects and submits it to the DRD township M&E officer. With the assistance of the village volunteers, the MSC organizes a village monitoring meeting about every two months or when major milestones have been achieved. Every effort will be made to ensure that as many villagers as possible will attend the meeting. The MSC will update villagers on all aspects of implementation progress (procurement activities, percent of works undertaken, number of person days of work and wages paid, expenses to date and cash on hand, women's involvement, safeguards and mitigation measures, etc.). Villagers will be given opportunities to discuss progress and raise any concerns they may have regarding village sub-project implementation. The VTPSC will file all safeguard instruments including voluntary donation forms, monitor their successful implementation through field visits and regular meetings with MSCs and record the current status of safeguard implementation including outstanding issues and grievances collected.



129. Township level: Township Engineer, Township TA, CF and TF will continue to monitor subprojects regularly, including on safeguard performance, as under the original NCDDP. The township engineer and DRD township office M&E officer will undertake regular supervision visits to the village sub-project sites. They will prepare and post a brief note to the file after completion of every visit, using a standard table/matrix format. Visits are scheduled taking account of the village sub-project implementation schedule and work plan. Visits serve to review progress in implementing the village sub-project and any environmental and social mitigation measures, and to make recommendations/suggest potential solutions to problems faced. The DRD township M&E officer will incorporate key findings from the supervision visits into the quarterly township progress report. The township engineer will undertake additional visits to advise the VPSCs on technical issues, as requested.

130. Union level: The DRD union office staff and relevant union TA consultants will continue to undertake regular supervision and monitoring visits to townships, village tracts and village sub-project sites. Visits will serve to assess project implementation progress across the village tracts in a township. The DRD union office will ensure that experiences from other townships are shared in order to enhance implementation quality. DRD union office staff and union TA consultants will continue to provide technical support to the DRD township office staff and VTPSCs, as needed. The DRD union M&E officer will incorporate the findings from the supervision visits as well as the data provided in the quarterly township progress report into the quarterly project progress report. The following performance indicators will be monitored and presented in the quarterly progress report:

- (a) The number of voluntary donation cases;
- (b) The number of cases of involuntary land or asset acquisition;
- (c) The number of abbreviated or full RAP developed;
- (d) The amount of compensation paid for involuntary land or asset acquisition;
- (e) The total number of project beneficiaries/ affected people, broken down to ethnicity; and
- (f) Grievances submitted through various channels described below, and the current status.

131. Villagers will be invited to attend social audits at the end of each annual cycle to review the expenditures made and progress achieved, discuss the findings of any financial and technical audit findings, and suggest local adaptations to the project cycle or community implementation structure. As long as the project is active in a township, villagers will have the opportunity to provide feedback or express complaints through a grievance handling mechanism. The summary of the social audit conducted at the end of the Cycle 1 is provided in Section F of this ESMF.

## **K. Grievance Handling Mechanisms (GHM)**

132. Complaints and grievances are dealt with using the NCDDP grievance handling mechanism (GHM) to ensure that the project is implemented transparently and accountably, that voices of poor and marginalized groups are heard, and that issues and grievances raised are resolved effectively and expeditiously. Details of the grievance handling mechanism are described in the project Operations Manual, and are made publicly available at the village level, including through posters and visual materials.

133. Any stakeholders including villagers, contractors, project staff, authorities, and other involved parties may file a grievance if they consider that their right to information is interfered; that inappropriate

intervention by an outside party is found; that fraud and corruption have taken place; that the rights and entitlements granted in this ESMF are violated; or that any of the project's principles and procedures have been violated.

134. Grievance focal points are selected by villagers themselves at the village level who serve as the first tier of the conflict/ grievance mediation mechanism. They may request the Village Project Support Committee (VPSC) to meet and discuss matters raised by aggrieved persons, or mediate between parties to the conflict for mutually agreeable resolutions. They may also provide assistance to aggrieved persons to formally file grievances to the GHM. They receive training in the provisions of this ESMF, and keep records of grievances they received by them.

135. Grievances will be disclosed publicly, but anonymously unless the aggrieved person self-identifies him/herself. There is no charge for filing a grievance. If the person filing the grievance is known, the grievance focal point will communicate the timeframe and the course of action to her/ him within 2 weeks of receipt of the grievance. All grievances, including anonymous cases, shall be responded to within four weeks and resolved within three months from the time the grievance was originally received.

136. The grievance handling system is divided into five steps 1) intake, 2) sorting, 3) verification, 4) action, and 5) follow-up.

137. At the community level, the grievance focal points are usually the primary contact point for anyone wishing to file a grievance. If an individual prefers, grievances can be addressed to others involved in project implementation such as a village volunteer, facilitator, VPSC member, or VTPSC member or township engineer. Aggrieved persons can also file grievances using the following channels: 1) verbal communication to the Village Tract administrator/ Facilitator/ Township Grievance Handling Officer; 2) feedback boxes placed in each village (a box to be opened at least every two weeks by the village grievance focal point); 3) a letter to DRD union office, DRD township office, Union level NGO/firm, township level NGO/firm; 4) e-mails to dedicated e-mail addresses of the DRD union office and union level NGO/firm; 5) the dedicated phone line for the DRD union office and union TA; or 6) DRD project website or DRD social media site. If aggrieved persons so decide, grievances can be addressed during community meetings.

138. The grievances received through various channels will be sent to the relevant DRD township office for review, verification and decision on how to address the grievance if the grievance is related to a village or village tract issue. If the issue is related to the township or union level, it will be forwarded to the DRD union level (specifically, the grievance handling officer of the union TA team) for review, verification and decision on how to address the grievance.

139. Township or union DRD staff, as appropriate, together with relevant TA members, will verify if grievances submitted are valid, and identify solutions if grievances are found to be valid. Verification normally includes site visits, a review of documents, a meeting with the complainant (if known and willing to engage), and a meeting with those who could resolve the issue (including formal and informal village leaders).

140. The village project support committee (VPSC) will communicate the decision made and the actions to be taken to address the grievance at the next village meeting. If the aggrieved person is known, the grievance focal point (or person with whom the grievance was filed) will communicate the action to her/him. The grievance focal point will seek feedback from the aggrieved person as to whether or not they deem the action proposed as satisfactory. If the action proposed is considered unsatisfactory, the aggrieved person may file a new grievance, which will be handled at the next higher level. In principle, a final decision will be made by the Union Feedback Committee which includes DRD senior officials, the union TA team leader and the union TA grievance officer. All grievances received through the grievance handling mechanism will be recorded in the project management information system (MIS).

141. The GHM is supported by an information campaign and training programs. Community members in all project villages will be informed of the grievance handling mechanism and contact details will be shared at public meetings on multiple occasions. Brochures/ pamphlets and posters that describe the project and the grievance procedures have been developed and are made available to local communities and are posted on village notice boards and disseminated through local radio/TV. Local languages will be used to the extent possible to ensure that all stakeholders including ethnic language speakers have access to the grievance handling mechanism. Grievance focal points are elected or appointed in each village and at the village tract level, and DRD staff responsible for handling grievances are appointed at the township and union levels. Township and community level parties involved in the implementation will receive training on how to receive and handle grievances with confidentiality.

142. At the end of the project cycle, the VTPSC will report on all the grievances received and resolved during the annual social audit meeting at community level. During the social audit meetings, villagers will discuss the effectiveness of the grievance handling system and gather suggestions on how to improve it. Aggrieved persons who are not satisfied with the resolutions made will also be encouraged to air their grievances at the meeting. In its regular supervision visits, the DRD union office and union level TA assess the functioning of the grievance handling system and undertake spot checks.

143. The DRD union office uses the MIS to provide a monthly snapshot of the GHM (the number and category of grievances received and grievances resolved), including any suggestions received and acted on. A summary of grievances will also be reported on in the quarterly implementation progress reports and annual reports prepared by union DRD. Reports include information on grievance resolution and trends (the number of grievances received, cause of grievance, number of grievances resolved, average time taken to resolve a grievance, percentage of individuals having filed a grievance who are satisfied with the action taken, the number of grievances resolved at the lowest applicable level, etc.).

144. An independent audit of the grievance handling system will also be undertaken during the life of the project to assess the efficacy of the mechanism and introduce improvements.

## **L. Consultations and Disclosure**

145. The ESMF contains specific guidance and requirements for consultations with potentially affected people, consistent with the bottom-up approach and planning cycle of the project. The sub-projects are identified and proposed by the villagers and reviewed and approved by the VTPSC. The project design has specific requirements, including for representation of women and inclusion of ethnic and religious minorities, as applicable, and other vulnerable groups in the project cycle. Furthermore, as part of the technical design and safeguards planning, VTPSC and village implementation committees consult with the households potentially affected by a sub-project before the VTPSC approves it. These consultations are done in a culturally appropriate manner, documented and included in the sub-project documentation, and disclosed locally. Training to ensure these measures are properly understood and effectively implemented is provided to all relevant members of the VTPSC, village implementation committees and monitoring sub-committees, and DRD township staff.

146. The original ESSAF was disclosed as a stand-alone document by DRD in Myanmar language and at the World Bank's Infoshop in English on October 1, 2012. Consultations on this document were conducted in August and September 2012. In addition, under the first cycle of project implementation at community level, key requirements, entitlements and procedures of ESSAF were explained to project beneficiaries/ potential project affected people at the onset of community meetings in local languages. Questions raised by villagers about safeguard requirements were answered by the Community Facilitators and Technical Facilitators present at the community meeting, and the representatives of

township DRD provided additional explanations where necessary. Throughout the local consultation processes, the township TA provided assistance and guidance to the Community Facilitator and the Technical Facilitator. During the AF, the DRD will strengthen such documentation through continuous training and capacity development of the CF and the TF as well as by raising the awareness of community members.

147. This ESMF has been the subject of consultations during safeguard consultation meetings held on 9 February 2015 in Yangon, 11 February 2015 in Mandalay and 16 February 2015 in Naypyitaw, including with civil society and other project stakeholders. Minutes of public consultations are attached in Annex 8.

148. During implementation, the VTDP that serves as the IPP for this project and includes the summary of participatory SA, and the abbreviated or full Resettlement Action Plan (RAP), as relevant, will be disclosed in local languages at places accessible to affected people. Copies of VTDPs and RAPs will be made available at DRD Township office.

149. The DRD is developing the guidelines on consultations and disclosure in ethnic languages as part of the Communication Strategy. In doing so, the DRD takes into account the comments provided at the safeguard consultation meetings where participants emphasized the importance of using audio-visual materials to ensure that ethnic minorities clearly understand the project and the protections provided under the ESMF. The guidelines will establish principles with regard to the translation of project documents into ethnic languages including steps to be taken where no writing systems exist for a given ethnic group. It is expected that the guidelines will be developed by June 30, 2015.

## M. Budget for Implementing the ESMF

150. The costs associated with implementing the ESMF processes and safeguards instruments are included in component 2 (Facilitation and Capacity Development) and 4 (Implementation Support), and the costs of implementing the measures in the ECoPs and the benefits in any abbreviated or full RAP are included in the cost of each sub-project under component 1 (Community Block Grants).

### A. Entitlement Matrix

| Type of Losses                                     | Entitled Persons  | Entitlements  | Implementation Issues   |
|--|---|---|---|
| Loss of private land                               | Legal owners or occupants   | Replacement land of similar type, category and productive capacity, free from transaction costs (taxes, administration fees)  | No land loss >10% of total productive land holding allowed  |
|  | Affected persons without a legally recognizable right or claim to the land they are occupying | At minimum, rehabilitation assistance to restore the livelihoods and standards of living, in real terms, to pre-project levels or to levels prevailing prior to the beginning of subproject implementation, whichever is higher | No land loss >10% of total productive land holding allowed  |
| Loss of trees, structures and other private assets | All affected persons regardless of tenure status  | Cash or in-kind compensation at replacement cost<br><br>Salvage materials will be handed over to affected people  | If remaining parts of the structures are not sufficient for use, compensation will be provided for the entire affected buildings<br><br>The project will help salvage |

|                                   |  |  |   |
|-----------------------------------|--|--|---|
|                                   |  |  | material transportation   |
| Loss of income and standing crops | All affected persons regardless of tenure status | Civil works will be adjusted to avoid loss of income/ standing crops   |   |
| Temporary land occupation         | Legal owners or occupants                        | In-kind compensation for loss of income or assets on a net basis<br>Reinstitute land to the original state after the completion of civil works | PIC, under the support of third party service provider, will monitor implementation |

## LIST OF ANNEXES

|          |  |
|----------|--|
| Annex 1: | Subproject Safeguards Screening Form                 |
| Annex 2: | Voluntary Donation Form                              |
| Annex 3: | Environmental Management Plan                        |
| Annex 4  | Resettlement Policy Framework                        |
| Annex 5: | Indigenous Peoples Policy Framework                  |
| Annex 6  | Final Subproject inspection form                     |
| Annex 7: | List of Subprojects Reviewed by Technical Consultant |
| Annex 8  | Environmental Codes of Practice                      |
| Annex 9: | Meeting Minutes of Public Consultations              |

## Annex 1: FORM PC 13: SAFEGUARDS SCREENING FORM

The completed form (one is required for each subproject) is to be attached to the sub-project proposal.

|                     |  |
|---------------------|--|
| Region / State<br>: |  |
| Township:           |  |
| Village Tract:      |  |
| Village:            |  |
| Sub-project:        |  |
| Sub-project<br>ID:  |  |

### Sub-project description

Type (see eligible category)

Category (check one): ☐ Rehab ☐ Extension ☐ New work ☐ other

Scope:

☐ Building ☐ road/bridge/jetty ☐ water supply ☐ rural electrification ☐ irrigation  
☐ Sanitation

Cost estimate

Location (with GPS longitudes and latitudes, if available)

Beneficiaries

Number of villages served

Linked to sector plan? (Check one) ☐ Yes ☐ No

Any other similar sub-project/assistance in the same village? (Check one) ☐ Yes ☐ No

### Environmental screening

Apply ECoP to all village sub-projects (VSP)

#### *E1. Natural environment*

(a) Briefly describe the vegetation/trees in/adjacent to the sub-project area

(b) Estimate and indicate where vegetation/trees might need to be cleared

(c) Are there any environmentally sensitive areas or threatened species (specify below) that could be adversely affected by the sub-project?

-- Natural forests: Yes\_\_\_ No\_\_\_

-- National parks: Yes\_\_\_ No\_\_\_

-- Rivers: Yes\_\_\_ No\_\_\_

-- Lakes: Yes\_\_\_ No\_\_\_

-- Wetlands (swamps, polder areas, seasonally inundated areas): Yes\_\_\_ No\_\_\_

-- Natural habitats of endangered species for which protection is required under Myanmar laws and/or international agreements: Yes\_\_\_ No\_\_\_

-- Others (describe): Yes\_\_\_ No\_\_\_

If answer to any of above questions is 'yes', mark VSP as having an impact on the natural environment:

- ☐ has an impact                      ☐ No impact

*E2. River ecology*

Is there a possibility that, due to installation of structures, such as weirs and other irrigation structures, the river ecology will be adversely affected? Attention should be paid to water quality and quantity; the nature, productivity and use of aquatic habitats, and variations of these over time. Yes\_\_\_ No\_\_\_

If answer to any of above questions is 'yes', mark VSP as having an impact on river ecology:

- ☐ has an impact                      ☐ No impact

*E3. Protected areas*

Does the sub-project area (or components of the sub-project) occur within/adjacent to any protected areas designated by government (national park, national reserve, world heritage site, etc.) Yes\_\_\_ No\_\_\_

If the sub-project is outside of, but close to, any protected area, is it likely to adversely affect the ecology within the protected area areas (e.g., interference with the migration routes of mammals or birds) Yes\_\_\_ No\_\_\_

If answer to any of above questions is 'yes', mark VSP as having an impact on the protected areas:

- ☐ Has an impact                      ☐ No impact

*E4. Geology and soils*

Based upon visual inspection or available literature, are there areas of possible geologic or soil instability (erosion prone, landslide prone, subsidence-prone)? Yes\_\_\_ No\_\_\_

Based upon visual inspection or available literature, are there areas that have risks of large scale increase in soil leaching and/or erosion? Yes\_\_\_ No\_\_\_

If answer to any of above questions is 'yes', mark VSP as having an impact on geology and soils:

- ☐ Has an impact                      ☐ No impact

*E5. Pollution*

Will the sub-project lead to ground, water or air pollution? Yes\_\_\_ No\_\_\_

Will lead batteries be used? Yes\_ No\_

If answer to any of above questions is 'yes', mark VSP as having an impact on air pollution:

- ☐ Has an impact                      ☐ No impact

*E6. Invasive plant species along feeder road routes*

Is the sub-project likely to result in the spread of invasive plant species (along feeder road routes)? Yes\_\_\_ No\_\_\_

*E7. Endangered species along feeder road routes*



Is the sub-project likely to result in an increased threat to endangered animal species(along feeder road routes)? Yes\_\_\_ No\_\_\_

If answer to any of above questions is 'yes', mark VSP as having an impact on invasive plant species

☐ Has an impact                      ☐ No impact

*E8. Historical, archaeological or cultural heritage site*

Based on available sources, consultation with local authorities, local knowledge and/or observations, could the sub-project alter any historical, archaeological or cultural heritage site (pagodas, memorials and graves) or require excavation near same? Yes\_\_\_ No\_\_\_

If answer to any of above questions is 'yes', mark VSP as having an impact on historical, archaeological or cultural heritage site:

☐ Has an impact                      ☐ No impact

*E9. Loss of crops, fruit trees and household infrastructure*

Will the sub-project result in the permanent or temporary loss of crops, fruit trees and household infrastructure (such as granaries, outside toilets and kitchens, etc)? Yes\_\_\_ No\_\_\_

If answer to any of above questions is 'yes', mark VSP as having an impact on crops, fruit trees and household infrastructure:

☐ Has an impact                      ☐ No impact

*E10. Adverse impacts on natural habitats*

Will the sub-project have adverse impacts on Natural Habitats that will not have acceptable mitigation measures according to OP 4.04 Natural Habitats? Yes\_\_\_ No\_\_\_

If answer to any of above questions is 'yes', mark VSP as having an impact on natural habitats:

☐ Has an impact                      ☐ No impact

*E11. Solid or liquid waste*

Will the sub-project generate solid or liquid wastes? Yes\_\_\_ No\_\_\_

If "Yes", does the sub-project include a plan for their adequate collection and disposal? Yes\_\_\_ No\_\_\_  
If answer to any of above questions is 'yes', mark VSP as generating solid or liquid waste:

☐ Has an impact                      ☐ No impact

➤ ***If the answer to any of the above questions is 'yes', prepare an Environmental Management Plan that contains suitable mitigation measures***

**Social screening**

*S1. Resettlement and/or land acquisition*

Will land that is privately used for farming, residence, grazing or other purposes be permanently acquired or temporarily occupied by sub-project implementation? Yes\_\_\_ No\_\_\_

- If the answer is 'yes', proceed to the guidance on land acquisition (voluntary donation or resettlement action plan, as appropriate)

## *S2. Accessing sub-project benefits*

Will the following groups in the village have access to and benefit from the sub-project?

- Women: Yes\_\_\_ No\_\_\_
- Youth groups: Yes\_\_\_ No\_\_\_
- Ethnic minorities: Yes\_\_\_ No\_\_\_
- Religious minorities: Yes\_\_\_ No\_\_\_
- Other groups (e.g. the poor, the elderly) Yes\_\_\_ No\_\_\_

- For each group: if the answer is 'yes', specify how it will benefit, and if it is 'no', explain why they will not benefit.

Will villagers be employed for the implementation of works? Yes\_\_\_ No\_\_\_

- If the answer is 'yes', → Part I, Block Grants to determine the daily wage

|       |       |           |  |
|-------|-------|-----------|--|
| Name: | _____ | Position: | Head, Village Project Support<br>Committee |
|-------|-------|-----------|--|

|            |       |       |       |
|------------|-------|-------|-------|
| Signature: | _____ | Date: | _____ |
|------------|-------|-------|-------|

## Annex 2: FORM PC 14: VOLUNTARY DONATION FORM

|                        |  |
|------------------------|--|
| Region / State :       |  |
| Township:              |  |
| Village tract:         |  |
| Village:               |  |
| Sub-project ID:        |  |
| Technical Facilitator: |  |

|  |                |  |  |                         |
|--|----------------|--|--|-------------------------|
| Name of land owner:  | NRC Number:    | Beneficiary of the sub-project:<br>Y/N |  |                         |
| Sex:   | Age:           | Occupation:                            |  |                         |
| Address:   |                |  |  |                         |
| Description of land that will be taken by the sub-project:                             | Area affected: | Total landholding area:                | Ratio of land affected to total land held: | Map code, if available: |
| Description of annual crops growing on the land now and project impact:                |                |  |  |                         |
|  | Details        | Number                                 |  |                         |
| – Trees that will be destroyed   |                |  |  |                         |
| – Fruit trees  |                |  |  |                         |
| – Trees used for other economic or household purposes                                  |                |  |  |                         |
| – Mature forest trees  |                |  |  |                         |
| – ...  |                |  |  |                         |
| Describe any other assets that will be lost or must be moved to implement the project: |                |  |  |                         |
| Value of donated assets:   |                |  |  |                         |
| Will affected people need to be physically relocated?                                  |                |  |  |                         |

By signing or providing thumb-print on this form, the land user or owner agrees to contribute assets to the project. The contribution is voluntary. If the land user or owner does not want to contribute his/ her assets to the project, he or she should refuse to sign or provide thumb print, and ask for compensation instead.

Date:.....

Date:.....

Village Project Support Committee  
representative's signature

Affected persons signature  
(both husband and wife)

### Annex 3: FORM PC 15: ENVIRONMENTAL MANAGEMENT PLAN

The completed form will be attached to the sub-project proposal. The EMP will be approved by the DRD township engineer.

|                        |  |
|------------------------|--|
| Region / State :       |  |
| Township:              |  |
| Village tract:         |  |
| Village:               |  |
| Sub-project ID:        |  |
| Technical Facilitator: |  |

| Potential adverse impact(s) | Mitigation measure(s) | Monitoring indicators | Responsibilities | Implementation schedule | Cost estimates |
|-----------------------------|-----------------------|-----------------------|------------------|-------------------------|----------------|
|                             |                       |                       |                  |                         |                |
|                             |                       |                       |                  |                         |                |
|                             |                       |                       |                  |                         |                |
|                             |                       |                       |                  |                         |                |
|                             |                       |                       |                  |                         |                |

Name:

Position:

Head, Village Project Support Committee

Signature:

Date:

## Annex 4: Resettlement Policy Framework

### I. The Policy Framework

151. This Additional Financing (AF) to the Myanmar National Community Driven Development (CDD) Project would finance the improvement or new construction of rural infrastructure such as schools, dispensaries, small rural tracks and footpaths, water supply systems. Such subprojects may, under certain circumstances, result in loss of private land or assets. The impact will likely be minor, given the size of subprojects, and all affected people would directly benefit from the investments that would lead to such an asset loss. Physical relocation of households is not allowed. This Resettlement Policy Framework (RPF) provides the summary of policies, processes, procedures and implementation arrangements with regard to land acquisition described in the Environmental and Social Management Framework (ESMF).

152. **This RPF aims to ensure that any negative impacts are avoided, minimized and properly managed.** This framework and guidelines are fully consistent with and responsive to the Banks' relevant involuntary resettlement policies (WB OP 4.12). This RPF was developed based on the Environmental and Social Screening and Assessment Framework (ESSAF) which was developed when the original project was prepared, taking into account the experience gained during implementation of the original project.

153. This RPF lays down the principles and objectives, eligibility criteria, legal and institutional framework, protocols and procedures for voluntary donation and for compensation, participation of affected people and grievance procedures, which will guide how asset loss that may result from the implementation of the project would be avoided, minimized and mitigated under the project.

### II. Objective, Principles and Eligibility Criteria

154. The principles outlined in the World Bank Policy on Involuntary Resettlement have been adopted in preparing this document. Overall, This RPF aims to ensure that this AF will be implemented in an environmentally and socially sustainable manner and in line with the Bank's OP 4.12. They are mostly identical to those provided under the ESSAF, although some new provisions are introduced based on experiences gained in the project's first community cycle. Specifically, the following principles will govern the AF with regard to the loss in private land or assets:

- All people who reside in the township at the first day of community meetings, without regard to legal status of their land ownership or ethnic background, are eligible for the protections provided in this ESMF;
- Potential negative environmental and social impacts should be avoided, minimized and mitigated;
- Loss in livelihoods associated with or caused by the project should be prevented and,

where unavoidable, minimized and fully compensated;

- Anyone residing in, gaining income from or having tenure rights over, land that will be affected by sub-projects financed under the project is entitled to compensation at replacement value which is sufficient to improve or at least maintain their pre-Project living standards, income earning capacity and production levels, without regard to their tenure status or ethnic background.
- Economic and physical displacement should be avoided, minimized and fully mitigated. Physical relocation of households is not allowed under the project;
- No one should lose more than 10 percent of the productive assets under the project. Sub-project designs will be adjusted or alternative locations will be sought if any household may lose more than 10 percent of the productive assets.
- Environmental and social benefits should be enhanced wherever possible;
- Implementation of subprojects will commence only after compensation is fully paid or voluntary donation processes is fully completed;
- The processes and procedures for voluntary donation and involuntary land acquisition including grievance redress should be summarized in a pamphlet in all applicable local languages and distributed in all participating villages; and
- The capacity of DRD to manage environmental and social impacts should be strengthened.

### **III. Implementation arrangements**

155. At the township level, the Township Planning and Implementation Committee (TPIC) and township DRD office (through the township CDD secretariat) assume primary responsibilities for project implementation. Each Township DRD (township CDD Secretariat) will receive technical support from technical assistance teams and the union DRD office, on issues including financial management, procurement, MIS, grievance handling and others.

156. At the village tract/village level, the Village Tract Project Support Committee (VTPSC) and village project support committees are responsible for ensuring that the community planning process and sub-project implementation cycle at the village tract and village levels, respectively, are carried out with due diligence and efficiency and in accordance with the project Operations Manual, this RPF and the ESMF. In each Village Tract, the village tract grievance sub-committee is established under the VTSPC, whose tasks include supporting the grievance information campaign, monitoring progress of grievance handling activities, and collecting/receiving and responding to complaints/grievances and where necessary, referring such to the township level.

157. At the village level, the Village Project Support Committees (VPSC) assume responsibility for planning, prioritizing and implementing community infrastructure sub-projects. The village monitoring sub-committees are established under the Village Project Support Committee (VPSC) and report regularly to the villagers about progress in sub-project implementation. This sub-committee will supervise the implementation of the sub-projects.

Village Volunteers will assist the Community Facilitator (CF) throughout project implementation. The grievance focal point is selected through participatory community meetings and is responsible for handling grievances at the village level and is the primary contact point for anyone wishing to file a grievance.

#### **IV. Protocols and Procedures of Voluntary Donations**

158. The NCDDP will continue to allow community members who benefit from a sub-project to donate land and other private assets to the sub-project without compensation. It is expected that, as under the original NCDDP, most project impacts will be addressed through voluntary donation without any significant or long-term impact on livelihoods. **The following protocol will govern voluntary donations of private assets.**

- Voluntary donations are an act of informed consent and affected people are not forced to donate land or other assets with coercion or under duress, or misled to believe that they are obliged to do so, without regard to the ethnic background or legal status of their land occupancy.
- Voluntary donations are allowed only if a sub-project can technically be implemented in another location than where it is planned – if a sub-project is location-specific by nature, land acquisition associated with such a sub-project cannot be considered as voluntary; rather, it is an act of eminent domain. In such cases, an abbreviated RAP or a full RAP, as applicable, will be developed.
- Voluntary donations are allowed only for very minor impacts that meet the following criteria:
  - The households contributing land or other assets are direct beneficiaries of the sub-project;
  - The total size of productive land owned by the affected household is more than 300m<sup>2</sup>;
  - The impact is less than 5 percent of the total productive assets owned by said household; and
  - No one has to be physically relocated.
- The affected people are fully informed that they have the right to refuse to donate land or other private assets, and instead receive compensation at replacement cost, and that a grievance handling mechanism is available to them through which they can express their unwillingness to donate. People are encouraged to use the grievance handling mechanism if they have questions or inquiries, either in writing or verbally. Adequate measures will be in place to protect complainants.
- The community facilitator (CF), village representatives of VTPSC and the VPSC will confirm through a face-to-face meeting that the affected people are indeed aware that they are entitled to compensation and knowingly and freely agree to donate land or other assets without compensation. The minutes of this meeting, including the

confirmation that all conditions for voluntary donations in this RPF are met, will be attached to the signed voluntary donation form.

- Once the informed consent of the affected people has been confirmed in writing, the VTPSC will develop a voluntary donation form (see Annex 2 of the ESMF). Both the husband and the wife of the affected household will sign two copies of the form in the presence of the CF and the village implementation committee.
- The VTPSC reviews and approves the signed voluntary donation form, and keeps one original signed voluntary donation form for review by DRD and the World Bank. The affected household keeps another original signed form.
- Implementation of sub-projects involving voluntary donations starts only once the VTPSC has approved the signed voluntary donation forms.
- Annual social audits carried out by the DRD township offices verify the informed agreement of affected people.

## **V. Principles and Procedures for Compensation**

159. If affected people are unwilling to donate assets without compensation, or if a condition of voluntary donations mentioned above cannot be met, the VTPSC will, with the support of the CF, develop an abbreviated RAP. In an exceptional case where more than 200 people are affected by a sub-project, a full RAP will be developed. The following principles will apply for the land or asset loss against compensations:

- (a) Land acquisition should be avoided or minimized if unavoidable, and should not result in persons losing their home or suffering any decline in income, livelihood, or living standards. No physical relocation of households is allowed under the project.
- (b) No one should lose more than 10 percent of their productive assets as a result of subproject implementation. If, based on the survey conducted by Technical Facilitator (TF) with the participation of affected people find that more than 10 percent of productive assets would likely be affected, designs should be adjusted and/or alternative locations be sought so that impact would be reduced to below 10 percent.
- (c) Subprojects involving land acquisition based on eminent domain are on the list of non-eligible activities for community investments (negative list). Under the Project, only beneficiary communities themselves are able to acquire land or assets of other community members based on mutual agreements and consent on terms of compensation.
- (d) Affected people are eligible for in-kind compensation that is sufficient to restore pre-project income streams. The VPSC, VTPSC and affected households, under the guidance of the CF and the TF, will jointly assess the scale of impact and identify in-kind compensation that is at least sufficient to restore pre-project level livelihoods and income streams. In-kind compensation should be provided by beneficiary



communities themselves from their own assets, or if communities have difficulties identifying sufficient assets that can be made available to affected people to fully restore their livelihood, the VTPSC will allocate resources from its own budget. Proceeds from the World Bank financing cannot be used for compensation.

- (i) Loss of agricultural land: replacement land of similar type, category and productive capacity, free from transaction costs, which is acceptable to the affected people; or full compensation at replacement value if land is not available.
- (ii) Loss of residential land: replacement land of similar type, category and quality, free from transaction costs, which is acceptable to the affected people; or full compensation at replacement value if land is not available.
- (iii) Loss of trees, structures and other private assets: cash or in-kind compensation at replacement cost. Salvage materials will be handed over to affected people.
- (iv) Loss of income and standing crops: civil works will be adjusted to avoid loss of income/ standing crops.
- (e) An abbreviated RAP and a full RAP will be prepared by VTPSC under the support of the Community Facilitator and Technical Facilitator (see below for the contents of the RAP).
- (f) Community infrastructure, if affected by subproject, must be restored or replaced.
- (g) Implementation of civil works will commence only after all entitlements are delivered to affected households.

## **VI. Preparation of the abbreviated Resettlement Action Plan (RAP)**

160. If the safeguard screening finds that land acquisition or loss of private assets is unavoidable and if voluntary donation does not apply, the VTPSC, with technical inputs from the DRD engineer and the support of the TF, will prepare a resettlement instrument (an abbreviated RAP or a full RAP). All village representatives will receive safeguards training. Also, basic processes and procedures with regard to social and environmental safeguards will be displayed at a notice board in all project villages

161. The abbreviated RAP will be developed which should include, at minimum, (i) the names of affected people, (ii) baseline census and socioeconomic data of affected people; (iii) the inventory of impacts, (iv) mitigation measures including the types and the scale of in-kind compensation, (v) implementation arrangements including participatory processes to ensure participation of affected people in the RAP implementation; (vi) implementation schedule to ensure that in-kind compensation will be provided before civil works start, and (vii) the estimated cost of compensation and the sources of funds where compensation is provided in cash. The VPSC, under the oversight of VTPSC and with the support of the Community Facilitators and the Technical Facilitators, will be assisted to identify in-kind compensation including the provision of alternative land that is sufficient to restore the income streams of the affected people.

162. The abbreviated RAP should address the following at minimum.

|  |
|--|
| <b>Introduction</b> <ul style="list-style-type: none"> <li>- General description of subprojects including type of infrastructure, scale and scope of civil works.</li> <li>- Name of the village and township, location, major ethnic background, number of population, etc</li> </ul>   |
| <b>Baseline census and socioeconomic data of affected people</b> <ul style="list-style-type: none"> <li>- The number and names of affected households</li> <li>- General description of livelihoods, economic conditions and vulnerability of affected households</li> </ul>   |
| <b>Detailed inventory of loss</b> <ul style="list-style-type: none"> <li>- Types of impact (loss of land, fences, barns, etc)</li> <li>- Level of severity (% of loss)</li> <li>- Number of affected households for each type</li> <li>- Rough valuation of impact (measured by scale of loss in livelihood, which may or may not be expressed in monetary terms)</li> </ul> |
| <b>Detailed plan for impact mitigation</b> <ul style="list-style-type: none"> <li>- In-kind compensation to be provided and valuation methodology used</li> <li>- Other support to fully restore livelihood</li> </ul>   |
| <b>Policy entitlements related to any additional impacts identified under census or survey</b> <ul style="list-style-type: none"> <li>- Steps to identify any unidentified impacts</li> <li>- Provisions to address such unintended impacts</li> </ul>   |
| <b>Implementation Procedure</b> <ul style="list-style-type: none"> <li>- Subproject implementation schedule</li> <li>- Provision of entitlement (which should precede the start of civil works)</li> </ul>   |
| <b>Detailed cost estimate and source of resources</b> <ul style="list-style-type: none"> <li>- Costs for provision of each entitlement types</li> <li>- Community resources used to provide such entitlements</li> <li>- Village tract resources to be used, if any</li> </ul>   |

163. If the Community Facilitator and the Technical Facilitator find that more than 200 villagers will lose part of their land and/ or private assets under respective subprojects, the Bank task team will be immediately consulted for guidance. In such a highly unlikely case, a full RAP will be developed under direct guidance of the Bank task team in consultation with the EAP Safeguard Secretariat.

164. **When sub-project documents and applicable resettlement instruments are drafted, members of the VTPSC including the representatives from the beneficiary village, the DRD engineer and the TF will carry out a half-day consultation with the village implementation committee and affected people.** During the consultation meeting,

the final sub-project documentation is presented together with the draft detailed design, and the draft RAP (abbreviated or full) and voluntary donation forms, as applicable. Inputs from the village implementation committee and affected people will be sought regarding whether or not all potential impacts are adequately covered and mitigated, and whether adequate measures are incorporated in the design to meet the special needs of affected people and disadvantaged groups. The final sub-project documentation that is submitted to the VTPSC for approval should incorporate the inputs from affected people, and the result of the meeting is documented and kept in the project file.

165. The resettlement instruments developed for a sub-project will be reviewed against the provisions of this RPF and the ESMF and, if they are found to have addressed all requirements, will be approved by the VTPSC prior to its implementation. In particular, the following will be assessed:

- (a) Are potential adverse impacts clearly identified?
- (b) Are mitigation measures proposed sufficient to fully restore income streams of affected people?
- (c) Are all conditions of voluntary donations met?
- (d) Are implementation arrangements and grievance mechanisms adequate?
- (e) Is the budget estimated sufficient?

166. Copies of approved abbreviated RAP or a full RAP will be made available at the village tract office and in easily accessible places in the villages where the sub-project is implemented, with a summary translated into the local language(s).

## **VII. Implementation Procedure**

167. Each VTPSC is responsible for the implementation of the voluntary donations, and abbreviated or full RAPs, as applicable, according to the policies and procedures laid out in this RPF. The VTPSC will ensure that no physical land acquisition would occur:

- (a) Before an abbreviated RAP or RAP has been implemented and all entitlements have been fully delivered; or
- (b) Before the voluntary donation form is signed by the affected household(s) and reviewed and approved by the VTPSC

168. Village monitoring sub-committees, in collaboration with CF and village volunteers, monitor the implementation of the donation forms, and/ or abbreviated or full RAPs. The village monitoring sub-committees confirm the proper application of the instruments and notify the VTPSC that a sub-project is ready for implementation. The implementation of sub-projects involving voluntary land donation, involuntary land acquisition or asset loss start only once this confirmation is given.

## **VIII. Monitoring**

169. Throughout the implementation of the sub-project, the village monitoring sub-committees and CF/TFs will monitor any negative impacts that may arise. CF will regularly visit villages and receive feedback. If villagers have any questions or grievances that cannot be addressed at the community level, they will be encouraged to seek clarifications and solutions through the project's grievance handling mechanism.

170. Social audits will be conducted on an annual basis and facilitated by the township DRD and TA team. For the social audits, CFs will organize an open public meeting at villages (in remote areas, several villages may meet together for a social audit where convenient). Information on the meeting is posted in advance and meetings are held at such a time and place as to maximize community participation. It will provide a public forum to present problems, and air any grievances or other issues people may have with the project. The CF will prepare minutes of the meeting that record the issues raised and how they will be addressed in the subsequent annual cycle. This information will be included in the updated Village Tract Development Plan (VTDP), submission of which to the DRD township office is a condition for the transfer of the next annual block grant allocation.

171. The VTPSC will prepare a monthly progress report for all subprojects under implementation including safeguard aspects and submits it to the DRD township M&E officer. These reports will also include a short report on voluntary donations, and abbreviated or full RAP (if relevant), that have been completed during the reporting period. With the assistance of the village volunteers, the monitoring sub-committee (MSC) will organize a village monitoring meeting about every two months or when major milestones have been achieved. Every effort will be made to ensure that as many villagers as possible will attend the meeting. The MSC will update villagers on all aspects of implementation progress including voluntary donations and mitigation of negative impacts, and receive feedback on the progress of the VTDP implementation and concerns they may have. The VTPSC will file the status of the implementation of this RPF based on the report received from the VPSC and MSC and record outstanding issues and grievances collected. The township engineer and DRD township M&E officers will undertake regular supervision visits to subproject sites and review progress in implementation of this RPF. They will incorporate key findings from the supervision visits into the quarterly township progress report.

172. The DRD union office staff and relevant union TA consultants will undertake regular supervision and monitoring visits to townships, village tracts and village subproject sites in order to assess project performance including on safeguards. DRD union office staff and union TA consultants will continue to provide technical support to the DRD township office staff and VTPSCs, including on safeguard issues, as needed. The DRD union M&E officer will develop the quarterly project progress report which will include the following performance indicators:

- (a) The number of voluntary donation cases;
- (b) The number of cases of involuntary land or asset acquisition;
- (c) The number of abbreviated or full RAP developed;
- (d) The amount of compensation paid for involuntary land or asset acquisition;

(e) The total number of project beneficiaries/ affected people, broken down to ethnicity; and

(f) Grievances submitted through various channels described below, and the current status.

173. The World Bank reviews the use of safeguards screening forms, voluntary donations, abbreviated RAPs on a random basis and carries out field trips as part of supervision missions to verify safeguard compliance in line with this RPF and ESMF and other relevant project documents.

## IX. Grievance redress mechanisms

174. Complaints and grievances are dealt with using the NCDDP grievance handling mechanism (GHM) to ensure that the project is implemented transparently and accountably, that voices of poor and marginalized groups are heard, and that issues and grievances raised are resolved effectively and expeditiously. The key principles of the GRM are described in the Section K of the main body of the ESMF. Detailed processes and procedures are described in the project Operations Manual, and are made publicly available at the village level, including through posters and visual materials.

## X. VIX. Entitlement Matrix

| Type of Losses                              | Entitled Persons  | Entitlements  | Implementation Issues  |
|---|---|---|--|
| Loss of private land                        | Legal owners or occupants   | Replacement land of similar type, category and productive capacity, free from transaction costs (taxes, administration fees)  | No land loss >10% of total productive land holding allowed   |
|   | Affected persons without a legally recognizable right or claim to the land they are occupying | At minimum, rehabilitation assistance to restore the livelihoods and standards of living, in real terms, to pre-project levels or to levels prevailing prior to the beginning of subproject implementation, whichever is higher | No land loss >10% of total productive land holding allowed   |
| Loss of trees, structures and other private | All affected persons regardless of tenure status  | Cash or in-kind compensation at replacement cost<br><br>Salvage materials will be   | If remaining parts of the structures are not sufficient for use, compensation will be provided for the entire affected |

| <b>Type of Losses</b>             | <b>Entitled Persons</b>                          | <b>Entitlements</b>  | <b>Implementation Issues</b>  |
|-----------------------------------|--|--|---|
| assets                            |  | handed over to affected people   | buildings<br><br>The project will help salvage material transportation              |
| Loss of income and standing crops | All affected persons regardless of tenure status | Civil works will be adjusted to avoid loss of income/ standing crops   |   |
| Temporary land occupation         | Legal owners or occupants                        | In-kind compensation for loss of income or assets on a net basis<br><br>Reinstitute land to the original state after the completion of civil works | PIC, under the support of third party service provider, will monitor implementation |

## **Annex 5: Indigenous Peoples Policy Framework**

### **I. The Policy Framework**

175. This Additional Financing (AF) to the Myanmar National Community Driven Development (CDD) Project would finance the improvement or new construction of rural infrastructure such as schools, dispensaries, small rural tracks and footpaths, water supply systems. It is expected that ethnic minority communities would be present in the project areas of influence. This Indigenous Peoples Policy Framework (IPPF) aims to ensure that ethnic minorities in project-covered areas would be able to:

- (a) Provide input to local planning processes and activities used and undertaken to determine development priorities;
- (b) Facilitate the choice of subprojects as coming from ethnic minority communities themselves through informed decision-making to address local development challenges;
- (c) Actively participate and lead in the design, development, and implementation of subprojects, and
- (d) Provide feedback on subproject implementation, and benefits and risks to ethnic minority communities.

176. This Indigenous Peoples Policy Framework (IPPF) is developed to ensure that the AF would continue to be implemented in line with the Bank's OP 4.10 *Indigenous Peoples*.

### **II. Guidelines for Engaging with Ethnic Minority Communities**

177. The AF would place a continued emphasis on ensuring that ethnic minority communities understand the project concept and approach including on environmental and social safeguards, fully participate in the project processes and receive project benefits. Negative impacts that may occur to them as a result of the AF implementation would be avoided, minimized or avoided. With the support of Community Facilitators (CF), villagers themselves will conduct the participatory Social Assessment (SA) in all project villages including where ethnic minorities are present. The ethnic screening will be conducted as part of the Participatory SA in all project villages, and free, prior and informed consultations will be conducted with ethnic minorities leading to broad community support for proposed sub-projects, if ethnic screening finds that they are present. Details about processes and procedures for the participatory SA are described in the project Operations Manual.

178. In order to mitigate the risk that ethnic minorities are not able to fully participate in project implementation and receive project benefits, and that negative impacts may occur to them, the following measures will be employed by the NCDDP:

- (a) Recruitment of village volunteers elected from among ethnic groups who assist the community facilitator throughout project implementation;
- (b) Training of CF/TF to increase cultural awareness of issues related to ethnicity, religion and marginalization;

- (c) Free, prior and informed consultations with ethnic minorities of the Village and Village Tract Development Plans leading to their broad community support;
- (d) Involvement of ethnic minorities in the decision-making process in the VTPSC
- (e) Qualitative monitoring and beneficiary assessments focusing primarily upon societal dynamics and ethnic groups, women, and the most vulnerable, using focus group discussions and key informant interviews; and
- (f) Use of local languages in the dissemination of project related information.

### **III. Implementation arrangements**

179. At the township level, the Township Planning and Implementation Committee (TPIC) and township DRD office (through the township CDD secretariat) assume primary responsibilities for project implementation. Each Township DRD (township CDD Secretariat) will receive technical support from technical assistance teams and the union DRD office, on issues including financial management, procurement, MIS, grievance handling and others.

180. At the village tract/village level, the Village Tract Project Support Committee (VTPSC) and village project support committees are responsible for ensuring that the community planning process and sub-project implementation cycle at the village tract and village levels, respectively, are carried out with due diligence and efficiency and in accordance with the project Operations Manual, this IPPF and the ESMF. The VTPSC will develop, based on the village development plans, the Village Tract Development Plans (VTDP) which will serve as the Indigenous Peoples Plan (IPP) for this project. In each Village Tract, the village tract grievance sub-committee is established under the VTSPC, whose tasks include supporting the grievance information campaign, monitoring progress of grievance handling activities, and collecting/receiving and responding to complaints/grievances and where necessary, referring such to the township level.

181. At the village level, the Village Project Support Committees (VPSC) assume responsibility for planning, prioritizing and implementing community infrastructure sub-projects. The village monitoring sub-committees are established under the Village Project Support Committee (VPSC) and report regularly to the villagers about progress in sub-project implementation. This sub-committee will supervise the implementation of the sub-projects. Village Volunteers will assist the community facilitator throughout project implementation. Among other tasks, they will help enhance the involvement of ethnic minorities in the decision-making process in the village tract project support committees; participation of ethnic minority representatives in village implementation committees and monitoring sub-committees; and the use of local languages in the dissemination of project-related information. The grievance focal point is selected through participatory community meetings. The grievance focal point is responsible for handling grievances at the village level and is the primary contact point for anyone wishing to file a grievance.



#### **IV. Framework for Free, Prior and Informed Consultations with Ethnic Minority Communities and the Plan to Carry Out Social Assessment**

182. This section provides step by step procedures to ensure that ethnic minority communities are adequately consulted with and participate in project activities, leading to their broad community support and their receiving project benefits in a culturally appropriate manner. It also provides guidelines how to carry out Social Assessment (SA) in line with the provisions of the OP 4.10.

##### **Key Steps**

##### *Step 1 – Identification of Sub-projects*

183. *Participatory social assessments (SA) including free, prior and informed consultations, ethnic screening and identification of priorities at the village level.* A series of village meetings will be held in all beneficiary villages with the support of the Community Facilitator (CF) where a participatory SA is conducted and villagers identify priority needs, develop village development plans and elect village volunteers and their representatives to the VTPSC.

184. The participatory SA will also include the screening for the presence of ethnic groups in the project area. If ethnic minority communities are found to be present, their socioeconomic conditions and participation in community decision making processes as well as their perspectives on the overall project approach will be assessed as part of SA. Free, prior and informed consultations will also be conducted as part of the SA, in a language understandable to ethnic minorities, using visual/ audio tools wherever possible. Villagers will be notified of the participatory SA meetings sufficiently early enough, and small group meetings will be conducted to facilitate free discussions to the extent possible.

185. Besides the results of ethnic screening and free, prior and informed consultations, the participatory SA will also address the following in order to fully meet the requirement under the OP 4.10 as the Social Assessment (SA).

- (a) Baseline information on the demographic, socioeconomic, cultural, and political characteristics of project beneficiaries including but not limited to ethnic minorities, including with regard to the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- (b) The consultative and participatory processes during subproject implementation to allow an active and meaningful participation of project beneficiaries including but not limited to ethnic minorities;
- (c) The list of subprojects identified by beneficiary villagers themselves in a participatory manner and address their priority needs;
- (d) Potential adverse and positive effects of subprojects identified as part of the participatory SA, and measures to avoid, minimize or mitigate negative impacts and

enhance positive benefits;

(e) Evidence of broad community support to the subprojects identified by beneficiary community members themselves. Where broad community support is not ascertained under the participatory SA, the subproject will not be implemented.

186. *Consolidation of village priorities in Village Tract Development Plans (VTDP).* The Village Tract Project Support Committees (VTPSC) will consolidate the village development plans into Village Tract Development Plans (VTDP) which include and prioritize the list of sub-projects identified by villages that constitute the village tract. Under this Project, the VTDP will serve as the Indigenous Peoples Plan (IPP) under OP 4.10 where ethnic minorities are affected within the Village Tract. The VTDP will include the following, as minimum:

- (a) Affected ethnic minorities. The ethnic minorities present in the VT, identified under ethnic screening as part of the participatory Social Assessment (SA), will be described.
- (b) Summary of the findings of the participatory SA including the results of the free, prior, and informed consultation conducted with the affected ethnic minorities, and the evidence of broad community support to the priority sub-projects.
- (c) A framework for ensuring free, prior, and informed consultation with affected ethnic minorities during subproject implementation.
- (d) Measures to ensure that ethnic minorities will receive social and economic benefits that are culturally appropriate and that adverse effects on them will be avoided, minimized or mitigated.
- (e) Estimation of costs to implement the VTDP including measures to mitigate negative impacts on ethnic minorities and the source of fund to implement such measures.
- (f) Grievance and monitoring mechanisms.

187. *Endorsement of village tract development plans.* The township planning and implementation committees (TPIC) will review the village tract development plans against existing sector plans and other known assistance, and endorse them. Copies of approved plans are made available in the local language(s) at the village tract office and in places convenient to the local population in all villages that constitute the village tract. Where translation into local languages is difficult because relevant ethnic groups in the village tracts do not have writing systems or due to other technically valid reasons, at least the summary of the approved village tract development plans, including the list of approved sub-projects, should be described in a short brochure, posters or other information materials and displayed on notice boards in all villages as well as the village tract offices.

188. *Amendment of village and village tract development plans.* Villagers and the respective VTPSC will re-evaluate the development plans annually and adjust them as needed. The adjusted plans will be endorsed by the TPIC if there are major changes. Each time the village and village tract development plans are updated, free, prior and informed consultations will be carried out with beneficiary communities and with ethnic minorities to ensure their broad community support to the updated plans.

189. VTDP will be updated and the scope and the scale of impacts will be described for respective subprojects when designs are ready. The scale and scope of benefits, risks and impacts associated with subprojects will be explained to beneficiary communities at the community wide meeting and their broad community support would be sought and documented in the updated VTDP.

190. Each VTPSC is responsible for the implementation of the sub-project safeguards instruments including the VTDP, according to the policies and procedures laid out in this IPPF and the ESMF in general. The VTPSC will ensure that the implementation of subprojects would not commence before the updated VTDP with the description of impacts is consulted with affected ethnic minority communities and their broad community support ascertained.

191. Village monitoring sub-committees, in collaboration with the Community Facilitator and village volunteers, monitor subproject implementation. The village monitoring sub-committees will confirm that negative impacts do not occur to ethnic minority communities or have been adequately addressed if they do occur. The implementation of sub-projects involving voluntary land donation, involuntary land acquisition or asset loss start only after this confirmation is given.

## **V. Unanticipated Impact**

192. Indirect, and/or unanticipated impacts may become apparent during subproject implementation. Should this be noted, the VTPSC ensure that a participatory rapid Social Assessment (SA) will be conducted and that the VTDP would be updated to address such unanticipated impacts in line with this IPPF.

## **VI. Monitoring**

193. Throughout the implementation of the sub-project, the village monitoring sub-committees, the Community Facilitator and the Technical Facilitator will monitor any negative impacts that may arise. The Community Facilitator will regularly visit villages and receive feedback. If villagers have any questions or grievances that cannot be addressed at the community level, they will be encouraged to seek clarifications and solutions through the project's grievance handling mechanism.

194. Social audits will be conducted on an annual basis and facilitated by the township DRD and TA team. For the social audits, the Community Facilitator will organize an open public meeting at villages (in remote areas, several villages may meet together for a social audit where convenient). Information on the meeting is posted in advance and meetings are held at such a time and place as to maximize community participation. It will provide a public forum to present problems, and air any grievances or other issues people may have with the project. The Community Facilitator will prepare minutes of the meeting that record the issues raised and how they will be addressed in the subsequent annual cycle. This information will be included in the updated Village Tract Development Plan (VTDP), submission of which to the DRD township office is a condition for the transfer of the next

annual block grant allocation.

195. The VTPSC will prepare a monthly progress report for all subprojects under implementation including on the implementation of the VTDP and any other safeguard related aspects and submits it to the DRD township M&E officer. With the assistance of the village volunteers, the monitoring sub-committee (MSC) will organize a village monitoring meeting about every two months or when major milestones have been achieved. Every effort will be made to ensure that as many villagers as possible will attend the meeting. The MSC will update villagers on all aspects of implementation progress including voluntary donations and mitigation of negative impacts, and receive feedback on the progress of the VTDP implementation and concerns they may have. The VTPSC will file the status of the implementation of this VTDP based on the report received from the VPSC and MSC and record outstanding issues and grievances collected. The township engineer and DRD township M&E officers will undertake regular supervision visits to subproject sites and review progress in implementation of this RPF. They will incorporate key findings from the supervision visits into the quarterly township progress report.

196. The DRD union office staff and relevant union TA consultants will undertake regular supervision and monitoring visits to townships, village tracts and village subproject sites in order to assess project performance including on safeguards. The DRD union M&E officer will develop the quarterly project progress report which will include the following performance indicators:

- (a) The number of voluntary donation cases;
- (b) The number of cases of involuntary land or asset acquisition;
- (c) The number of abbreviated or full RAP developed;
- (d) The amount of compensation paid for involuntary land or asset acquisition;
- (e) The total number of project beneficiaries/ affected people, broken down to ethnicity; and
- (f) Grievances submitted through various channels described below, and the current status.

197. All data will be disaggregated for ethnicity if more than one ethnic group reside in the beneficiary community and/ or are affected by the respective sub-project. The World Bank reviews the use of safeguards screening forms and the implementation of VTDP on a random basis and carries out field trips as part of supervision missions to verify safeguard compliance in line with this IPPF, the ESMF and other relevant project documents.

## **VII. Information disclosure during implementation**

198. The experience under the original NCDDP indicates that it is most meaningful and practical to explain project approaches including safeguard provisions to ethnic people orally and with visual materials. In Cycle 1, the CF and Technical Facilitators in all project townships included those who could speak at least one ethnic languages, which was found to be useful to ensure that those who directly benefit from/are affected by the project understand

safeguard provisions. Going forward, continued efforts will be made to develop more visual materials in all major ethnic languages to help ensure ethnic minorities clearly understand the project safeguard provisions.

199. The DRD is developing the guidelines on consultations and disclosure using ethnic languages as part of the Communication Strategy. In doing so, the DRD takes into account the comments provided at the safeguard consultation meetings held during the preparation of this AF where participants emphasized the importance of using audio-visual materials to ensure that ethnic minorities clearly understand the project and the protections provided under the ESMF. The guidelines will include the list of key project documents that are to be translated into local languages, the ethnic minorities present in the township, and local languages in use and appropriateness/ feasibility of translation, based on the inputs from respective township TA and participants of safeguard consultation meetings. Key project documents to be translated will include this IPPF and the entire ESMF, and may include the approved Village Tract Development Plans (VTDP) in addition to voluntary donation forms as well as abbreviated Resettlement Action Plan (RAP) (or a full RAP in exceptional cases where it is required). It was agreed that such lists should be developed in consultation with key stakeholders. DRD sought inputs from participants at the safeguard consultation meetings held for the AF and share the draft guidelines with stakeholders for further inputs.

## **VIII. Grievance Redress Mechanisms**

200. Complaints and grievances are dealt with using the NCDDP grievance handling mechanism (GHM) to ensure that the project is implemented transparently and accountably, that voices of poor and marginalized groups are heard, and that issues and grievances raised are resolved effectively and expeditiously. The key principles of the GRM are described in the Section K of the main body of the ESMF. Detailed processes and procedures are described in the project Operations Manual, and are made publicly available at the village level, including through posters and visual materials.

## Annex 6: FORM PC 10: FINAL INSPECTION OF SUBPROJECT FORM

|                            |           |   |          |
|----------------------------|-----------|---|----------|
| <b>Instructions:</b>       |           |   |          |
| Name of Facilitator/Staff: |           |   |          |
| Date:                      |           | Cycle (✓): <input type="checkbox"/> Cycle 1 <input type="checkbox"/> Cycle 2 <input type="checkbox"/> Cycle 3<br><input type="checkbox"/> Cycle 4 |          |
| State/Region:              | Township: | Village Tract:  | Village: |

### Subproject Description

|  | Subproject Activity | Size/Scope |              | Direct Beneficiaries |          |
|--|---------------------|------------|--------------|----------------------|----------|
|  |                     | Planned    | Final Actual | # Planned            | # Actual |
|  |                     |            |              |                      |          |
|  |                     |            |              |                      |          |

### Subproject Financial information

| CDD Project Contribution |        | Community Contribution |        | Other Govt Contribution |        | Other   |        |
|--------------------------|--------|------------------------|--------|-------------------------|--------|---------|--------|
| Planned                  | Actual | Planned                | Actual | Planned                 | Actual | Planned | Actual |
|                          |        |                        |        |                         |        |         |        |

### Status of Subproject Construction:

Is the subproject fully completed? ☐ No ☐ Yes, describe below

### Procurement:

Are there any remaining problems related to procurement of goods, supplies, or contractors? ☐ No ☐ Yes, describe below

### Safeguards/ ECOPs:

(a) Are there any problems related to land acquisition or resettlement?  
☐ No ☐ Yes, describe below

(b) Are there any problems related to environmental impact from subproject?  
☐ No ☐ Yes, describe below

### Village Operations and Maintenance Committees formed:

Are Village O&M Committees formed and functioning? ☐ No, describe issues below ☐ Yes

### Overall Technical Quality of Subproject

In general, the overall subproject is functional and technical quality is:

|  |                                  |                               |                                    |
|--|----------------------------------|-------------------------------|------------------------------------|
| <input type="checkbox"/> Poor  | <input type="checkbox"/> Average | <input type="checkbox"/> Good | <input type="checkbox"/> Very Good |
| <b>Community Satisfaction with Subproject:</b><br>How do villagers feel about the completed subproject?<br><div style="display: flex; justify-content: space-around; margin-top: 10px;"> <span><input type="checkbox"/> Very Dissatisfied (explain below)</span> <span><input type="checkbox"/> Dissatisfied</span> <span><input type="checkbox"/> Satisfied</span> </div> <div style="margin-left: 40px;"> <input type="checkbox"/> Very Satisfied         </div> |                                  |                               |                                    |
| Other Comments for attention:  |                                  |                               |                                    |

We certify that subproject described above is completed and functional and the above information is correct.

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

Head of the VPSC: \_\_\_\_\_

Signature:

Head Procurement Sub-committee: \_\_\_\_\_

Signature:

Finance Clerk \_\_\_\_\_ Signature:

Acknowledged by

Technical Specialist: \_\_\_\_\_ Signature \_\_\_\_\_ Date:

**Annex 7: List of NCDDP Year 1 Subprojects Reviewed by Technical Consultant**

| <i>No</i> | <i>Township</i> | <i>Village Tract</i> | <i>Village Name<br/>(English)</i> | <i>Sub-Project</i>    | <i>Date of<br/>Inspection</i> | <i>H.H</i> | <i>Femal<br/>e</i> | <i>Total<br/>Populati<br/>on</i> | <i>Approx<br/>Distance<br/>from<br/>Township<br/>(KM) or<br/>(Hours:<br/>Min) for<br/>Kyunsu</i> |
|-----------|-----------------|----------------------|-----------------------------------|-----------------------|-------------------------------|------------|--------------------|----------------------------------|--|
| 1         | Kanpetlet       | Kyet Chan            | Ma Kyauk Ahr                      | Footpath              | Aug 7, 2014                   | 40         | 112                | 231                              | 6.4  |
| 2         | Kanpetlet       | Kant Thar Yon        | Saw Laung                         | Water Supply          | Aug 7, 2014                   | 29         | 83                 | 147                              | 1.6  |
| 3         | Kanpetlet       | Kant Thar Yon        | Par Kun                           | School Rehabilitation | Aug 7, 2014                   | 46         | 136                | 266                              | 0.2  |
| 4         | Kanpetlet       | Kant Thar Yon        | Saw Chaung                        | Water Supply          | Aug 7, 2014                   | 19         | 40                 | 69                               | 3.2  |
| 5         | Kanpetlet       | Kant Thar Yon        | Kant Thar Yon                     | Linking Road          | Aug 7, 2014                   | 40         | 95                 | 195                              | 1.6  |
| 6         | Kanpetlet       | Hman Taung           | Maw Chaung                        | Water Supply          | Aug 8, 2014                   | 38         | 111                | 225                              | 64   |
| 7         | Kanpetlet       | Kyin Dway            | Hpone Twi Khi                     | Irrigation            | Aug 8, 2014                   | 22         | 70                 | 138                              | 89.6   |
| 8         | Kanpetlet       | Lon Ein Nu           | Tin Pon Kyinn                     | School Extension      | Aug 9, 2014                   | 26         | 62                 | 114                              | 99   |
| 9         | Kanpetlet       | Kyin Dway            | Auk Hle                           | School Extension      | Aug 9, 2014                   | 31         | 120                | 208                              | 100.8  |
| 10        | Kanpetlet       | Kyin Dway            | Hoke Pon Kyin                     | School Extension      | Aug 9, 2014                   | 19         | 46                 | 91                               | 89.6   |
| 11        | Kanpetlet       | Pu Saw               | Pan Taung                         | Water Supply          | Aug 9, 2014                   | 24         | 78                 | 142                              | 92.8   |
| 12        | Namhsan         | Kyauk Hpyu           | Kyauk Hpyu Ywar<br>Ma             | School Fence          | Aug 12,<br>2014               | 134        | 378                | 741                              | 7  |
| 13        | Namhsan         | Nam Len              | Nam Len                           | Community Hall        | Aug 13,<br>2014               | 244        | 971                | 1795                             | 25   |
| 14        | Namhsan         | Ahr Ram              | Ahr Ram (Pa<br>Laung)             | Public latrine        | Aug 13,<br>2014               | 242        | 773                | 1751                             | 11   |
| 15        | Namhsan         | Ahr Ram              | Ho Nam                            | Hydro                 | Aug 14,<br>2014               | 26         | 112                | 208                              | 18   |
| 16        | Namhsan         | Za Yang              | Za Yang (North)                   | School Fence          | Aug 14,                       | 321        | 909                | 1744                             | 4  |



|    |         |             |                                      |              |     |      |      |      |
|----|---------|-------------|--------------------------------------|--------------|-----|------|------|------|
|    |         |             |                                      | 2014         |     |      |      |      |
| 17 | Namhsan | Za Yang     | Za Yang Ywar Ma Road                 | Aug 14, 2014 | 386 | 1019 | 1923 | 2    |
| 18 | Namhsan | Ngun Hseng  | Ngun Hseng Water Tank                | Aug 14, 2014 | 221 | 545  | 1057 | 5    |
| 19 | Namhsan | Hpa Yar Gyi | Man Pang Side Drain                  | Aug 15, 2014 | 172 | 187  | 379  | 8    |
| 20 | Namhsan | Man Kan     | Ho Chit @ Sa Khan Thar Concrete Road | Aug 15, 2014 | 64  | 248  | 468  | 13   |
| 21 | Namhsan | Li Lu       | Li Lu Bridge                         | Aug 15, 2014 | 60  | 151  | 283  | 34   |
| 22 | Kyunsu  | Zay Ka Mi   | Zay Ka Mi School Renovation          | Oct 25, 2014 | 139 | 398  | 805  | 1:45 |
| 23 | Kyunsu  | Zay Ka Mi   | Pan Taung Water Supply               | Oct 25, 2014 | 78  | 200  | 406  | 1:55 |
| 24 | Kyunsu  | Zay Ka Mi   | Shwedu/Taungpuu School               | Oct 25, 2014 | 102 | 180  | 392  | 1:55 |
| 25 | Kyunsu  | Mawng Hiaw  | Mawng Hlaw Auk Bridge                | Oct 26, 2014 | 165 | 530  | 1026 | 2:00 |
| 26 | Kyunsu  | Mawng Hiaw  | Yataung Adwin School                 | Oct 26, 2014 | 162 | 525  | 1023 | 2:45 |
| 27 | Kyunsu  | Min Goke    | Min Goke Water Tank                  | Oct 26, 2014 | 250 | 750  | 1511 | 3:00 |
| 28 | Kyunsu  | Kat Ta Lu   | Leik Kvei Hydro Power                | Oct 27, 2014 | 28  | 66   | 128  | 2:45 |
| 29 | Kyunsu  | Kat Ta Lu   | Htein Chaung Concrete Road           | Oct 27, 2014 | 146 | 391  | 758  | 2:30 |
| 30 | Kyunsu  | Ka Pa       | Ma Yan Chaung School                 | Oct 27, 2014 | 248 | 576  | 1059 | 1:30 |
| 31 | Kyunsu  | Ma Ai       | Lin Ma Lo Jetty                      | Oct 28, 2014 | 90  | 291  | 590  | 3:15 |
| 32 | Kyunsu  | Ma Ai       | Ma San Pa Concrete Footpath          | Oct 28, 2014 | 159 | 437  | 934  | 2:45 |

## **Annex 8: Environmental Codes of Practice**

### **1. INTRODUCTION**

294. The World Bank is financing a Community Development Driven Project in Myanmar. The Project Development Objective is to enable poor rural communities to benefit from improved access to and use of basic infrastructure and services through a people-centered approach and to enhance the Government's capacity to respond promptly and effectively to an eligible crisis or emergency. The project will finance rural infrastructure identified by participating communities. These community investments will be conducted throughout three project cycles. The first cycle will focus on rehabilitation and minor extension works, based on positive list of subprojects that are easier to implement by using standardized designs. Beyond the first cycle, the project will also finance small scale new constructions based on an open menu and financial envelope; typically including small feeder roads, foot-paths and bridges, small dykes, drinking water systems, rehabilitation of class rooms and health centres, and small-scale rural electrification.

295. To manage and mitigate potential negative environmental impacts, the project applies Environmental Codes of Practice (ECoPs); outlined in this document. The ECoPs contains specific, detailed and tangible measures that would mitigate the potential impacts of each type of eligible sub-project activity under the project. They are designed appropriately for the local conditions in Myanmar, simple, and readily useable by the local communities who are the main beneficiaries of the project.

296. The preparation of these ECoPs has benefited from practical examples of other World Bank-financed community driven development (CDD) operations, or other projects with similar, small-scale rural infrastructures (e.g. Indonesia's PNPM Rural).

### **2. THE PROCESS: WHO, WHEN & HOW**

297. The ECoPs are to be implemented by villages and/or contractors, with the support of village community facilitators and engineers of the Department of Rural Development (DRD) at township level. While community facilitators will focus on the socialisation of the relevant Code and its adoption into community proposals, the DRD township engineers will be responsible for the adoption of the codes into their technical design for the sub-projects. The adoption of these codes will be closely supervised and supported by the DRD engineers at the union level.

298. The adoption of ECoPs will be monitored through the Project's annual progress report submitted by the DRD at the Union level. One section of the report should be made available for assessing the application of this environmental management tool; this may include issue(s) or problem(s) in the field and measures or actions undertaken in solving the problem(s).

299. The ECoPs will be adopted throughout the project cycle, as described in the following table:

| <b>Project Cycle</b>   | <b>ECoP Adoption</b>   |
|--|--|
| <b><i>Preparation and Planning Phase:</i></b>  |  |
| Step 3. Second village meeting: three year village development plan, prioritising proposals, election of representatives for village tract forum | Community facilitators introduce briefly the main objective of ECoP as a mitigation tool to prevent negative environmental impact. The inclusion of the relevant codes will strengthen the design of community investments/sub-projects when properly adopted. |
| <b><i>Decision Making Phase:</i></b>   |  |
| Step 4. Village tract forum discusses tract development plan, and select sub-projects, selects finance sub-committee                             | During sub-projects selection, facilitators (assisted by the DRD township engineers) will make sure that ECoPs are adopted in the sub-project technical design.  |
| Step 5. Village tract development plan endorsed by township aid management sub-committee   | Each sub-project proposal will adopt the specific section of the relevant ECoPs.   |
| <b><i>Implementation Phase:</i></b>  |  |
| Step 7. Implementation of sub-projects   | Facilitators (assisted by the DRD township engineers, if needed) will ensure relevant ECoPs are adequately implemented.  |
| <b><i>Operation &amp; Maintenance Phase:</i></b>   |  |
| Step 10. Operation and maintenance (O&M)   | As part of sub-project's O&M, facilitators will provide support to village operation and maintenance committee in regard to the implementation of the relevant ECoP  |

300. ECoPs applies to all type of investments financed during the first cycle of project implementation, based on a positive list of subprojects that are easier to implement using standardised designs. Standard designs will be modified and/or alternative designs prepared

to suit local conditions. Standard designs are available for rural roads, rural water supply, rural bridges, rural electrification, jetties and rural housing.

301. ECoPs applies to all type of eligible investments (open menu) financed during the second and third cycle of project implementation; these comprise small-scale new constructions based on an open menu, and typically include small feeder roads, foot-paths and bridges, small dykes, drinking water systems, rehabilitation of class rooms and health centres, and small-scale rural electrification. The list of sub-projects in this ECoP will be updated annually to cover more activities that are devolved in each project cycle. If subproject impacts are considered to be higher (e.g., water/air/soil pollution), an Environmental Management Plan (EMP) should be prepared before the subproject works may commence.

302. These ECoPs are designed in a way to allow easy adoption during proposal development and sub-project implementation. Each sub-project proposal will adopt a relevant section of the ECoP. Technical facilitators are responsible to ensure the adoption of this specific code into the proposal.

## ***Annex 8a General ECoP***

### **3. Environmental Codes of Practice**

#### ***A. General Guidelines (applicable to most rehabilitation and construction activities)***

| <b>Issue</b>                 | <b>Environmental Prevention/Mitigation Measures</b>  |
|------------------------------|--|
| 1. Noise during construction | <ul style="list-style-type: none"><li>(a) Plan activities in consultation with communities so that noisiest activities are undertaken during periods that will result in least disturbance.</li><li>(b) Use noise-control methods such as fences, barriers or deflectors (such as muffling devices for combustion engines or planting of fast-growing trees)</li><li>(c) Minimize project transportation through community areas</li><li>(d) Maintain a buffer zone (such as open spaces, row of trees or vegetated areas) between the project site and residential areas to lessen the impact of noise to the living quarters</li></ul> |
| 2. Soil erosion              | <ul style="list-style-type: none"><li>(a) Schedule construction during dry season</li><li>(b) Contour and minimize length and steepness of slopes</li><li>(c) Use mulch, grasses or compacted soil to stabilize exposed areas</li><li>(d) Cover with topsoil and re-vegetate (plant grass, fast-growing plants/bushes/trees) construction areas quickly once work is completed</li><li>(e) Design channels and ditches for post-construction flows and line steep channels/slopes (e.g., with palm fronds, jute mats, etc.)</li></ul>  |
| 3. Air quality               | <ul style="list-style-type: none"><li>(a) Minimize dust from exposed work sites by applying water on the ground regularly</li><li>(b) Do not burn site clearance debris (trees, undergrowth) or construction waste materials</li><li>(c) Keep stockpile of aggregate materials covered to avoid suspension or dispersal of fine soil particles during windy days or disturbance from stray animals</li></ul>   |

| Issue                             | Environmental Prevention/Mitigation Measures   |
|-----------------------------------|--|
| 4. Water quality and availability | <ul style="list-style-type: none"> <li>(a) Activities should not affect the availability of water for drinking and hygienic purposes</li> <li>(b) No soiled materials, solid wastes, toxic or hazardous materials should be poured or thrown into water bodies for dilution or disposal</li> <li>(c) The flow of natural waters should not be obstructed or diverted to another direction, which may lead to drying up of river beds or flooding of settlements</li> <li>(d) Separate as best as possible concrete works in waterways and keep concrete mixing separate from drainage leading to waterways</li> </ul>  |
| 5. Solid and hazardous waste      | <ul style="list-style-type: none"> <li>(a) Collect and transport construction waste to appropriately designated/ controlled dump sites</li> <li>(b) Maintain waste (including earth dug for foundations) at least 300 metres from rivers, streams, lakes and wetlands</li> <li>(c) Use secured area for refuelling and transfer of other toxic fluids distant from settlement area (and at least 50 metres from drainage structures and 100 metres from important water bodies); ideally on a hard/non-porous surface</li> <li>(d) Train workers on correct transfer and handling of fuels and other substances and require the use of gloves , boots, aprons, eyewear and other protective equipment for protection in handling highly hazardous materials</li> <li>(e) Collect and properly dispose of small maintenance materials such as oily rags, oil filters, used oil, etc.</li> </ul> |
| 6. Health and safety              | <ul style="list-style-type: none"> <li>(a) Provide personal protective gear for workers as necessary (gloves, dust masks, hard hats, boots, goggles)</li> <li>(b) Keep worksite clean and free of debris on daily basis</li> <li>(c) Keep corrosive fluids and other toxic materials in properly sealed containers for collection and disposal in properly secured areas</li> </ul>  |

| Issue    | Environmental Prevention/Mitigation Measures   |
|----------|--|
| 7. Other | <div data-bbox="528 282 1386 1146" data-label="List-Group"> <ul style="list-style-type: none"> <li>(d) Ensure adequate toilet facilities for workers from outside of the community</li> <li>(e) Rope off construction area and secure materials stockpiles/ storage areas from the public and display warning signs. Do not allow children to play in construction areas.</li> <li>(f) Fill in all earth borrow-pits once construction is completed to avoid standing water, water-borne diseases and possible drowning</li> <li>(g) Each construction sub-project to have a basic first-aid kit with bandages, antibiotic cream, etc.</li> <li>(a) No cutting of trees or destruction of vegetation other than on construction site</li> <li>(b) No hunting, fishing, capture of wildlife or collection of plants</li> <li>(c) No use of unapproved toxic materials including lead-based paints, un-bonded asbestos, etc.</li> <li>(d) No disturbance of cultural or historic sites</li> </ul> </div> |

## ***Annex 8b. ECoPs for specific activities/subprojects***

### ***B. Specific Environmental Codes of Practice/Technical Guidelines for Construction and/or Rehabilitation***

#### ***1. Buildings***

| <b>Sub-Project Type</b>  | <b>Environmental Prevention/Mitigation Measures</b>   |
|--|---|
| In general   | <ul style="list-style-type: none"><li>(a) Provide adequate drainage in the building's immediate surroundings to avoid standing water, insect related diseases (malaria, etc.) and unsanitary conditions</li><li>(b) Include sanitary facilities such as toilets and basins for hand-washing</li><li>(c) Avoid use of asbestos cement tiles as roofing</li></ul>   |
| <b>Sub-Project Type</b>  | <b>Environmental Prevention/Mitigation Measures</b>   |
|  | <ul style="list-style-type: none"><li>(d) Tiled floors are preferred for easier cleaning and more hygienic</li></ul>  |
| Schools, community recreation centres (including: child care centres, telecommunication centres), rural health centres and markets | <ul style="list-style-type: none"><li>(a) Schools/health centres: Maximise natural light and ventilation systems to minimise needs for artificial light and air conditioning; use large windows for bright and well ventilated rooms. <i>[Attachment point #12]</i></li><li>(b) Health centres: Provide adequate area for treatment, waiting area and patient's rooms, all of which should be well ventilated</li><li>(c) Health centres: Include facilities for proper disposal of health and biological wastes (syringes, blood, etc.)</li><li>(d) Markets: Tiled/paved floor is preferred for easy cleaning and maintenance. Slope floor for drainage.</li><li>(e) Markets: Provide garbage/waste disposal that can be emptied regularly.</li><li>(f) Markets: Separate the stalls/shops in the market for dry and wet produce/products.</li></ul> |



- (g) Markets: Ensure the stalls/shops have covers/roof to avoid standing waters during rainy seasons.

## 2. Rural Roads, Bridges and Jetties

| Sub-project Type  | Environmental Prevention/Mitigation Measures  |
|---|---|
| 1. Roads connecting villages, between villages and township | <p><u>General Considerations:</u></p> <ul style="list-style-type: none"> <li>(a) Control placement of all construction waste (including earth cuts) to approved disposal sites (at &gt;300 m from rivers, streams, lakes, or wetlands). Dispose in authorised areas all of garbage, metals, and excess materials (fuels, oil, grease) generated during construction. Never dispose spent oils on the ground and in water courses as it can contaminate soil and groundwater.</li> </ul> |

| Sub-project Type | Environmental Prevention/Mitigation Measures  |
|------------------|---|
|                  | <ul style="list-style-type: none"> <li>(b) Erosion control measures should be applied before the rainy season begins, preferably immediately following construction. Maintain, and reapply the measures until vegetation is successfully established.</li> <li>(c) Sediment control structures should be applied where needed to slow or redirect runoff and trap sediment until vegetation is established.</li> <li>(d) Spray water on dirt roads, cuts, fill materials and stockpiled soil to reduce wind-induced erosion, as needed.</li> <li>(e) Avoid road construction through primary forests as it gives access to illegal logging.</li> <li>(f) Avoid road construction in unstable soils, steep slopes and nearby river banks. Additional measures (see the section below) need to be applied should there be no alternatives for road alignments.</li> </ul> |

### Protect slopes from erosion and landslides by the following measures:

- (a) Plant locally available, fast-growing grass on slopes prone to erosion. These grasses help stabilise the slope and protect soil from erosion by rain and runoff. Locally available species possessing the properties of good growth, dense

ground cover and deep root shall be used for stabilisation.  
*[Attachment point #1]*

- (b) Provide interceptor ditch, particularly effective in the areas of high intensity rainfall and where slopes are exposed. This type of ditch intercepts and carries surface run-off away from erodible areas and slopes before reaching the steeper slopes, thus reducing the potential surface erosion.  
*[Attachment point #2]*
- (c) For steep slopes, a stepped embankment (terracing) is needed for greater stability.

## Sub-project Type

## Environmental Prevention/Mitigation Measures

- (d) Place a retaining wall at the lower part of the unstable slope. The wall needs to have weeping holes for drainage of the road sub-base, thus reducing pressure on the wall.  
*[Attachment point #3]*
- (e) Rocks (riprap) can be used in addition to protect the slope.  
*[Attachment point #4]*
- (f) Prevent uncontrolled water discharge from the road surface by sufficiently large drainage ditches and to drain water away from the down slope.

## 2. Small bridges (less than 10 meters) and jetties

### Erosion protection:

- (a) The main method of slope and erosion protection is the construction of gabions (gravity walls that support embankments or slopes which have a potential to slip) and ordinary stone pitching. *[Attachment point #5]:*
  - (1) The slope of gabions should be in the ratio of at least 1 vertical: 2 horizontal. Flatter slopes may be adopted depending on the site terrain.
  - (2) The filling of the gabions should be from strong and competent rock which is laid very closely packed to maximise the weight.
  - (3) Bracing wire should be used to prevent the gabion bulging out. The bracing wire should be placed at each third of the gabion height.
  - (4) The gabions should be firmly anchored into the ground by founding the gabions below the expected scour depth level.

- (5) In cases where stone pitching is not provided, the top layer should be covered by soil to encourage the growth of grass and the stabilisation of the slopes.
- (b) Stone pitching may be provided as the only erosion protection measure in those cases where the erosion potential is deemed minimal. Stone pitching is not very resistant to strong water current and is mainly used as the top finish on gabion walls.

|                         |   |
|-------------------------|---|
| <b>Sub-project Type</b> | <b>Environmental Prevention/Mitigation Measures</b> |
|-------------------------|---|

Water Quality and Fauna:

- |             |   |
|-------------|---|
| 3. Culverts | <ul style="list-style-type: none"> <li>(a) Restrict duration and timing of in-stream activities to lower flow periods (dry season) and avoid periods critical to biological cycles of valued flora and fauna (e.g., spawning)</li> <li>(b) Water flow diversion is not advisable; if it is impossible to avoid, impacts should be assessed and mitigation proposed.</li> <li>(c) Establish clear separation of concrete mixing and works from drainage areas and waterways</li> </ul>   |
|             | <ul style="list-style-type: none"> <li>(a) Remove all formwork from inside the culvert (after concrete has reached full strength). Formwork that is not removed will rot eventually, drop down and obstruct the free flow of water. <i>[Attachment point #13]</i></li> <li>(b) Place large stones at the outlet of the culvert to prevent erosion. <i>[Attachment point #8]</i></li> <li>(c) Keep the culvert inlets free from sand and gravel – the water must flow through the culvert. <i>[Attachment point #8]</i></li> <li>(d) Build a sand trap upstream of the culvert to prevent accumulation at culvert inlets (sand traps will have to be cleaned periodically).</li> <li>(e) Ensure that the water of the adjacent road sections can flow freely into the roadside ditch. <i>[Attachment point #8&amp;14]</i></li> </ul> |

### 3. Rural Water Supply

| Sub-Project Type     | Environmental Prevention/Mitigation Measures   |
|----------------------|--|
| Wells (deep/shallow) | (a) Should be equipped with slab around the well for easier drainage, a crossbeam and a pulley to support the use of only one rope and bucket for collecting water. One rope and bucket is more hygienic for the well and water. <i>[Attachment point #16]</i>                             |
|                      |  |
| Sub-Project Type     | Environmental Prevention/Mitigation Measures   |
|                      | (b) Steel rungs (placed inside wall of a deep well) are essential for maintenance of a well or in case of an emergency. <i>[Attachment point #16]</i>  |
|                      | (c) A groundwater well usually has a wide open water area. It is necessary to provide a cover/roof/wire mesh on top to protect this area from falling leaves or debris. <i>[Attachment point #16]</i>  |
|                      | (d) Wells should always be located upstream of the septic tank soak-away. Build the soak-away as far away as possible from the well (minimum 15 m/50 feet) as it can influence the quality of the drinking water when it is too close (health risk). <i>[Attachment point #6]</i>          |
|                      | (e) Before using a new water source, take samples for testing; minimum key parameters for water testing: total coliform, pH, Arsenic, Nitrate, colour, turbidity, and temperature. Water quality should also be monitored in the case of all wells rehabilitations as part of the project. |
| Spring               | (a) Every spring capture should be equipped with a filter and a sand trap. Add a wall between the inflow and the outlet pipe to create chamber for settling out sand; build the wall with a notch (lowered section) for controlled flow. Sand must be cleaned out periodically (O&M).      |
|                      | (b) Collection basin for spring capture needs to have a perforated PVC pipe (holes diameter 2mm) to be used as a screen for the water intake. Alternatively, a short pipe with wire mesh (screen) around the open end should be provided.  |

|   |   |
|---|---|
|   | (c) Collection basin needs to have a fence to protect the spring from public access and risk of contamination; and a roof/cover over the spring to prevent leaves or other debris from entering the basin.  |
| <b>Sub-Project Type</b>   | <b>Environmental Prevention/Mitigation Measures</b>   |
| Rainwater harvesting  | <p>(a) Rainwater storage reservoir should be intact, connected to roof gutter system, with all faucets and piping intact.</p> <p>(b) If distribution pipes are attached into the storage reservoir, install the distribution pipes 10cm above the storage/tank bottom for better use of the storage capacity.</p> <p>(c) Cover must be fitted tightly onto the top of the storage reservoir to avoid overheating and growth of algae (from direct sunlight), and to prevent insects, solid debris and leaves from entering the storage tank.</p> <p>(d) A ventilation pipe with fly screen should be placed in the cover to help aerate the tank/reservoir which is necessary for good water quality.</p> <p>(e) Roof gutters need to be cleared regularly, as bird and animal faeces and leaf litter on roofs or guttering can pose a health risk if they are washed into the reservoir tank.</p> <p>(f) Reservoir tanks need an overflow so that in time of really heavy rain, the excess water can drain away. The overflow should be designed to prevent backflow and stop vermin/rodents/insects entering the system. A good design will allow the main storage tank to overflow at least twice a year to remove build up of floating sediment on the top of the stored water and maintain good water quality.</p> |
| Installation/<br>Rehabilitation of<br>pipelines from<br>natural springs | <p><u>Preventing contamination at water sources:</u></p> <p>(a) Build a structure with roof over the water source to prevent leaves or other debris from entering into the basin.</p> <p>(b) A fence is needed to protect the water sources (springs particularly) from public access and risk of contamination.</p> <p>(c) The sand/gravel filter traps sediment before the spring flow enters the collection chamber and has to be changed during periodical maintenance.</p>   |

|                         |   |
|-------------------------|---|
| <b>Sub-Project Type</b> | <b>Environmental Prevention/Mitigation Measures</b> |
|-------------------------|---|

Pipe Laying: [Attachment point #17]:

- (a) PVC water transmission and distribution piping need to be buried underground (coverage 50cm minimum) to prevent pipe against external damage (e.g. passing vehicles, solar UV radiation, etc). Exposing PVC pipe to UV radiation causes the plasticiser in the PVC pipe to evaporate causing loss of integrity and brittleness.
- (b) Pipe shall be laid in a straight line, over a constantly falling slope.
- (c) When conditions do not allow piping to be buried (i.e. pipe is used above ground), then metal pipe must be used, and supported/braced as excessive movement may lead to leaks and breaks.
- (d) Outlet pipes and fittings from water storage/basin shall not be PVC pipe due to exposure to solar UV/sunlight. Metal piping and fittings are preferred.

#### ***4. Rural Electrification***

| <b>Sub-Project Type</b>                 | <b>Environmental Prevention/Mitigation Measures</b>  |
|---|--|
| 1. Solar panel and charge station       | (a) Provide a shed for genset (distributed electrical generator system) or pumps that are accessible for easy maintenance. Regular maintenance is important to avoid spillage/contamination (diesel/petrol/oil). |
| 2. Pico hydro (<20kw)                   | (b) At genset installation, make sure that exhaust pipe ends at the wall side of shed, as the fumes in the shed are unhealthy for the operators.   |
| 3. Solar street lighting                | (c) Tidy wiring for easy maintenance and reduces the risk of accidents. [Attachment point #10]   |
| 4. Diesel generator (<15 kilovolt-amps) | (d) Electrical cabling connections for street lighting need to be protected against rain to prevent short circuits.  |

| Sub-Project Type                         | Environmental Prevention/Mitigation Measures  |
|--|---|
| 5. Biogas charge station                 | <p>(e) A solid pole foundation (min 80 x 80 x 100 cm) is essential for safe lighting and power distribution. <i>[Attachment point #10]</i></p> <p>(a) Adequate level of maintenance is needed to prevent pipes getting blocked and leaking.</p> <p>(b) No open flames should ever be used near a digester, and adequate ventilation is needed.</p> <p>(c) When handling waste material, exercise appropriate precautions by using personal protective equipment to avoid contact with manure. Washing after working around the digester is recommended. It is particular recommended to wash hands before eating and drinking and before touching the eyes or other mucous membranes.</p> <p>(d) Keeping the digester facility clean will reduce disease hazards as well as the spread of odours and fly and mosquito populations in the digester facility.</p>   |
| 6. Biomass generator (<15 kilovolt-amps) | <p>(a) Biomass fuel storage should be located close to the boiler. Extended conveyance and elevation changes lead to increased technical complexity (with health and safety implications) and higher capital investment and maintenance costs.</p> <p>(b) Ash content from combustion of biomass generator needs to be buried or used as fertiliser.</p> <p>(c) A storage facility for agricultural wastes must be located at least 15 m from any watercourse and 30 m from any source of water for domestic purposes. If this recommended setback distance is not feasible, additional steps should be taken to ensure impacts from the storage waste pile are mitigated.</p> <p>(d) Storage sites should be located at a level area and well drained. Low lying, poorly drained areas should be avoided to ensure there is no standing water.</p> <p>(e) Surface run-off from the surrounding area should be directed away from the storage waste pile.</p> |

## ***5. Small-scale Irrigation***

| <b>Sub-Project Type</b> | <b>Environmental Prevention/Mitigation Measures</b>  |
|-------------------------|--|
| Small-scale irrigation  | <ul style="list-style-type: none"><li>(a) Masonry walls (along the road) or stone riprap should be built to prevent erosion on a sloped bank. <i>[Attachment point #4]</i></li><li>(b) May use bamboo as bank protection along the rice fields as the loads are low. <i>[Attachment point #8]</i></li><li>(c) A bar screen (vertical bars; about 20mm diameter with an approximate 10 cm clear distance for easy maintenance) is essential in front of any inlet structure (upstream) to prevent large objects and debris blocking the irrigation canal. The angle between the bottom of the canal and the screen shall be between 45 to 80 degrees.</li></ul> |

## ***6. Sanitation Facilities***

| <b>Sub-Project Type</b>    | <b>Environmental Prevention/Mitigation Measures</b>   |
|----------------------------|---|
| 1. Public latrines/toilets | <ul style="list-style-type: none"><li>(a) All toilets must have a septic tank to provide primary treatment of faecal waste. <i>[Attachment point #7]</i></li><li>(b) PVC pipe used to connect pour-flush toilet to a septic tank must be buried underground or covered over (with cement) for protection and to prevent exposure to sunlight.</li><li>(c) Metal pipe is a preferred choice to be used as the gas vent pipe on septic tanks. Never use PVC pipe as it is unable to withstand long-term exposure to sunlight.</li><li>(d) Septic tanks must have a vent pipe to prevent the build up of gas inside the chamber and shall have a 'manhole' that provides access inside the tank if needed. <i>[Attachment point #7]</i></li><li>(e) A toilet should be at least 20 metres from water sources (well, spring, river). <i>[Attachment point #6]</i></li></ul> |



| Sub-Project Type                          | Environmental Prevention/Mitigation Measures   |
|---|--|
| 2. Small-scale waste treatment facilities | <p data-bbox="531 282 695 311"><u>Septic tanks:</u></p> <ul style="list-style-type: none"> <li data-bbox="531 371 1385 533">(a) Septic tanks must have a vent pipe to prevent the build-up of gas inside the chamber and shall have a ‘manhole’ that provides access inside the tank if needed. <i>[Attachment point #7]</i></li> <li data-bbox="531 562 1385 813">(b) Ensure that the septic tanks have two chambers: first chamber is for settling of sludge, and the second chamber is for aerobic treatment. These chambers will generally treat wastewater better. Partially treated septic tank effluent can pollute groundwater and surface water. <i>[Attachment point #7]</i></li> <li data-bbox="531 842 1385 1048">(c) Do not discharge septic tank effluent to an open drain or other surface water. The effluents need to be treated before final disposal. This may be achieved through: (i) an underground leachfield, (ii) a vegetated leachfield, or (iii) a pit for soaking away.</li> <li data-bbox="531 1077 1385 1238">(d) Septic tanks must be inspected periodically and the accumulated sludge must be emptied (by pumped out) every few years for the tank to continue to function properly. <i>[Attachment point #7]</i></li> </ul> <p data-bbox="531 1294 1150 1323"><u>Solid waste disposal (wastes from rural market):</u></p> <ul style="list-style-type: none"> <li data-bbox="531 1339 1385 1458">(a) Solid waste depots/disposal need to be located on hard-standing areas that prevent waste entering surface or groundwater.</li> <li data-bbox="531 1487 1385 1603">(b) Waste depots/storage/disposal should be contained, sealed and/or roofed/covered to prevent stormwater contamination. Wastes need to be emptied regularly.</li> </ul> |

## Annex 9: Meeting Minutes of Public Consultations

### Myanmar National Community Driven Development Project Additional Financing

#### Summary Note of the Draft ESMF Public Consultation Meetings

The Department of Rural Development (DRD) conducted Public Consultations around the draft Environmental and Social Management Framework (ESMF) for the additional financing of the Myanmar National Community Driven Development (NCDD) Project in Yangon, Mandalay and Nay Pyi Taw in February 2015.

A draft ESMF was prepared to explain the environmental and social assessment processes and related safeguard policies to be followed for investments financed under the NCDD Project. Two weeks before the first consultation meeting, DRD sent out a draft ESMF to the Myanmar NGO/CSO list and invited the organizations to share their views on the document. The document and invitation were also posted on DRD's website and shared through social media.

The three public consultation meetings started with DRD's presentation in summary of the draft ESMF and introduction of some lessons learned from first year implementation, followed by open discussions with the participants. Below is the summary of discussions from the three consultation meetings.

| Comment / Question   | Response  |
|--|---|
| <b>ESMF document and consultation</b><br>“Framework” is a too large a terminology (in Myanmar) to be used for a specific project.<br><br>To receive more technical comments around environmental and social issues on ESMF draft, DRD should approach organizations focusing on such issues.   | This is a terminology used for the World Bank Safeguards document and is specific to NCDD Project. It will be clearly mention that this document is specific to the Project.<br><br>Relevant organizations are included in the invitation list, DRD will also follow up with organization to participate and comment in the next consultation meetings. |
| <b>Land Law (para 41)</b><br>Delete the sentence “the village and town Act is under revision”.<br>Burmese translation for The Land Acquisition Act (1984) is not accurate.   | Mentioned section will revise be revised accordingly.   |
| <b>Ethnic Language Translation</b><br>Participants agreed that communication in ethnic languages is useful but the general understanding is that translation in written form is not the most effective way. Below are some suggestions to prepare a more effective translation. <ul style="list-style-type: none"><li>• Conduct an assessment of the languages used in the Project area</li><li>• Broadcast through radio or TV programs</li><li>• Pre-test some sample documents before fully disseminating the ethnic translation documents.</li></ul> | DRD will discuss with the World Bank.   |

|   |   |
|---|---|
| <p><b>Inclusion of minorities/ Gender equality</b><br/>People with disability shall also be mainstreamed in the project design. Construction design shall also consider disabled people.</p> <p>How is the women's participation in recruiting the staff?</p>   | <p>Thanked for the suggestion.</p> <p>There are more qualified female applicants for Technical facilitator position and higher number of female who are selected.</p> |
| <p><b>Restrictions around construction</b><br/>The Myanmar Government has Environmental Impact Assessment and Social Impact Assessment (guideline), the scale of infrastructure under NCDD Project is smaller which provides less impact to the rural communities.</p> <p><b>Rural Electrification</b><br/>Looking at the positive list number 5. Pico Hidro is limited to &lt;20kW, biomass generator is limited to &lt;15 kilovolt-amps. To cover all HHs in the village level, this seems insufficient</p> | <p>DRD noted he comments to discuss with the World Bank.</p>  |

## Myanmar National Community Driven Development Project Additional Financing

### Minutes of Draft ESMF Public Consultation Meetings - Yangon, Inya Lake hotel

9<sup>th</sup> February 2015 (14:00-17:00)

The first public consultation meeting took place on Monday, 9th February 2015 at Yangon, Inya lake hotel. 40 people participated in the meeting, including 16 CSOs/NGOs, 9 Media, 5 World Bank, and 10 Department of Rural Development (DRD) staff.

Following is a summary of comments and questions received from the participants and DRD's response to those.

| Comments / Questions   | Response   |
|--|--|
| <b>Strategy and impact of the Project</b><br><br>1. The evidence of NCDDP (small scale infrastructure)'s impact to the country's poverty reduction and sustainability is not clear. The Project shall do a proper analysis of the impact of the \$80 million IDA project before scaling up as the \$400 million is a loan.<br><br>2. It is not clear whether the Project is trying to facilitate to empower and mobilize the rural communities to be able to realize their desire or trying to lead the communities to develop a plan which the blue print already exists. How much space will the communities have with the restrictions (negative and positive list)?<br><br>3. NCDD Project involves a long term learning process in changing the mind set of people, for example women's participation. The result of those changes needs to be measured | <br><br>1. Appreciated the comment.<br><br><br><br><br><br><br><br><br><br>2. Positive list and list of non-eligible activities for community investments (negative list) do not lead the communities to construct what we ask for. From the first village meeting, communities discuss their needs in small groups and prioritize them through democratic decision making process.  |
| <b>Project Design</b><br><br>1. The current Project is designed for infrastructure only. It is good that the communities can prioritize their needs but this is enough after 2 cycles. The Project shall consider other sectors to respond to poverty reduction.<br><br>2. Size of the subprojects was too small.<br><br>3. People with disability shall also be mainstreamed in the project design. Construction design shall consider disabled people.   | <br><br><br><br><br><br><br><br><br><br>2. Reflecting the first year implementation, the project has increased the block grant amount also using the international CDD standard average amount of block grant. This amount is not fixed and we will review this again if required. Villages are also not required to implement the subproject on its own. They can work together with other villages to implement a larger scale infrastructure.<br><br>3. Thanked for the suggestion. |

|  |  |
|--|--|
| <p><b>Social Audit</b><br/>Explain the process and content of the social audit</p>   | <p>Social audit was conducted with a group of villages facilitated by the community facilitators to review the financial management, received grievances, satisfaction level of the process and results of the project and so on. Lessons learned for future implementation were consolidated at the township multi-stakeholder review (MSR) and brought to the Union MSR meeting.</p> |
| <p><b>Communication and Public Awareness</b><br/>1. To receive more technical comments around environmental and social issues on ESMF draft, DRD should approach organizations focusing on such issues.<br/>2. The Project shall improve public awareness and utilize social media</p> | <p>1. Relevant organizations are included in the invitation list, especially environmental experts are planned to join the NPT consultation meeting. (DRD will also follow up with organization to join and comment in the next consultation meetings.)</p>  |
| <p><b>Capacity building</b><br/>Capacity building of the committees is important. ToT and peer group training are effective ways to build capacity.<br/><br/>For the communities to learn ways of thinking about fiscal input (income generation and expenditure) is important.</p>    | <p>Agree with the comment.</p>   |
| <p><b>Budget</b><br/>1. Is there a requirement of community contribution?<br/><br/>2. What will happen to the unspent amount after the three cycles?</p>   | <p>1. Contribution from the communities is not required but it is allowed. All additional funds including constituency funds needs to be documented and shall follow the project procurement guideline.<br/><br/>2. Village Tract Support Committee needs to decide the usage.</p>   |
| <p><b>Coordination with other funds</b><br/>Some villages have overlapping budget with Green village project. Coordination needs to be done.</p>   | <p>NCDD Project township is selected through public consultation.</p>  |
| <p><b>Ethnic Language</b><br/>Other organization (UNICEF) also has experience in translating documents in ethnic languages that nobody in project area could read. The Project shall pre-test some sample documents before fully disseminating the ethnic translation documents.</p>   | <p>The project team and the World Bank understand the complexity of ethnic language translation in this country.</p>   |

## Myanmar National Community Driven Development Project Additional Financing

### Minutes of Draft ESMF Public Consultation Meetings - Mandalay, Swan hotel

**11<sup>th</sup> February 2015 (9:00am -12:00pm)**

The second consultation took place on Wednesday, 11<sup>th</sup> February 2015 at Mandalay Swan hotel. 23 people participated in the meeting including 2 CSOs, 1 Media, 1 Union TA staff, 2 World Bank staff, and 17 Department of Rural Development (DRD) staff (Union and Township).

Following are comments and questions received from the participants and response to those

| Comment / Question   | Response  |
|--|---|
| <b>Ethnic Language</b><br>Whichever language is practically used in area shall be used for translation. If Myanmar is the most common language that people can read, documents shall be in Myanmar. (For example in Chin Kampelet, Daai, shall be used.) | Agrees  |
| <b>ESMF document</b><br>What is the relationship between ESSAF, ESMF and ECoP?   | ESMF is an updated version of ESSAF. It explains the environmental and social assessment processes and related World Bank safeguard policies to be followed for investments financed under the NCDD Project. ECoP is a practical tool for environmental management.   |
| <b>Institutional Arrangement</b><br><br>How are the project staff trained?<br><br>How is the women's participation in recruiting the staff?  | <br><br>In the Union level, there is a training specialist who designs the training and provides training to the TS DRD/ TA. At the township level, Team leaders of the TA train the facilitators.<br><br>There are more qualified female applicants for Technical facilitator position and higher number of female who are selected. |
| <b>Preparation process for the selected township</b><br>Participant from the selected township in Mandalay asked about the preparation steps for the project. (Mandalay, Ngazun township )   | Please wait for official approval and then DRD will explain the process at the socialization meeting at the selected township.  |
| <b>Impact to the environment</b><br>This project is very small scale; it has very small impact to the environment, why do you care about cutting trees?  | Each subproject is small scale but project covers the whole township in each state and region. The impact will not be small.  |

## Myanmar National Community Driven Development Project Additional Financing

### Minutes of Draft ESMF Public Consultation Meetings

#### Nay Pyi Taw, MICC 2

16<sup>th</sup> February 2015 (2:00-5:00pm)

The third public consultation meeting took place on Monday, 16th February 2015 at Nay Pyi Taw, MICC 2. 43 people participated in the meeting including 20 government staff, 3 Media, 3 Union TA staff, 2 World Bank staff, and 15 Department of Rural Development (DRD) staff.

Following are comments and questions received from the participants and response to those:

| Comment / Question   | Response   |
|--|--|
| <b>Usage of the word Framework (in Myanmar)</b><br>Ministry of Forestry and Environment has an Environmental Framework, the title ESMF is confusing.<br><br>Framework is a too large terminology to be used for a specific project.  | This is a terminology used for the World Bank Safeguards document and is specific to NCDD Project. It will be clearly mention that this document is specific to the Project. |
| <b>Project Component</b><br>Does the project also support the financing of the teachers' salaries after renovating or building a school?   | No the project does not fund teachers' salary.   |
| <b>Restrictions around construction</b><br>The Myanmar Government has Environmental Impact Assessment and Social Impact Assessment (guideline), the scale of infrastructure under NCDD Project is smaller which provides less impact to the rural communities.<br><br><b>Rural Electrification</b><br>Looking at the positive list number 5. Pico Hidro is limited to <20kW, biomass generator is limited to <15 kilovolt-amps. To cover all HHs in the village level, this seems insufficient | DRD noted the comment to discuss with the World Bank.  |
| <b>Land Law (para 41)</b><br>Delete sentence "the village and town Act is under revision".<br>Burmese translation for The Land Acquisition Act (1984) is not accurate, needs to change. (Attorney General Office)  | Mentioned section will revise be revised accordingly.  |
| <b>Ethnic Language</b><br>Translation into ethnic language in written form is costly and time consuming, but is not an effective way for the ethnic language speakers to   | Thank you for raising an important point. We will discuss with the World Bank.   |

|   |   |
|---|---|
| <p>understand. In ethnic areas, for example in Mon, it does not mean that although the daily used language is Mon, everyone can read Mon. The better way for translation is not through reading but ideally through radio or TV programs.<br/>(Ministry of Education)</p> |   |
| <p><b>Transport</b><br/>The project shall be in line with the National Transport Development Master Plan.</p>   | <p>The subprojects are very small scale in rural areas.</p> |